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**POLITICAL, HISTORICAL, GEOGRAPHICAL, SCIENTIFIC, STATISTICAL,
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DOCUMENTS, ESSAYS AND FACTS:

TOGETHER WITH

NOTICES OF THE ARTS AND MANUFACTURES,

AND A

RECORD OF THE EVENTS OF THE TIMES.

WM. OGDEN NILES, EDITOR.

THE PAST—THE PRESENT—FOR THE FUTURE.

FROM SEPTEMBER, 1836, TO MARCH, 1837—VOL. LI. OR, VOLUME XV.—FIFTH SERIES.



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INDEX TO VOLUME LI.

General directions. For things happening in *Great Britain, France, &c.*, or the several states, see their own proper heads; in congress, see *congress*, &c.

A.		
Abadie, Dr. his letter	34	
Abolition of slavery—[see " <i>Congress</i> ," " <i>Thompson, George</i> "] trial and acquittal in Georgia, of an abolitionist 272; abolition convention at Harrisburg, Pa.	384	
Academy of sciences at Paris—hoax on the	224	
Accidents 32, 82, 96, 128, 146, 152, 160, 163, 164, 176, 179, 192, 193, 208, 240, 238, 321, 352		
Adam, Sir Frederick	80	
Adams, John Quincy—[see " <i>Congress</i> "] his letter to an anti-masonic committee 151; his proposed course concerning the presidential election 151; his remarks on a petition from ladies for abolishing slavery in the District of Columbia 316; his letter concerning his course in Whitney's case, and on the petition from slaves	402	
Africa—[see " <i>Colonization</i> ," " <i>Liberia</i> ," &c.] eastern, account of, by Mr. Isaacs	66	
French troops in	128	
Agg, John, claimant of a large English estate	96	
Air—solidified	179	
ALABAMA—[see " <i>Congress</i> ," " <i>Presidential election</i> ,"] elections in 4, 18, 226; adjournment of the legislature 416; rail road companies incorporated by 416; city of, and Montgomery rail road company 416		
Alexander, emperor of Russia, made an honorary member of a peace society in Boston, and then expelled from it	208	
Alexander the Great, statue of	96	
Algiers 86, 304; cotton of	192	
Alibaud, trial and execution of	10	
Allan, Chilton—[see " <i>Congress</i> "] his letter concerning a charge against Francis Granger	151	
Alcock, Dr. E. J.	275	
Allen, Ethan, anecdote of	164	
American antiquarian society	164	
Anderson, James, repels an accusation against H. L. White 150—[see " <i>Law cases</i> ,"]		
Andros, Thomas	272	
Animal magnetism	222, 223	
Anti-masonic state convention proposed	416	
Antique, an a revolutionary relic 66; antiques	176	
Appointments by the president, &c.	290, 322, 416	
Appropriations for government expenditures 2; and for offices created in 1836, 61, 154; [see " <i>Congress</i> ,"]		
Arago, general, his death	192	
Aram, Eugene	16	
Arbuckle, gen. Matthew	129	
Arctic enterprise	11	
Ariel, the brig, fire and explosion of	149	
ARKANSAS—[see " <i>Congress</i> ," " <i>Presidential election</i> ,"] meeting of the legislature 81; passage of the expunging resolutions 145; election of James S. Conway as governor 81; elections in 97;—[see " <i>Conway, James S.</i> "] message of the governor 139; salaries of officers	176	
ARMY—[see " <i>Congress</i> ,"] general orders 5, 21, 54, 55, 87, 116, 149, 166, 167, 227, 402, 403; see 272; promotions, resignations and refusals of appointment, &c. 17, 21, 49, 117, 166, 224; number of resignations in the 176; see 320; useful invention for the sick of the	163	
Arsenic—mode of detecting it in food	112	
Ashantee—two sons of the king of, in London	160	
Atwater, Amzi, his account of the settlement of the western reserve	291	
Aurora borealis	352	
Austria, population of	36; see 221, 224	
B.		
Baltimore, inspections in 97; address directory	161	
delegation of, to the legislature	320	
deaths in	336	
Baltimore and Ohio rail road 7, 97, 107, 274, 352, 353; [see " <i>Rail roads</i> ,"]		
Baltimore and Susquehanna rail road	123	
Bangor, litigation at 160; deposit bank	176	
Bank of England 97; [see " <i>British affairs</i> ,"]		
Bank of the U. States 80, 81, 97, 113, 126, 187, 129, 215, 225, 230, 337, 343; [see " <i>Biddle, Nicholas</i> ," " <i>Congress</i> ," " <i>Pennsylvania</i> ,"]		
Banking—states which have prohibited the issue of notes under five dollars 80; in Massachusetts 242; [see " <i>Deposit banks</i> ,"] capital in the U. States 162; in New York	257	
Barbadoes 164; legislature of	369	
Barbour, James—his eulogium on Madison	170	
Barham, the frigate	144	
Barrell, George P., U. S. Consul at Malaga	178	
Bates, Barnabas, retires from the New York post office	32	
Bayard, James A., appointed U. S. Attorney for Delaware	192	
Beasts of prey destroyed in Sweden	288	
Beet-root sugar 32; [see " <i>Manufactures</i> ,"]		
Bell, John; [see " <i>Congress</i> ,"]—invited to a public dinner 13—his answer 14—his reception	49	
Bell, Dr. rescues a German princess from drowning	16	
Benton, Thomas H.—see [" <i>Congress</i> ,"]	321, 353	
Bermudez, judge, attempt to lynch	49, 69	
Bernard, general, made war minister of France	146	
Biddle, Charles—his plan of a rail road	69	
Biddle, Nicholas—his remarks on agriculture	119	
his letters to J. Q. Adams	230, 243	
Bird, Dr.	283	
Births, extraordinary	176	
Black, John; [see " <i>Congress</i> ,"]—his remarks in the senate of the U. States on certain Indian reservations	412	
Blennerhasset's island	99	
Bonaparte, Joseph	19, 176, 180, 288	
Louis Napoleon—his attempt to excite a revolution in Strasburg 273; Lucien, sons of 66, 86, 208; Napoleon, sale of his effects 9, 84;—his order concerning suicide 195; memoranda of his generals 84; Chateaubriand's remarks concerning him 147; the twelve apostles	192	
Bonneville, captain	16	
Bosnia, insurrection at	170	
Boston, supplying pure water to 16; increase of 83; revenue of 97; cargo of ice and apples sent to Calcutta from 96; its proposed representation in the legislature of Mass. 128; money market 178, 225; usury 352; flight of a cashier 192; blind choristers 192; fires 336; mortality	384	
Bozzaris, honor to	16	
Brady, Samuel, legend concerning	168	
Brainard, Aldis, the polygamist	144	
Brandon, William—his death	208	
Brazil, events in	20, 101	
Breadstuffs 93, 193; quick manufacture of bread 147		
Breckinridge, Robert J.—his letter to Dr. Wardlaw	186	
Brent, William—his petition to congress concerning four votes given in Virginia for president and vice president of the United States	357	
Bridge over the Ohio	80	
Bristol, ship wreck of the	194	
BRITISH AFFAIRS.		
Agricultural report for July 17; alligator, an in the Thames 208; American lands, speculators in 160; bakers, regulations concerning 160; banks, stringent measures of 160; bank of England 98; British association for the advancement of science 154; Chamberlains of England, hereditary grand 112; church dues, sale of property for, and riot 176; Church of England schools 112; commercial policy 164; criminality, proportionate, in the counties of England and in Ireland 154; criminals, relative ages of, in England and France 154; education in England 202; exchequer bills, interest on 160; exports and imports of hardware and cutlery 18; of cotton 2; exports 176; factories, laborers in English 275; fire in London 112; protection of the bank of England against fire 290; flogging of soldiers and marines 208; geological changes in Great Britain 83; Horticultural Society, London 144; medical practitioners, bill concerning 112; money market in England 100; national debt, curious calculations relating to it 210; navy, French timber for the British 224; Newgate, state of 36; newspapers, bill concerning the conveyance of 10; stamp duties bill, &c. 50; duty on, reduced 115; penalty of a million of dollars incurred in one day, under the new stamp duties act, by a ministerial newspaper 208; <i>New Grenada</i> , anticipated rupture between England and 369, 385; <i>parliament</i> , scene in the house of commons 30; debate in the house of commons, on slavery in Texas 38; prorogation of; speaker's address; king's speech 79; meeting and prorogation of 193; postage, arrangement with France concerning 10; [see " <i>Newspapers</i> ,"] post office laws, evasion of 96; prosperity in England 99; reading taste of the British public 83; revenue 179; roads, public 288; Serpentine river, draining of the 201; Smithfield market, statistics concerning the London 86; tea drinking in England 99; tea trade in London 96; Texas 35; Thames tunnel 48; comparative height, weight, and strength of the English, Belgian, Scotch, and Irish nations	154	
Broom-corn	16	
Buchanan, James—[see " <i>Congress</i> ,"]		
Buchanan, judge John,	273	
Buckland, Dr.—his alleged declaration concerning the age of the world	144	
Buffalo, N. Y.—trade 82; wooden pavements 83; sales of real estate	128	
Burchard, Matthew	226	
Burnet, David G. President of Texas—his message to the Texan congress 199; his answer to presi-		
dent Santa Ana's protest 191; resigns his office	227	
Burr, Aaron—his death 33; his burial 49; his will 83, 138; his valedictory of the senate	199	
Butler, Benjamin F. attorney general appointed acting secretary of war	17, 82, 144	
Byron, ship	30	
C.		
Caldwell, James, to light Mobile with gas	144	
Calhoun, John C.—[see " <i>Congress</i> ,"]—his speech at a dinner given to himself and Waddy Thompson, in S. C. 77; his letter concerning a rail road 88; spoken of as president of the great southern and western rail road company 192; his speech on the admission of Michigan into the union 307; his speech on the distribution bill 309, 310; a letter of the president of the U. States to him	396	
Call, Richard K. 821—[see " <i>Florida, War in</i> ,"]		
Campbell, lieutenant Archibald S.—his death	178	
Canada, Lower, disturbances in 99; remarkable and ridiculous jury in	164	
Canada, Upper, meeting of the legislature 194, 208; burning spring in 99; appropriations for roads and for the Welland canal	275	
Canals, 2, 7, 8, 96, 145, 192, 272, 274, 275, 304, 336, 384		
Canal tolls, travel, trade, &c., N. Y. 2, 7, 98, 168		
Carey, Mathew, eulogium on him, by Richard Peters 34; proposed new edition of his " <i>Vindiciae Hibernicae</i> "	150	
Carlisle, Richard, his conversion to Christianity	144	
Carlos, Don, his proclamation	129	
Carrel, Armand, a French editor—his death	20	
Cass, Lewis, leaves Washington for France	17	
further notices of him	82, 288	
Central America, scheme of emigration to	36	
Cesarian operation—afflicting case of a	176	
Chambers, Thomas J. murders Moses Camp	208	
Chandler, Joseph R., extract from his speech at Philadelphia, concerning the American press 33		
Charlemagne's Bible	80	
Charles I., king of Great Britain—his Bible	224	
Chateaubriand—his remarks on Napoleon	147	
<i>Cherokees</i> , affairs of the, letter of John Ross concerning 90; letter of Mr. Clay 160; war with them 5, 6; sale of intoxicating liquors to them	290	
Chesapeake and Ohio Canal 8—[see " <i>Canals</i> ," " <i>Congress</i> ,"]		
Chesney, Col. F. R.—letter from	81	
Cheverus, Bishop, biographical sketch of	22	
Chicago, commerce of	274	
Chili, attempted revolution in	178	
reported hostilities with Peru	358, 385	
China, trade with 10; a peep at 102; slavery in 228 see p. 181, 36		
Cholera in Charleston, S. C. 17, 23, 49, 65, 84, 97 in the vicinity of Charleston, S. C. 128; in the papal states 113; cure for the	66	
Chorbon, a disease fatal to cattle and men	96	
<i>Christina</i> , queen of Spain—her pecuniary investments 144; her beauty and fascination	208	
Chronometers	201	
Churchill, Mr.—redress to him from the Turkish government	50	
Cincinnati, a theatre at, destroyed by fire	160	
pork market of	341	
Clarke, James, governor of Kentucky—his inaugural address	41	
Clarksburg (Va.) clerk's office burnt	16	
Clatow, general—his death	181	
Clay, Henry—[see " <i>Congress</i> ,"]—his speech at a public dinner given to him in Kentucky 14; his marvellous escape from death 17; his remarks at Lexington, Ky., on African colonization 40; his letter to John Gunter, a Cherokee Indian 160; his letter concerning a charge against Francis Granger 152; his remarks on asking leave to introduce his land bill 269; re-elected a U. S. senator from Kentucky 273, 353; his remarks on the distribution bill 310; his letter accepting the office of president of the American Colonization Society 339; his speech on the resolution to expunge a part of the journal of the senate, for 1833-4	406	
Clayton, John M., chief justice of Delaware	321	
Clayton, Thomas, elected a U. S. senator	305	
Cleveland, trade of	176, 180, 195	
Clinch, general, invited to a public dinner in Georgia 400—see [" <i>Florida, War in</i> ,"]		
Coal and coal trade 22, 32, 48, 80, 112, 160, 176, 304—see [" <i>Congress</i> ,"]		
Cochran, John H., invents a rifle of extraordinary power	160, 194, 320	
Coffee, gen. John—his death	112	
<i>Coins</i> , ancient 16, 208; proposed issue of new coins in the United States 128; new coin of fifty-cent pieces 240; the new dollar 241; gold and silver coin, supply of	274, 351	

- Cold, effects of extreme 147
Coleman, George, the younger—his death 304
Colonization, African—[see "*Congress*."] 40, 83
Colonization Society, the American, its receipts 48
its twentieth annual meeting 241, 259
Compromise act, a test question concerning the 414
Concord monument 258
- CONGRESS.
Abolition of slavery in the District of Columbia, &c.
280, 316, 317, 318, 333, 334, 335, 336, 351
359, 378, 383, 390, 392, 399, 411, 413—[see
"*Yeas and nays*."]—"*Slaves*."] 359, 390, 396, 397, 399, 413
Adams, Mr. 255, 270, 280, 291, 296, 316, 317, 318,
334, 335, 351, 359, 380, 383, 385, 386, 387,
389, 390, 396, 397, 399, 413
Agent of claims at Paris and London 288
Alford, Mr. 359, 386, 397
Allan, Mr. C. 297, 334, 335, 359, 383
Amendments to the constitution, concerning the
election of P. and V. P. 353
American authors 413
American seamen 281
Anthony, Mr. 280, 358, 359, 398
Appropriations 281, 360
for the Indian department, &c. 360, 377, 414
for the suppression of Indian hostilities 399
for the army 392, 398, 399, 416
for fortifications, &c. 892
for completing military roads in Arkansas, 413,
414
for the navy 399, 415
Arkansas 413, 414, 415
Ash, Mr. 398
Ashley, Mr. 276, 280, 297, 383, 396
Bank of U. States—notes of the late 415
Banks 283
Bastrop's heirs 294
Bayard, Mr. 294, 331, 347, 349, 378, 394, 411, 412,
413
Beale, Mr. 351
Bean, Mr. 383
Beaumont, Mr. 399
Belgian and Dutch vessels and cargoes 394
Bell, Mr. 270, 271, 280, 315, 318, 334, 335, 351,
352, 358, 359, 376, 396, 398
Benton, Mr. 233, 240, 253, 259, 269, 270, 278, 279,
299, 320, 330, 331, 332, 333, 347, 348, 356,
357, 392, 393, 395, 400, 411
Black, Mr. 315, 347, 392, 411, 412, 418
Bond, Mr. 334
Boon, Mr. 239, 230, 295, 315, 316, 317, 351, 395,
396, 398
Borden, Mr. 316
Bouldin, Mr. 386, 397, 398
Bounty lands 283
Boyd, Mr. 335, 352, 358, 415
Brent and Cox, memorial of, 359
Brent, William, of Virginia, petition from 359
Briggs, Mr. 256, 281, 317, 334, 353, 359, 383, 395,
399, 400, 415
Briggs, Dr. John P. case of, 380
British authors 316, 376, 377, 399, 400
Brown, Mr. 294, 373, 390
Buchanan, Mr. 278, 279, 298, 299, 314, 330, 331,
347, 349, 357, 360, 378, 412, 414
Bynum, Mr. 334, 389, 390, 397
Calhoun, Mr., of Kentucky 320, 359, 389, 396, 397,
398
Calhoun, Mr. J. C. 259, 270, 279, 279, 298, 307,
314, 315, 330, 331, 333, 347, 349, 355, 356, 357,
376, 377, 378, 379, 384, 390, 391, 392, 393, 394,
400, 411, 413, 414
Calhoun, Mr. of Mass. 335, 383
Cambreleng, Mr. 271, 281, 282, 316, 318, 319, 333,
350, 351, 359, 360, 380, 383, 389, 398, 399,
415, 416
Carter, Mr. 255, 399
Casey, Mr. 351, 360
Chambers, of Ky., Mr. 280, 317, 383, 396
Chambers, of Penn., Mr. 283, 395, 396
Chapin, Mr. 358, 398
Chesapeake and Ohio Canal 351
Children in factories, 384
Childs, Mr. 255
Claiborne, Mr. 239, 297, 315, 351, 358, 396
Claims on U. States, examination of 294, 331
Clay, Mr. 256, 314, 315, 330, 331, 333, 346, 347,
348, 349, 355, 356, 357, 376, 377, 378, 384,
390, 391, 392, 394, 400, 411, 413, 414, 416
Clayton Mr. 392, 411
Coal, duty on 349
Coffee, George, death of 239
Colonization Society 255, 334, 355, 357, 359, 383,
399
- Committees of the senate, standing 240, 254; to in-
form Martin Van Buren of his election to the pre-
sidency 379, 390; to inform Richard M. Johnson
of his election to the vice presidency 379, 392
Committees of the House of R., standing, 239, 240,
254, 250; to investigate executive departments 387,
370, 380, 395; on steamboat disasters 270; to inform
- Messrs. Van Buren and Johnson of their elec-
tion 396; committee, joint, of the two houses, to
examine the votes of president and vice president
356, 382, 396
Compromise act, test question concerning it 414
Connor, Mr. 256, 270, 350, 351, 359, 399
Contempts 399
Copy right 376, 377, 399, 400, 412
Corwin, Mr. 320, 333
Court of inquiry at Frederick 411
Craig, Mr. 281, 283, 351, 358, 359, 397, 415
Crary, Mr. 358, 359, 382
Crittenden, Mr. 270, 294, 330, 346, 392, 393, 395,
400, 411, 413
Cumberland road—[see "*Yeas and nays*."] 394, 400
Currency in payment of dues to United States 357,
392, 416
Cushing, Mr. 281, 351, 359, 360, 383, 389
Cushman, Mr. 281, 295, 320, 330, 333, 358, 359,
380, 415
Cuthbert, Mr. 411, 414
Dana, Mr. 270, 330, 331, 349, 414
Davis, Mr. of Ind. 240, 270, 280, 317, 335, 383, 390
Davis, Mr. of Mass. 256, 279, 294, 314, 320, 330,
331, 347, 356, 357, 376, 379, 384, 392, 393,
411, 413, 414
Dawson, Mr. 317, 358
Decatur, case of Mrs. Susan 380
Denny, Mr. 399
Deposit banks 296, 380
Distribution bill 308
District of Columbia—[see "*Abolition of slavery*,
&c.;"] penal laws in 349, 394; banks of 318; days
for considering bills relating to 379
Dromgoole, Mr. 358
Dry docks 415
Dunlap, Mr. 282, 358
Durett's heirs 296
Duties on goods destroyed by fire at New York 411
imports 355, 414
Education 315, 347
Elections, freedom of 315, 318, 351, 358, 359; bill
to secure the 376; report in the senate, concerning
the election of president and vice president 377,
378; in the house 382; votes for president and vice
president counted in H. R. 383; election of vice
president 379
Ellicott & Co., letter from, 413
Elmore, Mr. 389
Evans, Mr. 316, 389
Everett, Mr. 255, 281, 283, 415
Ewing, Mr. of Illinois 413
Ewing, Mr. of Ohio 240, 253, 254, 298, 331, 346,
347, 348, 349, 352, 354, 392, 394, 411, 412
Express mails 335, 359
Expunging resolution 320, 330, 331, 382, 346; pro-
position to rescind it 378
Fairfield, Mr. 398, 400
Florida 346, 413
Foreigners—immigration of 400, 413, 414
Forrester, Mr. 270
Forsyth, John—claim of 294
French indemnities 392
French, Mr. 318, 335, 359, 389
Fry, Mr. 280
Fulton, Mr. 256
Gainesville and Narkeeta rail road 413
Galbraith, Mr. 283, 333, 415
Gales & Seaton's American state papers 379
Garland, Mr. of Louisiana 359, 380, 396
Garland, Mr. of Va. 283, 295, 296, 381, 393
Gholson, Mr. 389, 390, 396, 398, 399, 414
Gillett, Mr. 239, 255, 281, 282, 295, 296, 315, 381,
398
Glascock, Mr. 316, 317, 333, 389, 396
Goldsborough, R. H. death of 233
Graham, Mr. 271, 335, 396
Granger, Mr. 315, 359, 387, 397, 399, 415
Grantland, Mr. 386
Graves, Mr. 359, 389, 399
Grennell, Mr. 360, 414
Grundy, Mr. 254, 273, 279, 298, 307, 314, 331, 347,
348, 349, 356, 377, 378, 379, 383, 390, 392,
393, 395, 411, 418, 414
Haley, Mr. 397
Hall, Mr. of Maine 297, 298
Hamer, Mr. 298, 318, 380, 382, 398
Hannegan, Mr. 270, 283, 295, 298, 350, 390, 397,
415, 416
Hard, Mr. 253, 283, 399
Hardin, Mr. 283, 316, 336, 350, 351, 383, 396, 398,
400
Harlan, Mr. 283, 295, 296
Harper, Mr. 271, 282, 283, 317
Harrison, Mr. of Missouri 271, 298, 397, 398
Hawes, Mr. 336, 350, 359
Haynes, Mr. 239, 317, 318, 360, 386, 387, 398
Heister, Mr. 335, 350
Hendricks, Mr. 278, 279, 298, 331, 378, 392,
394, 400
Herod, Mr. 350
- Hoar, Mr. 399
Holsey, Mr. 297, 360, 384, 389
Hopkins, Mr. 398
Howard, Mr. 282, 283, 297, 334, 352, 358, 397, 398,
399, 415
Howell, Mr. 359
Hubbard, Mr. 279, 294, 314, 349, 377, 392, 411,
418
Huntsman, Mr. 280, 315, 350, 351, 358, 398
Importation of goods—frauds in the 377
Imprisonment for debt 359; in the District of Co-
lumbia 384
Indian affairs—[see "*appropriations*."] 378, 379,
399, 400, 412,
Ingersoll, Mr. 296, 319, 359, 396, 397, 399
Insolvent debtors 281
Iowa Indians 377
Island, artificial 379
Jackson, Mr. 316
Jarvis, Mr. 255, 271, 316, 335, 350, 358, 359, 379,
383, 396, 399, 415
Jenifer, Mr. 316, 335, 350, 358, 359, 396, 414
Jersey city 414
Johnson, Mr. of Ky. 297, 335; elected vice presi-
dent 379
Johnson, Mr. of Louisiana 280, 315, 397
Johnson, Mr. of Tenn. 358, 380, 383, 397
Jones, Mr. of Ohio 334
Jones, Mr. of Wisconsin 271
Jones, Walter appears before H. R. as counsel for
R. M. Whitney 399
Journals of congress—mutilation of 335, 345
Judicial system of U. States 282, 283, 392, 393,
414, 415
Kent, Mr. 288, 294, 333, 394, 411, 414
Kentucky and Tennessee volunteers 395, 399, 414
Key, Francis S.—his letter to the secretary of the
treasury 350; appears before the house as counsel,
for R. M. Whitney 399, 400
King, Mr. of Ala. 240, 294, 331, 347, 348; elected
president of the senate 356, 357
King, Mr. of Georgia 294, 346, 394
Kinnard, George L., death of 240
Knight Mr. 253, 393, 413, 414
Land bill 268, 357, 369, 376, 377, 378, 379, 384,
416—[see "*public lands*."] 416
Land frauds 376; [see "*public lands*."] 416
Lane Mr. 270, 271, 295, 315, 334, 383, 396, 397,
398, 415
Lawler, Mr. 359, 360, 389, 390
Lawrence, Mr. 319, 334, 335, 388
Lee, Mr. Gideon 282, 335, 396, 415
Leonard, Mr. 399
Lewis, Mr. 255, 318, 386, 387, 389, 396, 398
Lincoln, Mr. 283, 351, 383, 389, 395, 396, 397, 398
Linn, Mr. 269, 279, 314, 348, 377, 400, 411, 413,
414
Lloyd, William B. case of 344
Love, Mr. 282, 283
Lowrie, Walter—sec. of the senate, resigns 232
Loyall, Mr. 255
Lyon, Mr. 378, 413
Madison, James—his MSS 411, 412, 413
Mann, Mr. of N. Y. 255, 256, 282, 283, 297, 316,
317, 319, 338, 334, 350, 358, 359, 388, 395,
398, 400, 415
Marine hospitals 376
Martin, Mr. 270, 382, 398
Mason, Mr. of Maine 415
Mason, Mr. of Va. resigns his seat 351
Massachusetts, claim of, on the U. States, 415
McCarty, Mr. 270, 395
McKay, Mr. 297, 319, 396, 415
McKean, Mr. 357
McKenna, Mr. 283, 380
McKeon, Mr. 281, 333, 335, 396, 415
McKim, Mr. 360, 399
Meade, R. W. claim of, on the U. States, 415
Meeting of the 24th congress, at the 2d session, 232, 233
Melville, David, a removed ganger, case of 335
Members of the house 238
Mercer, Mr. 239, 255, 319, 350, 359, 379, 382, 383,
395, 396, 398, 399, 415
Messages from the president—annual 232; see
p. 239; transmitting correspondence with Mrs.
Madison 238, 245; transmitting a report from the
post master general 271; concerning Texas 272, 277;
concerning the admission of Michigan into the
union 278; concerning the Smithsonian legacy 294;
executive 314; concerning a canal or rail road near
the isthmus of Panama 314; concerning the penal
laws of the District of Columbia 383; transmitting
correspondence with president Santa Ana 335; con-
cerning the mint 349, 351; with communications
from the secretary of the treasury and the U. S.
attorney for the District of Columbia 349; with an
act of the state of Missouri 350; concerning Mexico
and Texas 352, 358; recommending contingent re-
prisals against Mexico 378; concerning a treaty
with the Sac and Fox Indians 379; communicating

- a treaty with Morocco 392, 399; concerning a seizure at Bermuda, of American slaves 394; concerning relations with Peru 415
Mexico, 352, 358, 378, 398, 409, 412
Michigan 278, 294, 298, 307, 315, 322, 336, 351, 358, 359, 376, 377, 378, 393, 413, 414
 Mileage and compensation of members 350, 352, 358
 Military appropriation bill 393; establishment 393, 400
 Milligan, Mr. 389
 Mint 351
Mississippi, contingent locations of land in river, &c. 413
 Montgomery, Mr. 297
 Moore, Mr. 269, 279, 380, 395, 400, 413
 Morgan, Mr. 335
 Morris, Mr. 294, 298, 299, 333, 347, 349, 357, 377, 378, 379, 394
 Muhlenburg, Mr. 333
 National bank 379
 National hospital 399
 Naval service, employment of boys in the 413
 Navy appropriation bill 415
 Navy department; [see "*Reports*,"] communications from the 298, 380
 Newcastle, port of entry 411
 Niagara, ship canal 399
 Nicholas, Mr. 269, 314, 349, 357
 Niles, Mr. 269, 294, 315, 330, 347, 349, 390, 392, 413, 414
North Carolina, act of, concerning American seamen 415
 Norvell, Mr. 357, 378, 393, 394, 413
 Nourse, Joseph, claims of 357
 Officers of the senate 254, 279
 Owens Mr. 283, 319, 333, 398
 Parker, Mr. 280, 281, 360, 393, 415
 Parks, Mr. 280, 316, 358, 395, 398
 Passengers from foreign countries 400, 414
 Patent office 271, 314, 393
 Patterson, Mr. 333, 383
 Patton, Mr. 240, 255, 317, 350, 386, 387, 389, 396, 397, 398, 400, 414
 Pearce, Mr. D. J. 256, 271, 281, 295, 358, 383, 395, 399, 415
 Penal laws 415
 Penitentiary system 314
 Pennsylvania ship 415
 Pensions 280, 281, 294, 296, 314, 351, 377, 380, 414
 Peru 415
 Petitions, presentment of 383
 Peyton, Mr. 256, 296, 380, 382, 415
 Phillips, Mr. 317, 359, 379, 383, 389
 Pickens, Mr. 280, 282, 334, 358, 389, 397, 415
 Pierce, Mr. 413
 Pilots 415
 Pinckney, Mr. 317, 318, 335, 389, 399
 Porter, Mr. 294
 Post office; [see "*Reports*,"] 399
 Prentiss, Mr. 294, 390, 394, 413
 President of U. S.—[see "*Messages*, &c."] his letter to Mr. Calhoun 384, 390; president and V. P. examination of votes for 356, 357
 committees to wait on 232, 238, 239
 Preston, Mr. 380, 386, 347, 378, 393, 394, 395, 400, 411, 412, 413, 414
Public lands 295, 296, 297, 315, 320, 331, 333, 345, 346, 347, 349, 350, 357, 380, 390, 392, 393, 413, 414 [see "*Land bill*," and "*yeas and nays*,"]
 Rail roads 400, 413
 Rankin, Christopher, death of 239
 Receivers of public moneys 399, 413
 Reed, Mr. 253, 313, 317, 358, 378, 383, 415
 Relief vessels 392, 414
 Removals from office 335
 Rencher, Mr. 315
Reports. Annual report of the secretary of the treasury 246; annual report of the secretary of the navy 251; annual report of the secretary of war, *ad interim* 261, 295; annual report of the postmaster general 267; report of the secretary of the treasury concerning New York duty bonds 283; report of the secretary of the treasury concerning the distribution of the surplus revenue 297; report of the secretary of the treasury concerning transfers of public money 312; report of the postmaster general, transmitting estimate of expenses 283; report of the postmaster general concerning the burning of the general post office building 271; report of the acting commissioner of the general land office 286; report in the senate on relations with Mexico 412; report in the house of representatives of the committee of ways and means 325; report in the house of representatives on the post office conflagration 344
 Revenue, reduction of the 318, 321, 333
 Reynolds, Mr. 272
 Ringgold, Tench, relief of 413
 Ripley, Mr. 256, 303
 Rives, Mr. 279, 314, 330, 352, 357, 394, 411, 413
 Robbins, Mr. 330, 390, 411, 413
 Robertson, Mr. 256, 333, 349, 390, 394
 Robertson, Min. 297, 316, 356, 359, 378, 383, 386, 395, 398
 Ruggles, Mr. 269, 314, 315, 390, 398
 Rules of the house of representatives 239
 Russell, Mr. 359
 Santa Ana 331, 336, 380, 398
 Seamen, relief of sick and disabled American 415
 Senate, members of the 232, 253, 254, 256, 257, 270, 298, 331, 330, 360; [see "*Officers of the senate*,"]
 political cast of the, after March 4, 1837, 338
 persons privileged to be admitted on the floor 353
 Sevier, Mr. 279, 293, 333, 349, 360, 392, 400, 414
 Shepard, Mr. W. B. 271, 334, 335, 379
 Shields, Mr. 415
 Slavery in the District of Columbia—[see "*Abolition of slavery*, &c."] slaves, right of, to petition congress 396, 397; petitions from 383, 387, 390; seizure of certain southern, at Bermuda 356, 379, 394
 Smith, Mr. 281, 334
 Smithsonian legacy 294
 Southard, Mr. 279, 314, 392, 398, 400, 413
 Specie circular 240, 253, 259, 346, 392
 State department—[see "*Foreigners*,"] communications from the 314, 315, 400, 409, 414, 415
 Steam boilers 392
 Stockton, Stokes, *et al.* case of 411
 Storer, Mr. 270, 315, 351, 399
 Strange, Mr. 331, 333, 411
 Surplus revenue 380; statement of the distribution of the 238, 297
 Surveys 399
 Swift, Mr. 377, 390, 391, 394
 Taliaferro, Mr. 397
 Tallmadge, Mr. 330, 347
 Tariff 380, 411, 413, 414, 416
 Taylor, Mr. 283, 396, 397
Texas 314, 336, 346, 347, 352, 353, 393, 398, 411, 413, 415
 Thomas, Mr. 315, 316, 319, 335, 386, 350, 351, 358, 359, 380, 382, 396, 398, 415
 Thompson, Mr. of S. C. 280, 283, 295, 315, 351, 359, 386, 387, 388, 389, 390, 397
 Thomson, Mr. of Ohio. 296, 359
 Thruston, Judge, case of 359
 Tipton, Mr. 253, 315, 330, 347, 348, 349, 384, 394, 400, 411, 413, 414
 Tobacco planters 414
 Tomlinson, Mr. 279, 315, 347, 357, 392, 394, 413, 414
 Toucey, Mr. 296, 319, 351
 Treasury department—[see "*Reports*,"] communications from 297, 298, 315, 318, 331, 359, 383, 393, 399, 415
 Tudor, William, jr. his correspondence 316
 Turrill, Mr. 282
 Underwood, Mr. 255, 256, 280, 315, 335, 350, 351, 358, 390, 396, 397, 398, 399
 Van Buren, Mr. V. P. of U. States—his valedictory to the senate 356; answer of the senate to it 357
 Vanderpoel, Mr. 271, 283, 295, 296, 319, 335, 350, 351, 358, 383, 390, 397, 399, 400
 Vinton, Mr. 297, 315, 319, 358, 388
 Walker, Mr. 240, 314, 330, 331, 333, 346, 347, 348, 349, 355, 357, 360, 377, 378, 384, 390, 392, 393, 394, 395, 411, 412, 413, 414
 Wall, Mr. 294, 414
 War, department of—[see "*Reports*,"] communications from the 318, 380, 383, 392, 415
 Ward, Mr. 271
 Wardwell, Mr. 350, 359
 Washington, Mr. 335, 380
 Webster, Mr. 256, 269, 270, 272, 315, 357, 377, 378, 379, 390, 392, 413, 414
 Western armory 393
 White, Mr. of Florida 271, 280
 White, Mr. of Tenn. 294, 314, 333, 360, 378, 393, 395, 400, 412, 414
 Whitney, R. M. his case 295, 380, 395, 396, 397, 398, 399, 400, 414, 415
 Whittlesey, Mr. 239, 255, 271, 296, 315, 334, 358, 380, 383, 399, 400, 415, 416
 Williams, Mr. of Ky. 415
 Williams, Mr. of N. C. 283, 295, 315, 334, 390, 395
Yeas and nays in the senate—on referring a bill to extend certain sections of the deposit act of the last session 270; on motions to adjourn 294; on engrossing for a third reading the bill to admit Michigan 294; on the passage of the bill 294; on referring the whole subject of the treasury order, or specie circular 315; on the expunging resolution 332; motion to discharge a disorderly person from the custody of the sergeant-at-arms 333; [see "*Lloyd, Wm. B.*"] on the bill for the relinquishment of the 16th sections granted for the use of schools, and for the entry of other lands in lieu thereof 347; on Mr. Morris's amendment to a bill concerning the sales of public lands 347; on Mr. Tipton's amendment to a bill concerning the sales of public lands 349; on Mr. Benton's amendment to a bill concerning the sales of public lands 349; on an amendment to the bill designating the funds receivable for dues to the U. States 352; [see 356 *note*.] On the bill 392; on a motion to take up the memorial from the American colonization society 357; on Mr. Buchanan's amendment to the land bill 357; on agreeing to the land bill in its amended form 357; on a resolution leaving undecided the question of the validity of the Michigan votes for P. and V. P. 378; on a motion to lay on the table a motion that an abolition petition from Ohio be not received 378; on the passage of the land bill 384; [see p. 369;] laying on the table a motion to refer to a committee a petition concerning the slave trade in District of Columbia 390; on reconsidering the vote on the second reading of Mr. Calhoun's bill to cede the public lands to the new states 390; on laying on the table a motion for the second reading of the bill 392; on laying on the table the bill making appropriations for fortifications 392; on the passage of the bill 393; on considering a resolution recognizing the independence of Texas 393; on the bill to establish a foundry, armory, arsenals, &c. 394; on engrossing the bill to amend the act for punishing certain crimes against the U. States 394; on the passage of the bill 394; on striking out certain sections of the Cumberland road bill 394; on an amendment to the bill striking out the appropriation for Illinois 394; on striking out a portion of the bill concerning the repayment of money 394; on inserting a proviso, disclaiming any pledge on the part of the government to do any thing further for the Cumberland road 394; on engrossing the bill for a third reading 395; on the bill to increase the military peace establishment of the U. States 400; on Mr. Black's amendment to the bill for the relief of R. H. Meade's executrix 411; on a resolution to purchase Mr. Madison's MSS. 413; on the bill making appropriations for certain military roads in Arkansas 414; on taking up the bill reducing the duties on certain imported articles 414; on retaining the present duty on certain articles 414; on retaining the present duty on china, porcelain, earthen, and stone-ware, [a test question as to the compromise act] 414
Yeas and nays in the house of representatives—on receiving a petition for abolishing slavery in D. C. 317; on motion to lay the same on the table 318; on presenting petitions from slaves 390; reconsidering the vote rejecting a resolution censuring any member who should hereafter present a petition from slaves 396, 397; on a resolution refusing to receive a petition from slaves 397; on a resolution denying that slaves have a right of petition 397; on the motion to lay on the table the report and bill for reducing the revenue 333; on suspending the rules in favor of a resolution to prevent the mutilation, &c. of congressional records 345; on laying on the table a proposition concerning the sales of public lands 345; on the admission of Michigan into the union 376
 Yell, Mr. 296, 315, 351, 358, 400
 Young, Mr. 358
 CONNECTICUT—[see "*Congress*," "*Presidential election*,"] elections in 178; extra session of the legislature 304
 Consignees, rights of 116
 "Constitution"—Russian meaning of the word 192
 Constitution, the frigate, coach made from it for president Jackson 288
 Consuls, American 179
 Conway, James L. governor of Arkansas, his inaugural address 119; his message 139
 Copley, sir John 144
 Copper, coinage of 81; copper mines 208, 307
 Copy right—[see "*Congress*,"] 17
 Corn 32; corn trade 17
Cotton. Imports and exports of, into and from Great Britain and Ireland 2, 97; manufacture of, in U. States 22; in U. States and other countries 138; price of, at Liverpool 160; crops 162, 168; growth of, in the U. States 416; cargo of 224
Courts martial, military. Court of inquiry at Frederick, Md. concerning the war in Florida and Alabama 82, 192, 209, 226, 227, 257, 288, 369, 401; [see "*Congress*," "*Florida, war in*," "*Gaines, Gen.*," "*Jesup, Gen.*," "*Scott, Gen.*" &c.] 240, 402
Courts martial, naval
 Cowan, Esq. made associate judge of N. York 17
 Creek frauds and Creek hostilities 1, 83, 193, 402
 Creeks, removal of the 34, 65, 162
 Crops 50
Cuba 194, 210, 275, 337; reported revolution in 192; statistics of 290
 Cumberland road 304; [see "*Congress*,"] 288
 Custom house officers D.
 Dallas, George M. his letter on annulling the charter of the bank of the U. States 42; examination of it by "Madison;" [see "*Opiskur, Abel P.*"] remarks on it by the Washington Globe 127
 Dana, Judah, elected a senator from Maine 241
 Dayton, Aaron O. 288
 Dead warrior, sketch of a 3

- DELAWARE**—[see "*Congress*," "*Presidential election*,"] elections in 305; resolutions of the legislature, instructing the senators of the state in congress to introduce, &c. a resolution to rescind the expunging resolution 378, 404
 Deposit banks—[see "*Congress*,"] 289, 295, 311
 Deposit bill, statement concerning it 226
 Dewey, Mr. his remarks, &c. 148
Dickens, Asbury, secretary of state, *ad interim*, his note to Mr. Gorostiza 198
 elected secretary of the senate 241, 254
Dinothorium giganteum 32; its immense head 176
 DISTRICT OF COLUMBIA, slavery in the, 44; [see "*Congress*,"] resolutions concerning slavery in, offered in the legislatures of Georgia and Vermont 210; conflagration of public buildings in Washington 241, 242; supposed cause of it 272; official notices relating to 242; swords made in the 338
Dodge, Col. Henry, his expedition to the Rocky mountains 143; his letter to the commissioner of Indian affairs 354
Dogs—act of parliament concerning 32; in New York 16; tails of 224; a dog saves a ship's crew 80
 Dolphin, U. S. schooner 82
 Doncaster, wreck of the ship 160
 Donelson, Mrs. her death 290
Downing, lieut. S. D. naval court martial for his trial 240; retracts his charges against capt. Thomas Ap Catesby Jones 402; his sentence remitted 402
 Drisborough, Mr. his plan of boring for water 80
 Dufavel, a well-digger—distressing case of 153, 164
 Dunklin, Daniel, governor of Missouri 144
 Dupin, Baron Charles, his calculations 154
 Duties, reduction of 224; [see "*Congress*,"]
 Duvall, Washington, his address to the public 105;
 E.
 Eagle rail road and lumber company 416
 Echols, Mr. his patent 144
 Edinburgh, alleged bankruptcy of 176
 Editorial notices, &c. 1, 17, 33, 49, 65, 81, 97, 113, 129, 145, 161, 177, 193, 209, 225, 241, 257, 273, 289, 305, 321, 337, 353, 369, 385, 401, &c. &c.
 Egypt, events in 128
 Egyptian hieroglyphic 112; pyramids 86; sideboard 16; society in Cairo 288
 Electioneering in England 94
Elections. In Alabama 4, 18; Arkansas 97; Connecticut 161; Delaware 161, 195; Georgia 100, 116, 132, 196; Illinois 305; Indiana 3, 45; Kentucky 196; Louisiana 196; Maine 116; Maryland 18, 34, 48, 85, 100, 161, 195; Massachusetts 177, 195; Michigan 274; Mississippi 243; Missouri 4, 100; New Hampshire 177, 193, 211, 242; New Jersey 100, 116, 163; New York 161, 177, 195; North Carolina 4, 18, 196; Ohio 116, 132, 161; Pennsylvania 100, 116, 132, 161, 195; Rhode Island 18; South Carolina 116, 132, 145, 195; Tennessee 196; Vermont 34, 82, 116, 145, 163, 177; Virginia 161, 196; [see "*Presidential election*," and the several states by their names.]
 Ellis, Powhatan U. S. minister to Mexico 353
 Ellison, Andrew, his grave above ground 128
 Emancipation—[see "*West Indies*," &c.] 10
 Emory, Thomas, 273
 English language—miscellaneous materials of 224
 Escourt, capt. Jno. B. his letter 31
 Euphrates expedition 31
Ewings, Thomas—[see 289, 320; see "*Congress*,"] his letter to a committee of working men of Cincinnati 123; his remarks in the senate on his resolution to rescind the treasury specie circular 259
 Exchange, par of 306
 Execution at sea 32
 Experiments at sea 181
 Exploring expedition 49, 224, 227; [see "*Congress*,"]
 Express mails 33, 137, 177, 225, 226, 257, 320, 336, 384; [see "*Post-office*,"]
 Expunging resolutions of Mr. Benton 401, 404, 405; anecdote concerning the expunging pen 353; [see "*Congress*,"]
 F.
 Fall river, population of 192
 Figs, cultivation of 128; see 192
 Fire, protection against 290; in the mountains 176
 Fires 16, 49, 80, 112, 143, 181, 221, 224, 241, 242, 256, 271, 336, 352
 Fisher, John, his card 8
 Florida, war in—[see "*Court martial*" &c.] 6, 18, 35, 36, 49, 54, 66, 81, 85, 100, 113, 118, 123, 129, 145, 149, 164, 181, 184, 196, 209, 225, 226, 241, 257, 260, 275, 276, 289, 305, 337, 339, 340, 353, 401; monument at Charleston, S. C. to deceased volunteers 48
 Florida, Cape, light house at, burnt 181
 Flour 16, 384
 Food of man 3
 Forests, sub-marine 99
 Forrest, Edwin 273
 Forsyth, John secretary of state 81, 404; his letter to Mr. Ellis 409, 410; [see "*Congress*," "*and Gales and Seaton*,"]
 Fort Gibson, unhealthiness of 305
 Forward, Walter, his reply to a committee of democratic citizens of Alleghany county, Penn. 142
 FRANCE, statistics of 9, 222, 304; trial and execution of Alibeaud 10; relations with the U. States 16; tour in, by water 96; spirit of the Parisian journals 122; troops of, in Africa 128; American claims on for spoiliations prior to 1800 137; royal tombs 144; relations with Switzerland 175, 180, 193; with Turkey 221, 222; another attempt on the life of Louis Philippe 385, 410
 Frick, William H. collector of Baltimore 193
 Gaines, gen. E. P. [see "*Court martial*, &c." "*Florida, war in*,"] his letter to the governor of Tennessee 87; recalled from the south western frontier 129; see 162, 304, 401; his letter responsive to an invitation to a public dinner at Mobile 184; disavows any claim to the honors of the sortie from fort Erie 416
 Gale in the St. Lawrence 146
 Gales and Seaton 404
 Gallatin, Albert, his letter on the lay of New York in restraint of paper currency 329
 Garrett, Thomas, a revolutionary veteran 34
 Gates, major 269
 Geological changes in Great Britain 83
 GEORGIA. [see "*Congress*," "*Presidential election*," "*Surplus revenue*,"] elections in 100, 116, 177, 195; governor's message 203; meeting of the legislature 177; its adjournment 304, sale in England of Georgia lands 160
 German literature 16; festivals 48
 Gibraltar, trade of 32
 Girard, Stephen, proceedings to set aside his will 48
 Gold, amount of, coined, &c. at the U. S. mint 48, 81, 97, 162, 338—[see "*Coin*,"]
 Goldsborough, Robert H. death of 81—see 238
 Goodman, Rev. Mr. 279
 Gorostiza, Mr. terminates his mission and leaves the U. States for Mexico 177
 his note 197; [see "*U. States*," &c.]
 Government expenditures 2
 Grand Key, Turks Island, a free port 114
 Granger, Francis, defended against the charge of being an abolitionist 151
 Granite, remarkable natural rift or dyke in a quarry of 114; see 192
 Greece, &c. events in, 101, 128
 Greenough, Thomas, last of the Nobscussets 352
 Griswold, George, letters from him and Benjamin L. Swann to Mr. Woodbury 133
 Grundy, Felix—[see "*Congress*,"] his speech in the U. S. senate on the admission of Michigan into the union 322
 Gum elastic, manufactures from 3
 H.
 Hackett, the comedian, claimant of a barony 144
 Hamilton, James jr.—report on Texas 277
 Hardware and cutlery, exports of British 18
 Harlem rail road tunnel 8
Harrison, gen. W. H.—his letter to Sherrod Williams 23; his letter to citizens of Staunton, &c. 44; his reception at Baltimore 49; his letter repelling a charge that he had sold white men 94; see 188; his letter repelling a charge that he had burnt a Moravian town in Canada 150; his letter concerning the tariff, compromise bill, &c. 189
 Harvard university, centennial anniversary of 80
 Havens, Mr. humanity and gallantry of 3
 Hayne, Robert Y. intendant of Charleston, S. C. 48
 Head, sir Francis, governor, notice of his address to the Canadian legislature 194
 Heileman, col.—his life insurance 48
 Hendricks, William; [see "*Congress*,"] his remarks in the U. S. senate on the expunging resolution 346
 Henry, Dr. William, a chymist—his suicide 144
 Herring, statistics of this "interesting fish" 416
 Hessian fly, habits and progress of 182
 Hindoo exhibition 103
 Hitchcock, capt. Ethan A. 225
 Hocker, Alfred, made a post master 240
 Holcomb, Amasa, his telescope 160
 Ho-poe-thle Yo-ho-lo—his talk 37
 Houghton, Mary, curious story of 129
Houston, Samuel, president of Texas; his proclamation 67; invents an "awfully destructive" weapon 112; "the Washington of Texas." 113
 Hunt, Memucan, another minister from Texas to U. States 400
 Huntsman, Adam; [see "*Congress*,"] his letter concerning the president and the deposit bill 226
 I.
 Ice, a vessel in the 352
 Iceberg, encounter with an 30; see 96
 ILLINOIS—[see "*Chicago*," "*Congress*," "*Presidential Election*,"] meeting of the legislature 272; elections in 305
 Immigration of foreigners, [see "*Congress*,"] 400, 413, 414
 Imports and exports for six years 320
 Inclined planes 130
 INDIANA—[see "*Congress*," "*Presidential election*,"] elections in 3, 257, 352; convention in 304; adjournment of the legislature 416; White Water canal 145
 Indians; [see "*Cherokees*," "*Congress*," "*Creeks*," and p. 35, 289, 303, 352;] lands conveyed to emigrating tribes; number of, &c. 143; of the north west 354; in Arkansas 195; the Winnebagoes 178; honesty of the 256; execution of six 256
 Indian, payment at Logansport, riot at the 146
 princess, funeral of an 117
 Indian stream difficulties; report concerning the 231
 treaties 84, 130, 162
 written language 140
 Ingersoll, Charles J.—his letter on the U. S. bank and vested rights 215
Insurance—[see "*Heileman, Colonel*," "*Law Cases*,"] unearned premiums on policies of 83; Vermont Mutual Insurance Company 116; heavy losses of marine insurance companies 240
 Iron, improvement in puddling 32; new process in smelting 147
 Island, a growing 163—[see "*Congress*,"]
 Isthmus of Panama, project of a rail road across 69
 J.
 Jackson, Andrew, president of the U. States—[see "*Congress*,"] his visit to Jonesborough, Tenn. and answer to an address 13; his toast at a public dinner given to him near Nashville 17; leaves Nashville for Florence, Ala. 32; his letter to certain citizens of Bedford county Tenn. 43; portrait of him for the City Hall at Washington city, D. C. 48; his reception and speech at Nashville 76; returns to Washington city 81; his answer to an invitation to attend a festival in honor of Lemuel Paynter's election to congress 150; his health 194, 226, 273; his opinions, &c. of the deposit bill 226; letter of the sultan of Muscat to him 258; a carriage made for him out of the Constitution 258; gen. Ripley's eulogy on him 303; his letter to Mrs. Donelson 339; his answer to an invitation to a festival at Philadelphia on the 8th of January 342; anecdote concerning him 353; his letter to the committee of the H. R. for inquiring into the executive departments 370; his letter to Mr. Calhoun, of S. C. 390; his answer to a letter from certain members of the legislature of Pennsylvania, inviting him to Harrisburg 401; large cheese presented to him 402; his opinion on the proceedings of the court of inquiry concerning the campaign against the Creek Indians 402
 Jackson, Andrew, jr. secretary under a land office law 226
 Jarvis, William C.—his death by suicide 112
 Jersey, farmers of, robbed of their Alderney cows 144
Jesup, gen. T. S.—[see "*Florida War*," &c.] letters from 55, 338, 339; his controversy with gen. Scott 74; his correspondence with some gentlemen in Alabama 123
 Jewish marriages 37
 Jews—their condition in England and France 80
 their condition at Warsaw 96
 Johnson, Richard M. [see "*Congress*,"] his appeal to his congressional constituents for support in his canvass for the vice presidency 151; elected by the senate vice president of U. S. 379; his letter accepting the office 404
 Johnstown, fire at 224
 Jones, Walter—[see "*Congress*,"]
 Journal of the Franklin Institute 146
 Judges, longevity of four living 128
 K.
 Kearsley, Mr.—his remarks in the British house of commons 30
 Kendall, Amos, post master general—[see "*Congress*,"] his answer to a letter from Samuel McKean 137; his answer to an invitation to attend a festival in honor of Lemuel Paynter's election to congress 150
 Kennedy, John, appointed a commissioner of claims under a Cherokee treaty 144
 KENTUCKY—[see "*Congress*," "*Presidential Election*,"] governor Clark's inaugural address 41; elections in 273; exports of 304
 Kinnard, George L.—his death 240; see 208, 224
 L.
 La Guayra, affairs at 55
 Lake Erie, commerce of 352
 Lake Superior 96
 Land office frauds 384; [see "*Congress*,"]
 Lane, col.—his death 164
 LAW—indemnification in Switzerland to accused persons who are acquitted 32; singular oversight in, an English law 96; profits of litigation 208
 LAW CASES—[see "*Rathbun*,"]—*Abolition of slavery*—trial and acquittal, in Georgia, of E. E. Ro-

- berts, an abolitionist 272—*Attorneys*—Payne v. Barbour, Payne v. Smith; suits against attorneys, for neglect of duty, and want of professional skill 50; *Banks*—indictment of three bank commissioners, for a fraudulent disposition of stock among themselves 112; *Burning of the U. S. treasury building*—trial of Harry White 305, 337, 334; trial of Richard H. White 257, 273, 305, 321, 337; *Captains of vessels, liability of*, U. S. v. Mahon; U. S. v. Boardman; suits against captains for refusing to bring home American seamen 50; Allen v. Rowland, suit against the captain of a merchant vessel for ill-treating a seaman 123; arrest of capt. Otis Taylor for flogging a seaman to death 288; *Combination*—[see "*Trades Unionists*;"] *Contract*—Ewing v. Wood, breach of agreement relative to the sale of a house 152; *Distress*—"sufficient distress" 240; *Ecclesiastical law*—case of an unlicensed confessor in France 112; *Editors*—trial of Day and Beach, editors of the Sun, for abducting a packet containing the president's message 116; trial of M. Skouffs et al. editors of the Sotir, a French paper 221; *Frazier v. Berkeley*, assault and battery 304; *Fences*—decision concerning division fences 192; *Forgery*—conviction of James Anderson 208; *Fraud*—case of Venables and Pemberton, extensive frauds 152; *McGregor v. McKinley*, fraudulent purchase of goods 162; *French court*—singular scene in a 201; *Insurance*—decision of the vice chancellor of New York, concerning unearned premiums on policies of insurance 83; Hercules insurance company of Scotland et al. v. Hunter, insurance against fire, frauds 93; *Lamon v. Mix* et al. letter of credit 210; *Liability of a judge of a court*—Suit of the Anti-Slavery Society against Richard Riker, recorder of N. York, for disobeying a writ *de homine replegiando*, in the case of Jesse Collier, alias *Abraham Gosley* 84; *Larceny*—Thomas J. Aimes, a thief extraordinary 228; *Law suit, picture of a*, a curious Spanish relic 18; *Libel*—Carpenter v. Coburn 94; *Murder*—Samuel Ackley convicted of having murdered his wife by impalement 203; *Polygamy*—trial and conviction of Aldis Brainard 144; *Rail road collision*—Thompson et al. v. Providence rail road company; Rust v. same damages on account of collision of cars 322; certain U. S. seamen v. Boston and Providence rail road company; injury from collision between two locomotives 288; *Ship owners, liability of*—Fetterplace, Hiler & Co. v. Tinkham & Hart, action for injury done to merchandise 133; *Slander*—Mills v. Mason 224; *Slave cases*—[see *supra* "*Judge of a court*;"] case of commonwealth v. Avis at Boston 4, 49, 53; a slave case at Reading, Penn. 112; case of Jesse Redmond, alleged to be Mr. Turlington's slave, New York 208; *Steamboats*—commitment of Joshua Andrews, first mate of the steam packet William Gibbons, for trial for robbing the passengers 162; bank of Bridgeport v. heirs et al. proprietors of a steam boat; liability for stolen property 227; *Trades unionists*—trial and punishment of a number of at Nantes, for combination, &c. 160 *Lawrence, Abbot*—[see "*Congress*;"] his remarks on the bill for reducing the revenue 319 *Lead trade* 96 *Leaps, dreadful* 112, 128 *Leigh, Benjamin Watkins*—his letter, declining an invitation to a dinner in Orange co. N. C. 89; his letter resigning his seat in the senate of U. S. 243; proceedings in the legislature of Virginia concerning it 274 *Lexington and Woodville rail road company* 416 *Liberia*—[see "*Colonization*;"] 8, 225; trade of 112; letters from colonists 200 *Life spar* 256 *Lightfoot, Samuel L.* appointed surveyor of the port of Norfolk 98 *Linden rail road company* 416 *Linthicum, Wesley*—[see "*Reform or Revolution*" in Maryland;] his address to the public 105 his letter to his co-recusants 185 *Liston, Sir Robert*, death of 19, 288 *Liverpool*, education in 192 *Lloyd, William B.*—[see "*Congress*;"] 337; his memorial to congress 345, 347 *Lockjaw* 192 *Locomotive power, new* 224 *Locusts in Syria* 115 *London, plan of supplying it with sea water* 176 *Long Island farms* 131 *Longevity, cases of* 128, 144, 208 *Louis XVI.*, a person claiming to be his son 131 *Louis Philippe*, king of the French; another attempt to assassinate him 385, 401 *LOUISIANA*—[see "*Congress*;" "*Presidential election*;"] elections in 338 *Louisville, Cincinnati and Charleston rail road*, report concerning it 109; subscriptions to it 160 *Lovell, Dr. Joseph*—his death 113 *Loyall, George* 416 *Lucas, Robert*, governor of Ohio—his letter concerning his political sentiments 105 *Lunar rain bow* 32 *Lynch law* 49; [see "*Mob law*;"] *Lynch, Mathias*—his punishment for malicious practices on a rail road 96 *Lyndhurst, lord*, said to have been born in Boston 32 *Lynn, failure of the Nahant bank at* 208, 224 *M.* *Macedonian, the frigate* 176 *Machine for raising coals, &c.* 99 *McCulloch, James H.*—his death 161, 195 *McDuffie, George*, governor of South Carolina—his message 229; see 242, 273 his address before the legislature 276 *McKean, Samuel*—[see "*Congress*;"] his letter to the post master general, concerning the political conduct of deputy post masters 137 his letter to the H. of R. of Pennsylvania concerning the expunging resolution 405; see 401 *McKinley, John*, elected a U. S. senator from Alabama 226 *McLane, Louis*, elected president of the Baltimore and Ohio rail road company 274, 358 *Macomb, John N.* 112 *Madison, James*, eulogium on by gov. Barbour 170 *Magnetic needle*—query concerning the 195 *Mahmoud, sultan* 224 *Mail, robbery of the 192; attempted* 336 *Mails 176, 256; [see "*Express mails*;"]* 144 *Mail contractors fined* 81 *MAINE*—[see "*Congress*;" "*Presidential election*;"] elections in 116, 178, 241; resources of 272 *Malibran, Madame* 48; her death and funeral 160, 163; see 224 death of her ex-husband 304 *Mangum, Willie P.* resigns his office of U. S. senator 209 *MANUFACTURES*—[see "*Congress*;" &c.] of beet root sugar 32, 80, 84, 96; bread 147; a buggy 192; combs 144; cordage and twine 144; cotton 22, 138; hemp, New Zealand 115; India rubber or caoutchouc 210; from nettles 16; of old garments into new 9; of rifles 320; of shoes 112; of silk 80, 96, 112; of swords 338 *Marcy, William L.*—his "farm" 180 *Maria Louisa*, ex-empress of France 16 *Maria Monk's disclosure* 97 *Martineau, Harriet*—her expected work on the U. States 144 *MARYLAND*—[see "*Congress*;" "*Presidential election*;" "*Reform or Revolution*" in Maryland—"Surplus Revenue;"] elections in 18, 34, 48, 85, 100, 239; loans 65; meetings of the legislature 193, 273; a senate elected 199; adjournment of the H. of delegates 209, 214; governor's message 213, 291; meeting of the reform convention 215; commissioners appointed to negotiate the internal improvement loan 273; finances of 336; professions, &c. of members of the legislature 384 *MASSACHUSETTS*—[see "*Congress*;" "*Presidential election*;"] triennial festival of the Mass. Mechanics' Charitable association 105; thanksgiving day in 114 *Maulsby, I. D.*—his card 121 *Medford, Mass. ships, &c. built at* 144 *Medical statistics* 201 *Meeteer, Messrs.*—fire in their ware house 401 *Meteors* 160, 179 *Meunier attempts to assassinate the king of the French* 385, 401 *Mexico*—20, 21, 33, 34, 81, 97, 113, 129, 160, 164, 176, 191, 192, 194, 209, 224, 225, 273, 290, 321, 369, 385; population, characteristics, &c. of 18; letter from Natchitoches 87; reported mission from Spain 147; independence of, recognised by Spain 337; official correspondence concerning her relations with the U. States 409; [see "*Congress*;" "*Texas*;" "*U. States*;"] *MICHIGAN*—[see "*Congress*;" "*Presidential election*;"] meeting of delegates at Ann Arbor 65; decision by the convention 81, 100; information concerning 67; proposed convention in 225; first rail road of 272; bill for admitting her into the union 294; elections in 274; debate on her admission into the union 298, 307, 322; see 337 *Miguel, Don* 112, 192 *Milk, instrument to test its quality* 176 *Miller, Jesse*, first auditor of the treasury 114 *Milton's watch* 114 *Mint, the* 274, 351; [see "*Coins*;" "*Gold*;"] *Mirage, called Spectre of the Broken,* 153 *Miramichi, a free port* 80 *MISSISSIPPI*—[see "*Congress*;" "*Presidential election*;"] boundary line with Tennessee 145; banking in 416; rail road from the line of, to Mobile 416 *Mississippi river*, changes in the bed of the lower 82 sources of the 163 *MISSOURI*—[see "*Congress*;" "*Presidential election*;"] elections in 4, 100, 226; resignation of governor Dunklin 144; charters of a bank, a rail road, &c. 352; bill concerning banks 384; population of 416 *Mob law*—[see "*Lynch law*;"] 32, 176, 180, 195, 275, 400, 401, 403, 416 *Mobile rifle company, generous act of the* 208 *Monk, Maria,* 97 *Moore, Henry*—his humanity and courage 163 *Morfit, Henry M.*, commissioner to Texas 33, 34 *Morris, Thomas*—[see "*Congress*;"]—his speech on the admission of Michigan into the Union 322; his remarks concerning W. B. Lloyd's removal 347 *Morris Canal and Banking company* 336 *Morton, gen. Jacob*—his death 240 *Mountains, height of* 98 *Muhlenberg, Henry A.* [see "*Congress*;"]—his letter on being named as a candidate for a seat in the U. S. senate 276 *Murder, and attempts to murder* 272 *Murderer a, burned alive* 275 *Muscat, sultan of*—his letter to the president of the U. States 258
- N.
- Nacogdoches, letter from* 21 *Naples, statistics of, 96; dowry of the proposed queen of 144; rebellion in* 275 *Napoleon*—[see "*Bonaparte*;"]—case of D. Pierre and D. Antoine Lucien 12 *Nashville rail road* 369 *Natchitoches, wants at* 99 *Nations—physical characteristics of several* 154 *Navy*—[see "*Congress*;"]—assistant surgeons in the 257; board of examination, composed of naval surgeons 98, 147, 163; naval courts martial 240, 402; depot 34; Lyceum at Brooklyn 2; news 32, 160, 178, 241, 288; warfare invention by R. L. Stevens 304 *Ne-ah-mi-co, death of* 416 *Neapolitan indemnity* 49, 65 *Nelson, lord*—account of the amputation of his arm 129 *Nettles* 16 *New Grenada* 68, 369, 385 *Newark, N. J.—great fire at* 146 *NEW HAMPSHIRE*—[see "*Congress*;" "*Presidential election*;"] elections in 257 *NEW JERSEY*—[see "*Congress*;" "*Presidential election*;"] elections in 100, 116, 163; meeting of the legislature 129; beets and banking in 80 *New Orleans*—All Saint's day in 182; a chandelier at 144; commercial prosperity of 160; extortion by seamen at 240; growth of 32; health of 32, 112; hospitality of 352; immigrants to 160, 192; scarcity of specie at 160 *Newspapers*—[see "*British Affairs*;" "*Press*;"] statistics of 8, 93 conveyance of 10 the Allgemeine Zeitung, a newspaper at Augsburg 32 immense penalty incurred by an English newspaper 208 *NEW YORK STATE*—[see "*Banks*;" "*Canals*;" "*Presidential election*;"] elections in 401 votes for governor, from 1789 to 1834 195 banking capital in 257 restraining currency law 370 Dutch names of places in, explained 131 *New York, city of*—American Institute 145; aristocracy in 116; banks in 193, 306, 322, 334; new plan of a banking institution 288; Tradesmen's bank 288; memorial of the board of trade, concerning the U. S. bank 343; bell, a new 112; Bowery theatre destroyed by fire 49; rebuilt 288; buildings erected in 80; burnt district in 80; commerce of 339; deaths in 16, 130, 195, 336; dogs, massacre of 96; exchange 208, 306; flour riot or mob 400, 401, 403, 416; fortifications in the harbor of 82; frauds extensive, of two storekeepers 152; imports into 195; money market, 83, 225, 289; physicians, variety of, in 112; pilots 352; post office, a branch of the city, established in Wall street 160; prices and value—high prices of coal 80; of grain 384; value of real and personal estate 17, 167, 176; rents of houses 384; usury 352; wooden pavement in Broadway, particulars concerning it 8; youth in the, cases of their depravity 144 *Niles, Hezekiah*—his valedictory address to the patrons of the REGISTER 1 *Niles, Wm. Ogden*—his introductory address of 1 *Norfolk, Virginia*—centennial anniversary of its incorporation 16; see 256 *NORTH CAROLINA*—[see "*Congress*;" "*Presidential election*;" "*Surplus revenue*;"] elections in 4, 18, 226 meeting of the legislature 209 liberal regulation adopted by the university 176 *North west passage* 80 *Norway*—her supposed reluctance to being incorporated with Sweden 128; revenue in 1835 greater than her expenditure 160; mode prescribed by her

- constitution for filling vacancies in the legislature 192
Noury Bey, a Turkish officer 192
O.
Oaths, modes of taking 48
O'Connell, Daniel—reported proposition to submit to his decision the boundary question between the U. States and Great Britain 164; his plan for reforming the House of Lords 304; rumor of his death 369
Offices in U. S., created in 1836 61, 154
OHIO—[see "Congress;," "Presidential election;,"] elections in 116, 132, 338; settlement of the "Reserve" 290; case of breach of privilege before the legislature 304; statistics of 400
"O. P. Q.," his letter to the editor of the N. Y. D. Advertiser 136
Oswego and Utica rail road 96
Otho, king of Greece, marriage contract signed 160
Otis, Wm. S. C. his letter concerning a charge against gen. Harrison 188
P.
Packet ships, loss of 240
Paganini, the fiddler 48
Paquette, Mr. an Indian interpreter, killed by an Indian 178
Paris, royal printing office at 208; failures in 288; number of officers and soldiers in the Hotel des Invalides 288
Parker, Richard E. judge 385
Parkes, George his escape from a bear 147
Patent office—[See 273, 338; and "Congress;,"] synopsis of a report in the U. S. senate on the 7; building—a part of the post office building burnt down 241, 242
Patton, John M.—[see "Congress;,"] his remarks on a petition from slaves 386
Paupers and prisoners, foreign 16; [see "Congress;,"]
Paynter, Lemuel, his pledge against the U. States bank and Jesse R. Burden, and in favor of Andrew Jackson 8; see 150
Peabody, George, 385
Peace society in Massachusetts—admission of Alexander, emperor of Russia, &c. 208
Pemberton, John, his extensive frauds 152
Penn, William, his advice to emigrants 66
PENNSYLVANIA—[see "Congress;," "Presidential election;," "Surplus revenue;,"] ardent spirits, proposed tax on the distillation of 302 banks of 338; bank of U. States, resolution concerning it 273; compromise act, resolutions concerning it 337; elections in 100, 116, 132, 178, 241; finances of 229; legislature, session of the 226; professions and birth places of its members 384; no prisoner for crime or debt in Adams county 416; school fund 178
Pensioners—[see "Congress;,"] treasury circular concerning 129; David Thompson, the oldest pensioner 129
Peru—reported hostilities with Chili 353, 385
Peters, Richard, his eulogium on Mathew Carey 34
Petrified fish 48
Peyton, Balie—[see "Congress;,"] his letter in answer to an invitation to Knoxville 104; his letter in answer to an invitation to Jonesborough 169; his speech on the appointment of a select committee of investigation 299
Phenomena 158, 176, 304, 406
Philadelphia, deaths in 16; Laurel Hill cemetery 144; sacrilege in 128; soup houses in 416; statistics of the northern dispensary 384; usury 352
Phormium tenax, or New Zealand hemp 115
Physicians, variety of in New York 112
fees of at Lahore 224
Physiology 154
Pigeons, speed of 32; see 18, 192
Pilots—[see "Congress;," "New York;,"] 256, 352
Pinder, J. his peep at China 102
Plants, native countries of certain esculent 2
Platt, M. the judicial associate of certain land pirates, apprehended 400
Pleasants, John H. his letter to gen. Harrison 94
Poland, Russian ordinance against 128
Poles, the 16, 304
Political economy, valuable recipes in 416
"POLITICS OF THE DAY."—[see "Reform or Revolution" in Maryland, &c. &c.] 8, 89, 104, 141, 150, 153, 342; resolutions and letter of a committee of democratic citizens of Alleghany county, Penn. to Walter Forward 141, 142
Pontais, Edward, minister from France to the U. States 49
Population—a numerous family 176
Port au Prince 245
Porter, Alexander, invited to a public dinner 83; see 226; resigns his seat in the U. States senate 284
Portland, duke of, his condescension in helping to save his own life 80
Portugal—[See 86, 131, 180, 181;] destruction by fire of the treasury building at Lisbon 16; elections in 36
Post-office department—[see "Congress;," "Express mails;," "Kendall, Amos;," "Mails;," "New York;,"] its financial condition 81; regulations concerning failures of the mails 117; correspondence between Samuel M'Kean, a senator of the U. States and the postmaster general, concerning alleged electioneering practices of officers of the post-office department 137; appointment of Alfred Hucker to be a postmaster 240; burning down of the General Post-office building, &c. 241, 242; see 257, 344
Postlethwaite, G. L.—[see "Wilson, Edward J.;,"]
Poverty and titles 208
Powder, a store blown up by 179; mills blown up 176, 193
Prentiss, Samuel, re-elected a U. States senator from Vermont 146; [see "Congress;,"]
PRESIDENTIAL ELECTION.—[See "Congress;," "Harrison, gen. W. H.;," "Van Buren, Martin;," "Webster, Daniel;," "White, Hugh L.;,"] in Alabama 228, 257; Arkansas 228, 259; Connecticut 161, 177; Delaware 161, 177, 193, 196; Georgia 177, 196, 211; resolutions offered in the legislature 209, 210; in Illinois 228, 258; Indiana 177, 193, 196, 258; Kentucky 177, 193, 196, 212; Louisiana 196, 228, 257, 259; Maine 177, 193, 211; Maryland 193, 196, 228; Massachusetts 177, 193, 195, 242, 258; Michigan 228; Mississippi 243; Missouri 228; New Hampshire 177, 193, 211, 242; New Jersey 177, 193, 195, 211, 243; New York 161, 177, 193, 195, 211, 243; North Carolina 177, 193, 196, 228, 243; Ohio 161, 177, 193, 211, 243; Pennsylvania 161, 177, 193, 195; Rhode Island 193, 211; South Carolina 243; Tennessee 196, 228; Vermont 177, 193, 195; Virginia 161, 177, 193, 196, 243; days for holding it 145; certain disqualified electors chosen 289; votes for president and vice president 241, 373, 383; the several presidential elections from 1789 212
[For further proceedings, returns, &c. see vol. 52]
Press—[see "Chandler, Joseph R.;," "Law cases;," "Newspapers;,"] remarks of Noah Webster concerning the 129; circular proposing a plan for improving the American 183; a deaf and dumb printer and editor 416; printing office with 56 fonts of oriental characters 208
Preston, William C.—[see "Congress;,"] 152
Prices, increase of in forty years 162
Prisons, statistics of 48
Prizes for virtuous actions 114
Protestant Irish 112
Providence, R. I.—number of persons in several professions and trades in 240
Public lands, sales of 32, 84, 208, 256, 296, 353; [see "Congress;,"] amount owned by U. States 65
Q.
Quack—coroner's verdict against a 141
Quebec, fires at 80, 256; scarcity of coal at 160; marine news 256
R.
Rail roads [see "Congress;,"] 7, 8, 32, 46, 47, 48, 65, 69, 80, 82, 88, 96, 97, 107, 109, 123, 130, 160, 176, 224, 256, 272, 288, 304, 333, 352, 369, 384
Rail road accidents—[see "Law cases;," "Rail roads;,"] 82, 129, 288, 322
Randall, col. Thomas—[see "Florida, War in;,"]
Randolph, John notices of his will 256
Rathbun, Benjamin, his address to his creditors 22
admitted to bail 65; imprisoned 93; his estate 240; postponement of his trial 322
Rathbun, Lyman, flight of 322
Reform, characteristics of 194
"REFORM OR REVOLUTION" in Maryland—editorial notices of 48, 64, 81, 97, 113, 161, 177, 193; public meeting in Frederick county—resolutions 51; see 135; public meeting in Cecil county 51; public meeting in Baltimore 51, 52; see 70, 95; meeting of electors at Annapolis 52; address of the Nineteen recusant electors to the people of Maryland 42; their letters to the twenty-one whig electors 53, 54; their adjournment 54; singular coincidences 65; address of the twenty-one whig electors to the people of Maryland 52; great public meeting at Baltimore 70; resolutions of the Van Buren central committee of Frederick county 74; card of four Van Buren candidates 74; card of four candidates in Allegany co. 74; proceedings of the constitutionalists in Allegany county 74; card on behalf of the democratic general committee of Baltimore 74; meeting of mechanics and workmen in Baltimore 95; addresses to the public by Washington Duvall and Wesley Linthicum 105; reform meeting at Hagerstown 120; Frederick county reform convention 120; Hartford county reform meeting 120; I. D. Maulsby's card in favor of the "gallant and devoted nineteen senatorial electors" 121; great public meeting at Cumberland 121; presentment of the eighteen recusant electors as unfaithful public agents, and disturbers of the public peace, by the grand jury of Allegany county; a majority of the jurors being Van Buren men 122; meeting in Allegany county 134; letter of Mr. C. Sprigg to John C. Buchanan, and Mr. Buchanan's answer 134; circular to Mr. Buchanan 134; his answer 134; meeting in Frederick county 135; public meeting in Montgomery county 151; governor Veazey's proclamation 165; publication concerning it 165, 166; major Contee's notice 177; correspondence between John S. Sellman and certain whig electors 184, 199; Wesley Linthicum's letter to the other recusant electors 185; circular of delegates to a proposed convention 185, 186; meeting in St. Mary's county 186; names of the qualifying, and of the recusant electors 193; journal of the proceedings of the electoral college 199; senators elected 199
Religions in the U. States 118
Renshaw, Benjamin letter from 1
Revolutionary relic 2
RHODE ISLAND—[see "Congress;," "Presidential election;," "Surplus revenue;,"] elections in 18
Rice, culture of, in Java 128; advantages of rice flour 160; deficiency of the crop of, in S. C. 400
Rice, Mr. the buffalo singer 304
Richmond, flour inspector in 97
meeting in, concerning a rail road 160
Rio Grande 283
Ripley, Eleazar Mr.—[see "Congress;,"] his speech on appointing a select committee of investigation 302
Rives, William C.—[see "Congress;,"] his remarks on the distribution bill 311
Road, great western 163
Robbery—a bank at Utica 194; of jewels, and their restoration 225
Roberts, Mr. U. S. commercial agent, death of 178
Roebuck, Mr. his speech 30
Roenne, Baron de minister from Prussia to the U. States 144, 163
Ronaldson, James, a letter from 92
Ro's, John, his letter concerning the Cherokees 90
Rothschild, Nathan Meyer, his death, funeral and will 17, 48, 50
anecdotes of him and his family 90, 112
Russia, singular customs in 36; discontents of the people of Caucasus 50; growth of 116; ordinance of the emperor against Poland 128; soldiers of 180; Russian definition of the term "constitution" 192
S.
Salt—quantity of, used throughout the world 32
Santa Ana, Antonio Lopez, president of Mexico, his protest addressed to D. G. Burnett, president of Texas 191; relieved of his irons 209; his letter to the president of the U. States 336; leaves the U. States 336; [see "Congress;," "Mexico;," "Texas;,"] see 257, 288, 289, 305, 321, 341, 369
Sandwich Island, trade with the 130; inhabitants of the 131
Sardinia, the king of, orders 32
Savage, judge John, resigns his office 13
tribute of respect to him 13
Savannah, abundance of money in 416
Saw mills in Maine 112
Schley, William, gov. of Georgia, his message 203
Schoolcraft, Henry R. his letter concerning Michigan 67
Schools in Boston 48
Scott, sir Walter, a letter from 202
Scott, gen. Winfield—[see "Court martial;," "Florida, War in;," "White, Joseph M.;,"] and p. 162, 337, 349, 401; his controversy with gen. Jesup 74; dinner to him at Richmond 416; his defence before a military court of inquiry 360, 371
Secretary of state, and the Nat. Intelligencer 404
Segar trade of U. States—foreign 3
Sellman, John S.—[see "Reform or Revolution" in Maryland;] his letters to certain senatorial electors in Maryland 184, 185, 199
Senate of U. States 2; persons privileged to be admitted on the floor of 353; [see "Congress;,"]
Serrurier, M. appointed minister to Brazil 49
Sewall, Samuel E. assault on him 2
Sgricci, the improvisatore, his death 96
Shakespeare, statue to 224; see 304
Shaw, chief justice, his opinion in the case of commonwealth vs. Aves 55; [see "Law cases;,"]
Sheep in Hungary and Transylvania 96
Shepley, Ether, made a judge in Maine 96
Ship building on the lakes 66
Shipping, American and British 65
Ships of war, sale of four 144
Shipwrecks 194, 275, 288, 290, 305, 306, 338, 341, 384
Shooting stars 163
Silk works at Lynn, Mass. 80; American sewing silk 96; manufacture of, in Russia 112; manufacture of at Nantucket 272; duties on, in Egypt 144; goods, exhibition of 342
Silver—a new metal combining all its qualities 80
coinage of 81
Slave trade—treaty for its abolition between France and Sweden 144; increase of the 160; slave ships captured 176
SLAVERY—[see "Abolition;," &c.; "Congress;," "Law cases;," "Texas;,"] in the District of Columbia 44; exportation of slaves from Virginia 83; a

- slave case in Pennsylvania 112; sale, by a slave of his wife 112; in China 228
Sloop of war, new plan of a 80
Smith, Samuel re-elected mayor of Baltimore 114
Snow—[see "Storms;" "Weather"] early snow 83; deep snow 128; snow—fall in Montreal 128; rain and snow 176; great fall of snow in France 288
South, Dr. 224
SOUTH CAROLINA—[See "Congress;" "Presidential election,"] statistical and geographical information concerning 46; elections in 116, 132, 145, 195, 237; session of the legislature 226; governor's message 229; report in Texas 242, 273, 277
Southey, Robert 288
SPAIN—[see "Carlos;" "Christina;" "Mexico;" "U. States."] events in 20, 34, 50, 66, 86, 87, 101, 113, 129, 131, 164, 180, 193, 273, 401; decree for selling the bells and furniture of the convents 128; the constitution of 1812 148; murder of priests in 176; war in 290
Spanish indemnity 49
Spanish relic, a curious 18
Specie, importations of 224
Specie circular—[see "Congress;" "Treasury."] 240
Speculation 240
Spence, Dr. John S. elected a U. S. senator from Maryland 289
Sprigg, Michael C.—[see "Reform or Revolution" in Maryland] 134
St. John, N. Brunswick, fire at 352
St. Petersburg, extinction of fires in 130
St. Simonsians 128
Stage proprietors, damages recovered against, in France 96
Stage robbery 256
Stambaugh, S. C. his letter concerning the Iowa copper mines 307
Steam, progress of 8; steam-power vs. horses 275; navigation across the Atlantic 32, 138; communication by, with distant parts 138
Steamboats—[see "Congress," and p. 240;] loss of the Tigris 31; explosion of the Commerce 80; for cattle 112; immense freight carried by the Huntsville 128; wreck of the William Gibbons 128; inhuman conduct of the crew 146; see 162; the Unicorn 141; in the Mediterranean 144; affecting incident 146; the Rhode Island runs into a sloop 163; accident to the Flora, and loss of life, &c. 208, 224, 240; explosion of the Dolphin 275; captain of a steam boat saves fourteen lives 352; tonnage and cost of American 384
Stockton, Stokes, *et al.* [see "Congress."] 354
Stone, William L. his card concerning the "awful disclosures of Maria Monk" 97
Street, Joseph M. Indian agent, his letter 355
Storms—destructive gale along the pepper coast 96; remarkable snow storms 112, 113, 352, 416; hail storm 176
Sub-marine journey 201
Suicide, case of 32, 176
Supreme court of the U. States meets 320; adjourns 401
Surplus revenue—[see "Congress;" "Treasury," and p. 114, 257, 239;] remarks of a West India paper concerning the 17; treasury notice concerning it 81; proportions of the, to be received by each state 161, 167; disposition by several states of their portions of it, Rhode Island 161; Pennsylvania 257; Virginia 274; Maryland 290; Georgia 305; North Carolina 352
Swan, Benjamin—letters of George Griswold and, to Mr. Woodbury 183
Switzerland, France and 175, 180, 193; revolutionary societies in 222; vineyards of 272
T.
Tacon, gov. quells an insurrection in Cuba 275
Tallouard, Sergeant said to be a native of Boston 32
Tallapoosa and Coosa rail road company 416
Talleyrand 112
Tallmadge, Mr.—[see "Congress."] 220
Tallmage, gen. his letter 220
Tariff—[see "Compromise act;" "Congress"] 353, 400
Taylor, capt. Otis case of 238; [see "Law cases."] 96
Tea trade in, at London 99, 176
drinking of, in England 99, 176
Telegraphs 208
Telescope a, mistaken for an infernal machine 160
invention of a powerfully reflecting 160
Temperance 80
Temple, Mr. elected to the legislature of Indiana after his death 48
TENNESSEE—[see "Congress;" "Presidential election"] meeting of the legislature 97; boundary line with Mississippi 145; elections in 196; volunteers 197
Terry, Thomas A. an editor, assault on 18
TEXAS—[see "Burnet, David G.;" "Congress;" "McDuffie, George;" "Mexico;" "Morfit, Henry M.;" "Santa Ana;" SOUTH CAROLINA,] notices relating to 3, 33, 34, 58, 67, 81, 97, 101, 119, 146, 189, 209, 225, 242, 257, 273, 275, 277, 288, 321, 353, 369, 400; debate in the British house of commons on slavery in 38; navy of 130; sale in England of Texas lands 160; alleged fertility of 160; president Burnet's message 189; vessels of, seized in New York 208; resolutions acknowledging her independence, reported in house of representatives of U. S. 415
Thermo-electric instrument 304
Thiers, M. resigns his seat in the French cabinet 86, 136
Thistle, capt. H. S. his useful invention of a saddle for sick soldiers 163
Thompson, Mrs. her donation of clocks to churches 144
Thompson, George, the abolition propagandist, aided by an abolition society in South Carolina 304
Thompson, Waddy—[see "Congress"] addresses a public meeting in S. Carolina 77
Tigris, loss of steamer 31
Tin mines 208
Tobacco 80, 97
Towns, George W. B. a representative from Georgia, resigns his seat in congress 226
Trade. Baltic 80; China 10; coal 23, 32; corn 17; cotton 97; of Gibraltar 32; hardware and cutlery, exports of British 13; lead 96; Sandwich Islands, with the 130; sugar trade of U. States, foreign 3; tea, in London 96; tobacco, exports of 97; Tuscany, with 23
Trades unionists—trial and punishment of, at Nantes, for a combination 160
Travelling, facilities in 135, 144; see 238
Treasury of the U. States—[see "Congress;" "Surplus revenue"] amount in the 2; rumor of a secret order from the, contradicted 33; notices from the, concerning the Neapolitan indemnity 49, 65; notices from the, concerning the surplus revenue 81, 167; notices from the, concerning the burning of the post-office 242, 272; remarks &c. on the specie circular from the 81, 129, 193, 212; order concerning pensioners 129; secretary's letter to Messrs. Griswold and Swann 138; secretary's statements of amount in the treasury 145, 226; secretary's annual report 246; substance of it 226; secretary's statement of transfer drafts 306; secretary's decision concerning time for proving damage to goods 384
Troy, N. Y. India rubber company at flour in 416
Truck, Rev. Mr., his salary of dun fish 144
Turkey, notices concerning 101, 128, 192, 222, 224
Turkeys, wild 128
Tuscany, trade with 23
Tyler, John, his draft of a report on slavery in the District of Columbia 44
Typographical convention, national 180
its address to the printers of the U. States 202
U.
UNITED STATES—[see "Congress,"] relations with France 16, 161, 208; southern boundary of 96; entire population of 98, 118; relations with Mexico 113, 129, 176, 177, 194, 197, 337, 353, 369, 401, 409; religious statistics 118; imports, exports, and finances 118; banking capital in the 162; parties in the, characterized by the London Quarterly Review 179; the north and the south 182; extent of the territory of the 192; immigration into the 208; American enterprise 256, 339
Upshur, judge Abel P., supposed author of "Madison," in reply to George M. Dallas 129; see 125
Uruguay, course of 288
Usury, views of, in New York, Philadelphia, and Boston 332
V.
Vaccination 16
Van Buren, Martin, his letters to Sherrod Williams 25, 26
his answer to an invitation to Philadelphia 342
his valedictory address as president of the senate 356; resolution responsive to it 357
elected president of the U. States 388
Veazey, Thomas, governor of Maryland—[see "Reform or Revolution" in Maryland.] his proclamation 165; his messages 213, 291
Vegetable physiology 154
Venables, Richard, his extensive frauds 152
Venezuela, restriction on immigration to 1, 102
Ventilation, new and original mode of 147
VERMONT—[see "Congress;" "Presidential election,"] elections in 34, 82, 116, 145, 163; gov. Jenison's recommendation concerning public schools 160; elections of judges in 160; adjournment of the legislature 224
Vesuvius 192
Vice president of the U. States—[see "Presidential election"] election of 257
Victoria, princess, her popular manners 48
Viger, D. B. a Canadian judge 164
Vindicia Hibernica, Carey's 130
Vine and olive in U. States 99
VIRGINIA—[see "Congress;" "Leigh, B. W.;" "Presidential election;" "Surplus revenue,"] visitors at the Sulphur springs 16; mineral wealth of 32; slaves exported from 83; session of the legislature 226; finances of 256; case of contempt before the house of delegates 288; banking capital in 320; contested election, between Messrs. Hopkins and Scott 384
Volcanoes at sea 66, 152
Voltaire, stolen MSS of, discovered 112
Vote, value of a single 192
W.
Walker, Robert J.—[see "Congress"] his remarks on the distribution bill 310
Warfare, horrible 128
Washington, gen. punctuality of 116
Washington monument, invitation of designs for the 2
Weather 36, 48, 128, 147, 160, 192, 288; [see "Storms."] 31
Webster, Daniel—[see "Congress,"] notices of his address at the Boston lyceum 176, 183; his letter concerning the presidential election 242; his protest against the expunging resolution 331; his reported intention to resign his seat in the U. S. senate 416
Welland canal 272, 275
Well-digging, distressing casualty relating to 153, 154
Wellington, Duke of, side of a hill like him 176
Western frontier—[see "Indians," &c.] disturbances on the 67
West Indies, emancipation in the 10
exports, imports, productions &c. &c. 17
Whale fishing 179, 192
Whalers, voyage in search of lost 200
Wharton, William H., minister from Texas to U. States 225, 257, 340; [see "Texas."] 340
Wheat 16, 96, 176, 384
Whitcomb, James S. appointed commissioner of the land office 144
White, bishop 80, 192
White, Harry, his trial for burning the treasury department 305, 337, 354
White, Hugh L.—[see "Congress"] extract of a letter from him 44; his letter to Sherrod Williams 44; his speech at a dinner given to him in Knox county, Tenn. 59; a toast given by him 83; the charge of his intimacy with a free negro, repelled 150; his letter concerning a national bank 178; his letter declining a public dinner in Carter co., Tenn. 275
White, Joseph M. his return to the U. States 160
his letter concerning gen. Scott 276
White, Richard H., his trial for burning the treasury department 257, 273, 305, 321, 337
White blackberries 80
White water canal 145
Whitney, Reuben M.—[see "Congress"] his card vs. Messrs. Wise and Peyton 289; his circular concerning the deposit banks 311, 312; see 353; his publication concerning a scene in a committee room 354; appears before the H. of representatives under a charge of contempt 397; his paper read on that occasion 397, 398; further proceedings 399, 400; his discharge 401, 415
Whittlesey, Elisha—[see "Congress."] his letter concerning a charge against gen. Harrison 188
Wife, the word 180
Wilks, lieut. 226
William Byrnes, ship, lost 384
William IV. king of England 144
Williams, Sherrod—[see "Congress"] his letter to gen. W. H. Harrison 28; his letter to Mr. Van Buren 26; his letter to judge H. L. White 44
Wilmington in Delaware, its advantages 400
Wilson, Edward J. and G. L. Postlethwaite, their publications concerning Texas 59, 119; answered 102, 119
Wines, royal 144
Wisconsin territory of, census 82; apportionment of members of the legislature 97; its meeting 224; election in the 224; seat of government fixed at Madison 272
Wise, Henry A.—[see "Congress."] his letter in answer to an invitation to Knoxville 104; his speech concerning the executive departments 284, see 345, 381; his house burnt down 385
Wood, consumption of 48
Woodbury, Levi—see "Congress;" "Treasury department,"] his letter to Dr. B. Waterhouse 1
Wooden pavements, letter concerning 8
in St. Petersburg, &c. 83
World, age of the 144
Wright, Silas jr.—[see "Congress"] re-elected a U. S. senator from N. York 401
Y.
Yankee doodle in London 48
Z.
Zoology 154

NILES' WEEKLY REGISTER.

FIFTH SERIES. No. 1.—VOL. I.]

BALTIMORE, SEPTEMBER 3, 1836.

[VOL. LI.—WHOLE No. 1,302.]

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED, BY WILLIAM OGDEN NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

TO THE PATRONS OF THE REGISTER.

Twenty-five years have elapsed, this day, since the publication of the "REGISTER" was commenced, and many persons have adhered to it through good report and evil report, during the whole of that time; for which I offer my respectful acknowledgments.

The predictions, at its commencement, that it would be a failure, have not been verified. I knew and was aware of the general feeling at the time—But I knew my own resources, and the vainness of a hope of relying on any other. The work is my own, whether it be good or bad; and has been persevered in with invincible industry, and oftentimes under distressing circumstances, until, at length, I am, temporarily at least, placed in a condition that compels a retirement from its active duties—for three months past being paralytic, on the right side, and incapable of doing much for others or for myself. This state, there is no doubt, has been caused by my devotion to business, and the necessity that existed of personal exertion for so long a period—having been predisposed to the disorder under which I am now suffering, for several years, without the ability to relax my concerns and take the needful exercise. But the time has arrived when I must relax and recruit myself, if it be possible, giving up my business to my eldest son, WILLIAM OGDEN NILES, who has lately conducted it under great disadvantages of location, having had an establishment of his own at Frederick, in this state, which he had to attend to, superadded to the constant illness of the most interesting and dearest member of his family; but he has now removed to this city, and will exert all his energies to carry on this favorite work. He has a good mind with much resolution and considerable experience in the business of this work, having for many years assisted me in its duties; and I respectfully solicit for him that indulgence which I myself have received from a liberal and enlightened public, to whom my thanks are due for the steady and regular support I have received from it.

For myself, I retire from the editorial seat with feelings of gratitude and without hostility to any human being, though thinking that, on many occasions, my motives have been impeached or misrepresented by individuals who could not, or would not, understand them. In thus, however, retiring, I do not expect to lose an interest in the success of this work, or to cease to give it my support; hoping and believing that I shall recover my strength and ability to assist in the various details of business—tho' without that immediate attention which has destroyed my health and rendered me what I am.

The difficulty under which I at present labor in communicating my thoughts, will, I hope, be received by my numerous friends and patrons as an apology for the brevity of this address to them, from their much obliged fellow-citizen and friend,
H. NILES.

Baltimore, September 3, 1836.

The above communication may surprise many, and will cause regret in the minds of all, who have for quarter of a century seen the evidences of my father's zeal and industry in the pages of this work. A consciousness of the purity of the motives which induced this self devotion, is the best reward he can enjoy,—the result of his labors must be estimated by the people; it is not my province to commend either. I may, however, be permitted to say, that I have never known an individual who gave up his whole faculties to any subject with such engrossing attention, as my father gave his to the interests of his "REGISTER." With this unbiassed opinion of his perseverance and resolute determination to effect what he deemed "rightful purposes,"
VOL. LI.—SIG. 1.

it is not necessary to say, that I enter upon the duties which have been assigned to me, fully sensible that I am not able to accomplish what he has effected, and that I am rendering myself liable to all the imputations which may arise from the contrast. Yet I am willing to endure these, and hope the spirit which has prompted this determination may be properly estimated.—For the patrons of the "REGISTER" are assured, that I would willingly have declined the task which has been imposed, if I had been at liberty to consult my own convictions of my incompetency to maintain the old character of the work. The representations of numerous friends, however, who have thought my long experience in the duties, and consequent familiarity with the details of the business, of the "REGISTER," peculiarly qualified me for the undertaking—added to an honest desire to keep up a work which enjoys such an enviable reputation at home and abroad, have overcome my reluctance, and I now throw myself upon the indulgence of the public.

The chief business of the "REGISTER" has been to preserve a faithful record of the events of the times, documents and facts, for present use and future reference, without regard to party or party men. That it has successfully accomplished this object, may be inferred, when we state, that it is supported by every class of persons—is found in most of the public and private libraries of this country and in many in the old world—is filed in the departments of this government and forms part of the out-fit of our foreign ministers—and is every where regarded as a faithful chronicle, indispensable to the historian and to all who desire to refer to events as they have occurred.* To maintain the well-earned reputation of the "REGISTER," I promise to devote every faculty of body and mind; and am induced to hope, that if I cannot bestow upon it my father's tact and industry, I will, at least, entitle it to public confidence—for I am resolutely determined to keep its pages free from all party or personal influence, and to record facts and events without fear or favor, partiality or affection,—in brief, to preserve its national character.

In addition to my own labors, I am flattered with the hope that I will yet derive great aid from my father, whose improving health has caused much pleasure to his friends, and encouraged them with a belief that it will soon be, measurably, re-established. But in the worst event, I am resolved to persevere—for it is not in my nature when I have once commenced a task, to be deterred from it by the difficulties which may impede its completion. All I ask is a continuance of that indulgence and liberal encouragement which have been extended to my father, and I will cheerfully abide the decision of those who have a right to make it.

To obviate an objection which has been preferred by many readers of the "REGISTER," I have dispensed with the small type and presented it in an enlarged form and new dress—and will soon have in operation an improved power press that I may more promptly supply the very numerous patrons of the work. These improvements have delayed the publication of this sheet for a single day, and it is probable a similar delay may occur in the succeeding week. After which the work will be issued with its accustomed regularity, and in a style of mechanical execution that will not discredit its national reputation. Very respectfully,
WM. OGDEN NILES.

Baltimore, Sept. 3, 1836.

*It may not be out of place here to remark, that we are waited upon almost every day, and frequently two or three times in that period, for permission to refer to our files for the purpose of establishing facts and dates. This is always cheerfully granted, and our personal services have been and will be afforded to assist enquirers after the truth.

SETS OF THE REGISTER.

Now is the time to obtain full copies of this work, or the supply of deficient volumes. The copies on hand are not numerous, being about two hundred and fifty in all, and they can never be re-printed. And as I am anxious to close my business with as much despatch as possible, I will dispose of one hundred and fifty complete copies at twenty-five per cent. discount from the subscription price,—retaining one hundred to supply future wants; which I am perfectly sensible will require a great many more, it being the only record of events made simultaneously with their occurrence, and a stock of matter that cannot be obtained in any other work. Particulars will be made known on application at the office.
H. NILES.

Baltimore, September 3, 1836.

✂ The present number of the "REGISTER" must not be regarded as a fair specimen of the style in which we intend to publish it hereafter, either in regard to matter or manner. Attention to the mechanical details and other business requiring our personal superintendence, have prevented us from devoting much time to the desk.

CREEK WAR. The latest intelligence from the scene of the late hostilities will be found under the proper head. We learn from the National Intelligencer that T. Hartley Crawford esq. has been appointed by the president of the United States one of the two commissioners constituted under a resolution passed at the last session of congress to investigate the causes of the recent hostilities of the Creeks, and the frauds alleged to have been committed in the transfer of their land reservations. Alfred Balch, esq. of Tennessee, is associated with him as commissioner, and John M. Wise, esq. of Maryland, appointed secretary to the commission.

LETTER FROM MR. WOODBURY. The following letter from the secretary of the treasury to Dr. Waterhouse having given rise to many rumors, particularly of determination on the part of the executive not to carry the provisions of the distribution bill into effect, in prospect of a war with Mexico, Dr. W. has been induced to lay it before the public.

Washington, 8th July, 1836.

Dear sir: Yours of the 2d inst. deserves my best acknowledgments for its numerous useful suggestions.

The naval bill, as to admirals, did not get through both houses, and our friend Elliott, with some other gallant fellows, must longer feel the pangs of hope deferred.

Our overflowing treasury, which is so often prayed for, will, I fear, prove a curse. But my best efforts will be given to execute the late law faithfully, though I have many misgivings as to its fatal influence on the sound relations heretofore existing between the states and the general government.

The president wishes me to express his thanks for your kind remembrance of him. He leaves this city in a few days for Tennessee.

I believe the ensuing presidential election is to be unusually quiet, and I will not allow myself to despair of the republic, however portentous may be some of the signs of the times.

Should we become involved in a real or quasi war with Mexico, the surplus may never be divided, or will be soon recalled. At all events, the whole will be wanted in 1842, if not earlier. Five millions are to come off the present tariff in 1841, alone.

Mr. Adams' health has not been good the latter part of the session; but I saw Mrs. Adams quite well at church last Sunday. Truly and respectfully,
your obt' serv't,
LEVI WOODBURY.

Hon Benj. Waterhouse, Cambridge, (Mass.)

VENEZUELA. The annexed letter, published in the Philadelphia U. S. Gazette, contains information interesting to merchants and shipmasters trading to Venezuelan ports:

U. S. consulate, Laguayra, Aug. 10th, 1836.

To the editor of the United States Gazette:

Sir: I have just received a communication per mail, from our charge d'affaires at Caracas, J. G. A. Williamson, esq. informing me that an order or de-

cree of this government, dated July 19th, ult. but not made known to him until the 6th instant, prohibits all neutral vessels bringing as passengers or otherwise, to the ports of Venezuela, any *banished individuals*, (expulsados) and such other persons as having fled the country, are not by law permitted to return. Any vessel bringing persons of this description, will not be allowed to discharge cargo or load, or even to anchor, in any port of this republic. This decree is to go into effect 40 days after this date, 19th July last. I think it of importance to our commercial interests, that publicity should be given to this notice. I am, sir, respectfully, your ob't serv't,

BENJ. RENSHAW,
U. S. consul.

P. S. I will forward in two or three days, a copy of said decrees, as also a list of persons comprehended therein.

GOVERNMENT EXPENDITURES. More than 15 columns of the Washington Globe are filled with a mere summary of the appropriations made by the general government at the last session. The appropriations under the head of civil and diplomatic expenses for 1836 amount to

Army,	\$4,210,546 77
Fortifications,	4,607,298 92
Naval service,	2,907,645 95
Pensioners,	6,276,312 10
Indian department,	455,454 00
Indian treaties,	1,862,108 74
Suppression of Indian hostilities,	6,381,454 67
Breakwaters, &c.	5,020,000 00
Harbor bill,	709,884 42
Miscellaneous,	493,100 41
Private claims (estimated)	5,398,492 73
	220,000 00

Total \$38,542,298 71
Deduct, having been twice appropriated, for Wisconsin territory 25,000 00

Leaves actual amount of appropriations \$33,517,298 71

Of this sum, however, \$1,500,000 for the District of Columbia is not payable for a number of years, and \$3,150,000 for the post office department is payable only out of the receipts of that department deducting these two sums, the amount appropriated is \$33,866,798 71. [Jour. Com.]

THE TREASURY. From the following official document it appears, that the whole amount of funds in the treasury of the United States exceeds FORTY-TWO AND A HALF MILLIONS!

Treasury department, September 1, 1836.
In conformity with the resolution of the senate, passed 1st July, 1836, directing that "during the ensuing recess of congress, the secretary of the treasury cause to be published at the commencement of each month, a statement of the amount of money in the treasury subject to draft; and also the amount standing to the credit of the disbursing officers," the undersigned hereby gives public notice that "the amount of money in the treasury, subject to draft," as shown by the running account of the treasurer, reported to this department on the 31st ultimo, was \$37,817,996 39, and "the amount standing to the credit of disbursing officers," as shown by the latest returns received, was \$4,847,926 55.

LEVI WOODBURY, secretary of the treasury.

COTTON. The following comparative view of the imports and exports of cotton into and from Great Britain and Ireland, from the 1st of January to the 9th of July last, and of the imports and exports for the same period last year, is copied from the Liverpool Circular of the 16th of July:

IMPORTS IN 1836.

American,	bags 511,578
South American,	76,774
West Indies, Demerara, &c.	3,019
East Indies,	107,952
Egypt, &c.	10,112

Total of all descriptions, 709,435

IN 1835.

American,	bags 518,986
South American,	75,786
West Indies, Demerara, &c.	3,919
East Indies,	49,325
Egypt, &c.	9,836—657,902

Increase of imports as compared with 1835, bags 51,533

EXPORTS IN 1836.

American, 10,207; Brazil, 2,849; East India, 29,070; West India, 30; other kinds, 20.	
Total in 1836,	bags 42,976
Same period, in 1835,	57,363

STOCK.

July 15, 1835,
Same time, 1836,

bags 234,590
287,870

REVOLUTIONARY RELIC. A gentleman left with the editors of the Charleston, (S. C.) Courier a few days since, an epaulette, in a good state of preservation, which was found on his premises, in a box, buried in the ground under the floor, which was taken up in order to make repairs. In the inside of the strap is the No. "1778," and the name of "MATHEWS." The house had been built about 40 years. It is more than probable that this epaulette is a revolutionary relic—and may have graced the shoulder of one of the heroes of '76, who battled for freedom in "days that tried men's souls." If so, would it were endowed with the gift of speech, to relate the hair breadth 'scapes, and trials, which its owner experienced—and cause our blood to warm, and our hearts to thrill, at the recital of events which contributed to the establishment of our national independence.

THE UNITED STATES SENATE. The term of service of the following senators expires on the 4th of March next.

John Page,	New Hampshire.
Gideon Tomlinson,*	Connecticut.
Samuel Prentiss,*	Vermont.
Silas Wright, jr.	New York.
James Buchanan,	Pennsylvania.
R. H. Goldsborough,*	Maryland.
W. P. Mangum,	North Carolina.
Wm. C. Preston,*	South Carolina.
Alfred Cuthbert,	Georgia.
Henry Clay,*	Kentucky.
Thomas Ewing,*	Ohio.
Alexander Porter,*	Louisiana.
Wm. L. Hendricks,†	Indiana.
Wm. L. D. Ewing,	Illinois.
Gabriel Moore,*	Alabama.
Lewis F. Linn,	Missouri.

WASHINGTON MONUMENT. The board of managers of the Washington National Monument society, invite *DESIGNS* for this structure, intended as a memorial of a NATION'S *gratitude*. It would be to fetter genius to prescribe any limits to the exercise of its powers, which should, however, in this case harmoniously blend durability, simplicity, and grandeur. Although it is impracticable at present to estimate the extent of the contributions that may be made, the designs may be predicated on an expenditure of not less than one million of dollars.

The board of managers will not offend American genius so much as to offer, in this instance, a pecuniary reward. The artist whose design shall be adopted will feel amply remunerated; and all the designs will be bound and carefully preserved—to which end it is requested that they be sketched, as near as may be, on paper of a uniform size, of the dimensions of sixteen by twenty-two inches. The designs to be directed to

GEORGE WATTERSON, secretary.

NAVAL LYCEUM. We had the pleasure, a few weeks since, of visiting the Naval lyceum, at Brooklyn, opposite New York, and were surprised at the valuable and various collections, which are there treasured up, for the inspection of every friend of the navy, who may be properly introduced. Two large apartments, one above another, open in the middle, the central section of the upper one exhibiting a fair view of the lower, being surrounded by a ballustrade, are crowded with curiosities and works of art of every description—the results of private and public donation. A volume would scarcely do justice to the entire collection. The mineralogical and entomological departments are particularly well stored. The actual costumes of different nations, and implements of war and peaceful pursuits belonging to them, are of great variety. Among other curiosities, a state paper of *Napoleon*, when he was first consul of the empire, with his signature attached, repaid our especial attention. A bust of *Washington*, by *Greenough*, executed at Florence, is admired by every observer. The library is comparatively large, and abounds with many excellent volumes.

The lyceum is worthy of all approval, and we trust that every high minded citizen, who regards with the proper spirit, one of the most honorable branches of our national service, will contribute to its stores. So numerous already have been the tributes tendered to this institution, that the rooms are already too small for their reception; and a new edifice will soon be required as a depot for those which are to come. Those who visit the lyceum properly commended—we speak from experience

*Whigs.

†Doubtful.

—will receive from the officers of the Brooklyn station, and others, every attention. [Phil. Gaz.]

CANAL TOLLS. From a statement published in the "Albany Argus," it appears that the tolls collected on the New York state canal for the two first weeks in August amount to the sum of \$80,559 57—exceeding the collections for the corresponding two weeks in 1835, by the sum of \$19,630 55. From a comparative statement of the sums collected for tolls on the several canals in each month from the opening of navigation to the 15th of August, in 1835 and 1836, we learn that the increase on the Erie canal is \$33,476—increase on all the canals, \$33,214. Navigation commenced on the Erie canal ten days later this year than last. From the 1st of May to the 15th of August the tolls have increased \$103,705 on the Erie canal, over the receipts for the corresponding period in 1835.

The Oswego canal was not navigable as early by 20 days in 1836 as in 1835; and the Champlain and Seneca canals were also unusually delayed by the frosts and floods.

In 1835, about one half of the tolls of the season were collected previous to the 15th of August. If the same thing should be realized the present season, the aggregate revenue from tolls will amount to the sum of one million six hundred thousand dollars.

GREAT FRESHET. Thursday was a cloudy day, but not remarkably so. A little before day on Friday morning it commenced raining here, and rained nearly all day with steadiness—nothing, however, to alarm. On Saturday morning it was observed with great surprise that there was a fresh in James river. The river continued to rise until after night, and attained a height exceeding by three inches the fresh of last June. The fall of rain in a given time in the mountains must have been great beyond modern recollection, as from appearances here we give it but 24 hours, if so much, to have fallen in. It is the greatest fresh since August, 1814, at the very period that Washington city was occupied by the British.

We hear of much damage. Thirty feet of the rail road embankment, a couple of miles beyond Taylorville, has been swept away, and two miles from the north thus far missed. Ground Squirrel bridge, on the South Anna, that has withstood the floods of thirty years on that easily excited river, we understand has been carried away. So has been Beaverdam bridge, on Beaverdam creek, in Goochland, a newly erected and solid structure. The canal was broken in two places on Dr. Trent's farm, in Goochland, by the merely immense fall of rain. The tobacco on James river, and we doubt not on the Watercourses generally, has been swept fore and aft, just ready too for the knife. The corn we hope has escaped with less injury; to be materially injured, the water must have reached the ear.

This is the fourth distinct fresh in James river since the 28th May last. It looks as if the river gods were resolved upon destroying cultivation, and re-establishing their sylvan reign. We have never known in 30 years a rise in the river so totally unexpected. A spring fresh and a fall fresh, all in the same year, we believe unknown to experience or tradition. In the great fresh of 1772 it was slightly cloudy in this part of Virginia for three days, but not rain enough to wet a man in his shirt sleeves. Wind at the south east, as, unless it be, there is never a great fresh. We hear of great individual loss. There has been a good deal in tobacco and timber at the Rocketts.

A drowned man was taken out of the river yesterday morning at Mayo's bridge; understood to be a native of Ireland, who threw himself into the river in a state of intoxication, and refused the aid of planks, &c. which were thrown in to assist him. [Richmond Whig of the 29th ult.]

ASSAULT. Yesterday, about noon, considerable excitement was created in State street, in consequence of an assault committed upon the person of Samuel E. Sewall, esq. who has been the counsel for the abolitionists in the different slave cases which have been before our courts. It appears that Mr. Sewall used some language before the court during the examination respecting the two female slaves brought from Baltimore, which was supposed to affect the private character and did injury to the feelings of lieutenant George Adams, a cousin of Mr. Morris, their owner. Mr. Adams, about 12 o'clock, noon, yesterday, entered Mr. Sewall's office, and attempted to inflict corporal punishment with a cowskin. Mr. Sewall resisted, and a cry for help having been made by a person in the office, several persons entered and separated the combatants. Mr. Adams was allowed to escape, and Mr.

Sewall entered a complaint against him at the police court; a warrant was issued accordingly, but it was afterwards stated that Mr. Adams had left the city.

It is reported that Mr. Adams has sent a note to the police court, stating that he may be found at the Tremont House. [Boston Courier, Aug. 30.]

GALLANTRY AND ITS REWARD. An interesting incident took place the other day on board one of the steamboats which ply between this city and Newburgh; and we have great pleasure in recording it, as it shows that generous actions usually excite corresponding emotions in those who witness them, and that heroism is not always left to be rewarded by the consciousness only of the good deed.

At the moment of embarkation on board a Newburgh steamboat, a boy, apparently about twelve years of age, was accidentally pushed overboard by a person who was about to enter the vessel. Immediately on seeing it, the steward of the boat jumped from the deck, and rescued him, at the imminent peril of his life. His conduct upon the occasion, was the theme of conversation for but a few minutes, when a gentleman, who deservedly stands high in the estimation of his fellow citizens, made the following remark: "That is a brave fellow—he saved the life of that boy. I'll give five dollars to reward him—who'll give five more?" "I will," and "I will," and "I will," was immediately responded by every person within hearing; and in the course of a few minutes, the sum of \$85 was contributed by passengers on board. The name of the man who rescued the boy, is Haven's, and the gentleman who first proposed the subscription, and so happily succeeded, is James C. Stoneall, the well known proprietor of the "Shakspeare" hotel, corner of Fulton and Nassau streets. [N. Y. Transcript.]

FROM TEXAS. The editor of the New Orleans Bee furnishes information from Texas to the 16th August, at which time the Texian army 2,200 in number were at Colet, near Copano. Several of the Texian citizens had left the army and returned to their farms, as it seemed to be well understood there would be no fighting until the winter.

The expedition to Matamoras by the Texans has been abandoned for the present. Santa Ana has been sent to the plantation of col. Phelps under a strong guard.

We had some wild rumors a few days ago, that Santa Ana had escaped, and that president Burnett had been impeached for his agency in assisting him.

A DEAD WARRIOR. Mr. W. W. Smith has published a work entitled "Sketches of the Seminole war, and sketches during a campaign," which is said to be a work of much merit. The following description of a dead warrior, extracted from it, is graphic and spirited:

"A fine specimen he was of the goodly handy work of nature—his limbs were cast in an almost perfect mould, but an evident difference was observed in the upper and lower part of the shoulder and arms, and of the rest of the body from the waist down to the toe. The former were small, and by no means remarkable for power; but strength, agility and grace distinguished the latter; the bone straight like an arrow; the compact thews of thigh and calf; the elastic sinews of knee and ankle, and the rounded symmetry that ended in the remarkable high instep, and firm, straight, handsome foot and heel; it was a study for the sculptor.

"But the face of that stern warrior, whose red brow so lately frowned with battle's terror; whose parted lip bespoke the bloody thought, and the demoniac cruelty of his race, now paled from his natural hue—livid with death—and quelled, scarcely softened into the silent, mute and petrified expression—he indeed was a model for the artist. I lingered, in spite of my repugnance to the unpleasantness of the scene, to gaze on the beautiful specimen of savage inflexibility before me; I had seen Indians before, and attempted fac similies and ideals which endeavored to pourtray the fierce lineaments of the legitimate savage, but not in any living originals, nor in any attempts of art, have I recognized so perfect a *beau ideal* of that savageness, which we are accustomed to consider as an inherent quality in the unhumanized son of the forest; an element in his nature, single, and whole, of which the tiger furnishes the aptest type, and which is not incompatible with beauty of physiognomy, as I realized in the countenance of this Uchee. There was a calmness and curl, as of scorn, on the divided lip; the muscles were relaxed with a subdued expression of fierce glee, as though the war yell had been suddenly cut short by the death stroke; and this feature, the compressed brow, and the haughty nose, evinced dauntless daring, resolution and contempt of death.

"It was, undoubtedly, a noble countenance; the features were regular and handsome, and I wished that I could have seen him when they were animated by the small, black, piercing eye, and heightened and set off by the long raven hair and plume of the warrior."

GUM ELASTIC CLOTHING, SHOES, &c. It is but a few years since we have heard of gum elastic over shoes, or known their value in wet and muddy streets; and it is scarcely one year since articles of clothing made of cloth so prepared with this substance as to be rendered impervious to water, have been known. Yet, short as the time has been, those articles are to be found in almost every town and village in the United States, and their manufacture is already an important and profitable branch of business of our country. We understand that there are now in existence six companies incorporated for the purpose of manufacturing various articles in which this substance forms an ingredient, with capitals amounting to \$1,000,000. They employ at present 900 to 1,000 individuals, men, women and children, and are rapidly extending their operations. The company in Salem is understood to be one of the most profitably managed in the state. [Salem (Mass.) Gazette.]

FOREIGN SEGAR TRADE OF THE U. STATES. It appears from a treasury report submitted to congress at the least session, that the whole importation of segars from foreign ports, from the first day of October, 1834, to the 30th of September, 1835, was no less than *seventy-six millions seven hundred and sixty-one thousand!* of which seventy-five millions twenty-six thousand came from Cuba; the whole paying duty on the invoice valuation of eight hundred and thirty-six thousand seven hundred and forty-three dollars. During the same time the exports of foreign segars were nine millions six hundred and twenty-one thousand, valued at one hundred and nineteen thousand seven hundred and twenty-eight dollars.

Import,	76,761,000
Export,	9,521,000

Leaving for consumption and on hand	
of that year's importation,	67,140,000

[N. Y. Mercantile Adver.]

THE FOOD OF MAN. The Genessee Farmer gives this brief summary of the native countries of our most familiar plants:

The potatoe is a native of South America, and is still found wild in Chili, Peru, and Monte Video.—In its native state, the root is small and bitter. The first mention of it by European writers is in 1588. It is now spread over the world. Wheat and rye originated in Tartary and Siberia, where they are still indigenous. The only country where the oat is found wild is in Abyssinia, and thence may be considered a native. Maize, or Indian corn, is a native of Mexico, and was unknown in Europe until after the discoveries of Columbus. The bread fruit tree is a native of the South Sea islands, particularly Otaheite. Tea is found a native no where except in China and Japan, from which country the world is supplied. The cocoa nut is a native of most equinoctial countries, and is one of the most valuable trees, as food, clothing and shelter are afforded by it. Coffee is a native of Arabia Felix, but is now spread into both the East and West Indies. The best coffee is brought from Mocha, in Arabia, whence about fourteen millions of pounds are annually exported. St. Domingo furnishes from sixty to seventy millions of pounds yearly. All the varieties of the apple are derived from the crab apple, which is found native in most parts of the world.

The peach is derived from Persia, where it still grows in a native state, small, bitter, and with poisonous qualities. Tobacco is a native of Mexico and South America, and lately one species has been found in New Holland. Tobacco was first introduced into England from North Carolina, in 1586, by Walter Raleigh. Asparagus was brought from Asia; cabbage and lettuce from Holland; horse radish from China; rice from Ethiopia; beans from the East Indies; onions and garlic are natives of various places both in Asia and Africa. The sugar cane is a native of China, and the art of making sugar from it has been practised from the remotest antiquity.

NEWSPAPER STATISTICS. In Van Dieman's Land, with a population of about 40,000, we have nine journals, viz: The Gazette, Courier, Tasmanian Colonial Times, True Colonist, Morning Star, Launceston Advertiser and Cornwall Chronicle, or one in about 4,500 inhabitants, and if we take into

account, that more than one-third of these belong to the prisoner class, and have no means of subscribing to or reading newspapers, we reduce the proportion to one in about every 3,000. In New South Wales they have seven journals, viz: the Government Gazette, Sydney Gazette, The Herald, Australian, Monitor, Commercial Journal and Colonist distributed among a population of about 70,000, which gives about a journal to every 10,000 people. But then it is to be considered that most of the Sydney journals are on the average twice a week, which in fact makes as far as number goes, but not as regards variety, the journals to be about one in 5,000. There is this remarkable difference to be observed with regard to the readers in these colonies and in Europe, that the country residents, and not those in towns, are the greatest readers, (we speak from our own experience, from the subscription list), the proportion in Van Dieman's Land being at least three readers in the country to two in the town. [Hobart Town Gazette.]

ELECTIONS.

INDIANA.

The Indianapolis Journal, published at the seat of government of the state, gives a complete list of the members elected to the two houses of the legislature the aggregate of which is as follows:

	Harrison.	Van Buren.
Senators	29	18
Representatives	55	44
	84	62

KENTUCKY—OFFICIAL RETURNS.

Vote for governor.

	1836.	1842.		
	Clark.	Flour.	Buck.	Brea.
Adair,	336	828	868	541
Allen,	199	317	184	476
Anderson,	170	438	140	437
Bracken,	395	289	447	305
Bourbon,	737	399	1,104	534
Boone,	645	478	629	567
Butler,	160	219	94	275
Bullitt,	197	194	270	442
Barren,	965	955	979	903
Bath,	541	634	518	735
Breckenridge,	694	61	551	297
Clay,	356	136	353	149
Campbell,	396	667	475	859
Clarke,	943	138	849	521
Christian,	689	382	681	458
Cumberland,	562	94	538	543
Caldwell,	458	536	273	669
Calloway,	178	694	53	714
Casey,	187	213	296	299
Clinton,	199	159		
Davies,	408	343	322	359
Estill,	455	337	221	312
Edmondson,	152	155	182	212
Fayette,	1,041	502	1,426	681
Franklin,	480	548	554	470
Fleming,	881	526	1,089	764
Floyd,	112	384	118	405
Garrard,	707	265	973	289
Greenup,	406	222	446	460
Green,	413	622	602	915
Grant,	186	242	197	232
Gallatin,	727	320	445	544
Grayson,	255	229	301	249
Graves,	175	388	40	318
Harrison,	438	686	535	902
Henderson,	384	404	374	327
Hardin,	805	855	826	799
Harlan,	249	171	204	145
Hickman,	327	522	137	605
Hopkins,	419	493	251	508
Henry,	576	799	532	755
Hart,	239	334	226	390
Hancock,	83	62	82	110
Jefferson,	561	484	1,768	1,783
Jessamine,	502	364	668	527
Knox,	479	53	432	146
Lewis,	320	319	322	439
Livingston,	256	473	212	385
Lincoln,	629	242	775	323
Logan,	935	256	705	547
Lawrence,	265	216	199	324
Laurel,	246	106	174	180
Louisville city,	1,248	605		
Mason,	924	386	1,188	745
Mercer,	741	861	819	1,232
Madison,	1,041	397	1,103	737
Montgomery,	559	374	743	535
Muhlenburg,	406	263	369	333
Marion,	373	535		
Monroe,	193	238	168	419
McCracken,	212	124	46	218
Morgan,	57	406	128	315
Meade,	362	66	364	158

Nelson,	786	218	886	377	Mecklenburg	869	1,095
Nicholas,	509	615	501	583	Martin	-	260 maj.
Ohio,	384	245	164	425	New Hanover	224	706
Owen,	265	443	216	528	Nash	102	679
Oldham,	305	602	408	744	Northampton	592	241
Pike,	57	291	35	254	Onslow	-	266 maj.
Pendleton,	133	201	166	291	Orange	1,237	1,132
Pulaski,	566	446	654	640	Person	230	498
Perry,	134	165	157	197	Pasquotank	490	260
Russell,	315	69	296	268	Pitt	483	511
Rockcastle,	388	82	299	141	Perquimons	430 maj.	-
Scott,	457	824	736	1,017	Rowan	1,642	117
Shelby,	924	414	1,163	733	Randolph	1,009	112
Simpson,	300	289	319	425	Rockingham	300	855
Spencer,	359	196	314	459	Robeson	408	507
Trigg,	262	233	276	439	Richmond	616	53
Todd,	517	225	590	288	Rutherford	890 maj.	-
Union,	193	269	190	366	Sampson	419	666
Woodford,	675	377	658	393	Surry	887	1,035
Wayne,	350	415	528	446	Stokes	828	802
Whitley,	356	49	228	186	Tyrrell	400	25
Warren,	704	348	667	581	Washington	377	34
Washington,	438	529	820	1,198	Wilkes	800 maj.	-
					Warren	92	673
					Wayne	180	716
					Wake	864	891
					Yancy	110	536
	88,587	30,491	39,421	40,681			
	30,491			39,421			
	8,096			1,260			
						31,829	26,822
						26,822	

RECAPITULATION.

For governor.

James Clark, (Whig.)	88,587
M. Flournoy, (Van Buren.)	30,491

Clark's majority, 8,096

For lieutenant governor.

Charles A. Wickliffe, (Whig.)	35,524
Elijah Hise, (Van Buren.)	32,186

Wickliffe's majority, 3,338

Of the senators elected, *fourteen* are said to be friendly to the present administration of the general government, and *twenty-four* against it. Of the representatives in the house, *forty-two* members are put down as friendly to the administration and *fifty-eight* against it. Whig majority, on joint ballot, twenty-six.

MISSOURI.

The St. Louis Republican says: "The whole of the returns from the different counties have not yet reached us; but enough is known to make it certain, that Mr. Boggs (Van Buren) is chosen governor, by five or six hundred majority; that Mr. Cannon, (also Van Buren), is elected lieutenant governor by a much larger vote; and that Messrs. Harrison and Miller are to be the representatives of the state in the next congress." Harrison and Miller are friends of Van Buren.

NORTH CAROLINA.

The following table, showing the result of the election for governor, is copied from the "Raleigh Register," which paper states that it has been carefully prepared.

Counties.	Dudley.	Spaight.
Anson	1,017	274
Ashe	383	438
Buncombe	1,194	533
Bertie	336	489
Bladen	-	27 maj.
Brunswick	359	123
Beaufort	755	236
Burke	1,257	516
Cabarrus	643	227
Columbus	210	185
Carteret	111 maj.	-
Currituck	-	150 maj.
Chatham	932	626
Chowan	145 maj.	-
Cumberland	500	800
Camden	400	12
Caswell	116	1,067
Craven	267	669
Duplin	-	250 maj.
Davidson	1,287	69
Edgecomb	71	1,191
Franklin	308	564
Granville	977	391
Gates	-	200 maj.
Greene	-	150 maj.
Guilford	1,145	475
Halifax	100 maj.	-
Hertford	376	264
Hyde	300 maj.	-
Haywood	-	200 maj.
Iredell	1,283	226
Johnson	364	672
Jones	228	120
Lincoln	695	1,674
Lenoir	192	389
Macon	275	450
Moore	842	505
Montgomery	782 maj.	-

Dudley's majority 5,007

The result of the election for members of the legislature is doubtful—and both parties claim a majority. The Raleigh Star states the whig majority in the state senate to be four; and classes col. McCormick, from Cumberland, as a whig, while the Fayetteville Observer claims him as a Van Buren man. The Star adds: "The senator from Person, it is understood, is pledged to vote against judge Mangum; but we have no reason to believe he is under any pledge to vote against any other person or to vote for a Van Buren man."

Mr. Graham, whose seat was declared vacated by the house of representatives last winter, has been again returned to that body over his old opponent. The following is the result of the contest.

Counties.	Graham.	Newland.
Burke,	1,080	708
Rutherford,	1,633	626
Buncombe,	1,082	716
Haywood,	257	373
Macon,	448	348
Yancy,	291	406
	4,791	3,177
	3,177	

1,614 majority.

ALABAMA.

The National Intelligencer says—Returns from South Alabama give the following number of members elected by each party; whig 43, Van Buren men 19. Against these are 18 Van Buren men claimed, as heretofore stated, from the four great northern counties. We have satisfactory information that two of the eighteen so claimed are decided friends of judge White, and it may be that more of them are. But, admit all the remaining sixteen to be Van Burenites, the result of the election for the state legislature, as far as heard from, will stand:

	Whigs.	Van Buren.
Southern counties	43	19
Northern counties	2	16
Total, so far as heard	45	35

IMPORTANT DECISION.

The Boston "Mercantile Journal" of Saturday last contains the following decision in relation to the slave case, which has for some time been before the supreme court of Massachusetts, now sitting in Boston. The slave is a female about six years old, belonging to Mr. Slater of Louisiana, and was held by Mr. Thomas Aves, to be restored to Mr. Slater as soon as convenient. The peculiar circumstances under which she came into the possession of Mr. Aves are not stated. The case was argued, says the Journal, by the counsel for the respective parties with great eloquence and skill, by C. P. and B. R. Curtis, for Mr. Aves, the gentleman in whose possession the little girl now is, and against whom the writ of *habeas corpus* was issued—and by Rufus Choate and Ellis Gray Loring for the applicants for the discharge of the slave.

Chief justice Shaw delivered this morning the opinion of the full court, on the rights of slave owners bringing slaves into Massachusetts, which will be considered of extraordinary importance. The chief justice remarked, that a more elaborate opinion of the court would hereafter be drawn up,

but at present he would state the result which had been arrived at, and the general reasoning which led to it. The case was one of high interest, and had been fully and most ably argued by counsel. The impression of the court and bar had long been, that a slave coming here by the consent of the master is thereby virtually emancipated, because there is no law by which he can be compelled to leave this state, and while here, as he owes allegiance, he must receive protection. The question was not before the court, and need not here be settled, whether a slave coming here by his master's consent, and afterwards returning to a slave country, would fall back into slavery. The court were clearly of opinion that the long settled impression referred to was sound.

The law of England and the law of Massachusetts were analogous. By both, slavery has been recognized as the local law of countries, which have chosen to tolerate it. Slavery is against justice and natural right, but other states and countries have a legal right to fix the condition of their own subjects, and must reconcile their acts with their own consciences, in their own way. Slavery cannot therefore be now considered against the law of nations, but being against the policy and settled law of Massachusetts, we here regard it not as matter of general law, so as to let in the principles of comity in the case of foreigners coming here with slaves, but only as local law, which we respect within certain limits, and to a certain extent. The judge went into a very able though brief analysis of the adjudged cases, on the subject of slave property, and showed that the doctrines now held were substantially in accordance with those cases.

The judge then stated, that prior to the adoption of the federal constitution, it became the universal settled policy of this state, that slavery was contrary to natural right, and was unlawful. The adoption to the constitution only varied this principle so far as it made express provision for the case of runaway slaves, &c. Where there is a general prohibition, and a particular exemption, the latter is to be construed strictly, particularly when that exemption is against natural right. The article of the constitution relating to fugitives might have been useful, and we cannot now object to it. But that article must be construed according to the plain and natural import of its terms. It must receive a strict construction, and does not apply to cases where slaves are voluntarily brought here by their masters.

The judge stated that the child must be discharged from the custody of the present claimant, and consigned, for safe keeping at present, to the petitioner's counsel. It was intimated that this was not to be understood as the case of a master, who is bringing his slave through this state by virtue of a warrant issuing under the act of congress respecting runaway slaves, nor to a necessary transitus from one slave state to another, through a free state, where there was no unnecessary delay. The latter case could hardly happen in this state, and neither were before the court, so as to make necessary any expression of opinion on them.

Upon the above decision the Boston Daily Advertiser makes the following remarks:

"It will be perceived that the court have decided that the slave having been brought by its master's consent to this state, becomes free, slavery being against the policy and settled law of the state; and that the provision of the constitution and law of the United States, in relation to fugitives, does not apply to a case in which they come with the master's consent. In some of the states there is, we believe, legislative provision for cases of this sort, and it would seem that some such provision is necessary in this state, unless we would prohibit citizens of the slaveholding states from travelling in this state with their families, and unless we would permit such of them as wish to emancipate their slaves to throw them, at their pleasure, upon the people of this state. Both these evils require to be guarded against, and the remedy lies not with the courts, but with the legislature."

Another Boston paper says—"the child has been taken from Mr. Aves' custody, and it put into the custody of Ellis Gray Loring, esq. until a guardian should be appointed. The opinion as delivered by chief justice Shaw, was lucid and satisfactory, under the special circumstances of this case. There was not only no excitement in or about the court room, but not a colored person was present. The questions arising in the case have been discussed argued and decided dispassionately, most learnedly and thoroughly, and determined upon careful considerations of the law of nature and nations, the constitutions of Massachusetts and the United States, the laws of

congress, and the decisions of the English courts before the revolution."

ANOTHER SLAVE CASE.

From the New York American.

Jesse Collier, a colored man, claimed as a fugitive slave by Mr. I. B. Collier, of Maryland, was again up for examination yesterday, before the recorder—the Manumission society defend the alleged slave. A vast crowd collected, and after a short examination, the case was remanded until next Wednesday.

The claimant on the last examination having sworn positively that Collier left him in April, 1835, his honor presented the following subjects for the discussion of the respective counsel, previous to his giving a decision.

1st. After the claimant of an alleged slave fixes deliberately the time of his escape from servitude, and the alleged slave goes into his defence, can the judge, consistently with the law, allow the claimant to alter the time of his escape?

2d. Is the admission or confession of the alleged slave sufficient evidence to convict him as a slave; or, does the same rule of law apply as in case of felony, where the confession of guilt is sufficient without first showing the felony to have been actually committed?

His honor stated that he should wish them to discuss those points among themselves privately, and communicate the result of their investigation to him previous to his giving his decision, which decision, however short, would be given in writing, as he was of opinion it would differ from that of many other judges, who he was sure had frequently given up persons claimed as slaves, merely on their own confession.

THE ARMY.

GENERAL ORDER, No. 58.

Head quarters of the army, adj't gen. office, Washington, August 27, 1836.

I—In conformity with the system promulgated in "ORDER" No. 54, of 1827, the following general change in the stations of the several regiments of artillery, will take place as soon as their services in the field can be dispensed with. The general and other officers in command therefore, as soon as in their opinion the services of all or any portion of the artillery are no longer required in the field, will order the officers and companies to the posts and stations as below designated:

The first regiment of artillery, will garrison the following posts:

1. Forts in the harbor of New York.

Company F—Captain M. Mason, (bvt. major).

Company I—Captain F. Whiting, (bvt. major).

Company A—Captain G. Porter.

Company D—Captain J. Dimick.

Company C—Captain C. Dimmock.

2. Fort Mifflin, (Pennsylvania).

Company G—Capt. R. M. Kirby, (bvt. major).

3. Fort McHenry, (Maryland).

Company H—Captain D. Van Ness.

4. Fort Severn, (Maryland).

Company B—Captain D. Tompkins.

5. Fort Washington, (Maryland).

Company E—Captain H. Saunders, (bvt. major).

II—The colonel will take post at Fort Columbus, New York harbor, the lieutenant colonel at Fort Severn, and the major at Fort McHenry.

III—The second regiment of artillery, will garrison the following posts:

1. Fort Sullivan, (Maine).

Company H—Captain R. A. Zantinger, (bvt. major).

2. Fort Preble, (Maine).

Company B—Captain F. S. Belton.

3. Fort Constitution, (New Hampshire).

Company I—Captain N. Baden, (bvt. major).

4. Fort Wolcott, (Rhode Island).

Company D—Captain G. Drane.

5. Fort Trumbull, (Connecticut).

Company A—Captain T. S. Legate, (bvt. major).

Company F—Captain J. P. Taylor.

IV—The colonel will take post at Fort Wolcott, the lieutenant colonel at Fort Trumbull, and the major at Fort Constitution. This arrangement of the field officers of the regiment may be considered as temporary, or until Fort Independence, Boston harbor, and Fort Adams, Newport, R. I. are ready to receive their garrisons. And for the want of quarters at these posts, companies (G) brevet major J. Mountfort, (E) captain Merchant, and (C) captain Mellon, will join the garrison at Fort Monroe, Va.

V—The third regiment of artillery, will garrison the following posts:

1. Savannah, (Georgia).

Company C—Captain S. Ringgold.

2. St. Augustine, (Florida).

Company D—Captain R. B. Lee.

3. Key West, (Florida).

Company A—Captain T. Childs.

4. Fort Pickens, (Pensacola, Florida).

Company H—Captain E. Mackay, (bvt. major).

Company B—Captain J. P. Vinton.

5. Fort Morgan, (Mobile, Alabama).

Company G—Captain M. P. Lomax, (bvt. major).

6. Fort Wood, (Louisiana).

Company F—Captain W. L. McClintock, (bvt. major.)

7. Fort Pike, (Louisiana.)

Company E—Captain E. Lyon.

8. Fort Jackson, (Louisiana.)

Company I—Captain T. W. Lendrum.

VI—The colonel will take post at Oglethorpe barracks, Savannah, Geo. the lieutenant colonel at Fort Pickens, Pensacola, Florida, and the major at St. Augustine barracks, Florida.

VII—The fourth regiment of artillery, will garrison the following posts:

1. Fort Monroe, (Virginia.)

Company A—Capt. J. L. Gardner, (bvt. major).

Company B—Captain J. M. Washington.

Company H—Captain H. Brown.

Company D—Captain S. Cooper.

Company E—Captain H. A. Thompson.

2. Fort Macon, (North Carolina).

Company I—Captain J. Erwing, (bvt. major).

3. Fort Caswell, (North Carolina).

Company G—Captain J. Monroe.

4. Castle Pinckney, (South Carolina).

Company F—Captain L. Whiting, (bvt. major).

5. Fort Moultrie, (South Carolina).

Company C—Captain P. H. Galt.

VIII—The colonel will take post at Fort Monroe, the lieutenant colonel at Fort Moultrie, and the major at Fort Caswell.

IX—Officers and men not in the field, and those who are now unable to join the army for active service, will repair to the stations designated for them, without delay, whose duty it will be to take charge of the public property. Should any of the posts designated be so incomplete as not to afford quarters for the troops assigned to them, respectively, they will repair to Fort Monroe, and there remain until they can be accommodated at the several posts to which they have been assigned. In all such cases, the adjutant general will notify those concerned.

X—The marine corps will be relieved from duty in the field as soon as its services can be dispensed with, when the commander of that corps will give the necessary orders for the several detachments to resume their proper stations.

By order of ALEXANDER MACOMB, major general commanding-in-chief:

R. JONES, adjutant general.

THE CHEROKEE WAR.

From the Columbus (Geo.) Herald of August 16.

General Sanford and staff returned to this city on Thursday evening last from their trip to Baker county, in search of the Indians, they were absent seventeen days, in which time they thoroughly scoured Chickasahatchee, Echoenochowe and Kit-chalooney swamps, but without finding the enemy. In hunting, however, fresh trails were frequently discovered and it was well known that the Indians were scattered through the swamp, but in portions so small and so securely were they covered by the thickness of the swamp, that it was found impossible to ferret them out. No Indians were therefore found nor was a fight had, with the exception of the skirmish between the Indians and the scouting party under command of Col. Alford, which has previously appeared in the journals of the day. The visit of gen. Sanford and his men, to this section of the country, has had the effect at all events of alarming the Indians, and assuring them that the whites are fully bent on reducing them to submission, or driving them from the country altogether; and we are informed that they are struggling to concentrate their scattered forces and get away to Florida as soon as possible—poor devils, their route is circumscribed indeed, and their way hemmed in. Whither should they fly but to Florida? and why go there? They will find no resting place for the sole of their foot in that distracted land; in forty or fifty days at farthest, they will encounter a force of superior strength, and one that will uproot and drive them from even the everglades, should they retire to that untracked portion of the earth—if they return to the Creek nation then they will be promptly met by the U. S. troops and Alabama volunteers, who are still in waiting to slay them as they come, besides there are a thousand and six hundred brave volunteers from old Tennessee, who are quartered in the immediate vicinity of Montgomery, who

would literally destroy an entire nation of savages, should they dare to cross their path. The truth is, the Indians are routed—broken up—scattered—distracted. They are flying in every direction, and doubtless as they run, will continue their depredations; consequently should be closely watched, and followed with the sword and bayonet to the end of the chapter. A body of Tennessee troops accompanied by Paddy Carr and some 8 or 10 friendly Indians, visited the Hatchachubbee and Cowagee Creeks, entered the swamps and drove for Indians—they "jumped up" a party with whom they exchanged a few shots, and finally succeeded in capturing twelve, which number they brought to Fort Mitchell and placed in confinement; if our commanding officers would enlist a few more friendly Indians in the cause of the country and place them under Paddy Carr as leader and commander, they would find this troublesome case soon swept from the docket, and the court now sitting for the trial of savage marauders might be speedily adjourned, *sine die*. There are scores of friendly Indians who are ready and willing for such enlistment. Gen. Sanford's command brought up and deposited at Fort Mitchell six women and children belonging to the hostile tribe. These squaws and their little ones, were found on the Kinchafoona creek, almost in a state of starvation. In flying from the whites, the men had left them to take care of themselves; and being of times closely pursued by our troops, they had killed 7 of their children, who were crying with hunger, to prevent them being overheard and discovered.

Gen. Sanford's command consisted of volunteer companies, from the following counties: Jasper, Jackson, DeKalb, Coweta, Pulaski, Troup, Muscogee, Stewart, Baker and Early. These troops are entitled to great credit; it is truly a severe exposure of health and life, to travel through the swamps of the lower country of Georgia at this season of extreme hot weather and prevailing epidemics, and frequently all day in mud and water waist deep; yet, we are gratified to learn, that general good health prevailed throughout the army during the tour. We notice among those who have arrived, maj. gen. Sanford, col. S. Rockwell, maj. W. S. Rockwell, maj. J. S. Patterson, lieut. col. Thomas and adj. Holland, all in fine health. From the order of the major general published below, it will be seen the disposition of the troops now in the low country. It will be recollected that the term of service for which these troops were mustered will expire on the first of September and they will have to leave their present posts at least a week before that time, in order to travel here and be mustered out of service.

The section of country now guarded by these faithful soldiers, will then be left entirely defenceless, and should the Indians return (than which nothing is more likely) should be laid waste and all the inhabitants murdered. We trust gov. Schley will make timely provision for its defence.

Four companies of marines, under command of col. Miller, arrived in town on Saturday, and have encamped in our vicinity. They have been engaged for a time in building bridges, and are yet to build causeways and otherwise repair the road leading to Montgomery. This service, we understand, is on their part, wholly gratuitous.

ORDERS—NO. 143.

First army corps of the army of the south, head quarters, camp Denard, August 6, 1836.

The major general from all the information he has been able to collect, is induced to believe, at that the several straggling parties of the enemy, the which have infested Chickasahatchee and the neighboring swamps in Baker, Randolph, Lee and Stewart counties have been compelled to take the back track, towards the Chattahoochee, except a small party of 15 or 20 who were yesterday driven from their camp in Chickasahatchee, by the scouting party under major Alford, and who have taken the course down the river. With the reduction and destruction of this party, captain Hentz is especially charged. He will collect and organize his company, in the stitute and maintain a rigid system of discipline, and take posts at some convenient distance from the swamp on its east side, send forth daily scouting parties and resort to every means to dislodge and destroy the enemy; he will report to major Alford, and make arrangements with lieutenant Vin up ton, United States army, for provisions and forage for the use of his company.

A regard for the health of the troops from the upper portions of the state now here imposes upon the major general the necessity of confiding the above duty to the troops of Baker county, under captain Hentz, and of ordering the other troops to move to healthy positions. Maj. Alford will therefore post one company of his battalion at Fort McCrary in

its vicinity, and with the remainder of his corps, he will form flying camps so disposed, as will secure supplies, afford protection to the inhabitants and exterminate the enemy. For the present he will establish his head quarters at or near the head of Spring creek in Baker county, not far from the Fort Gaines road; he will take the command of the several posts and troops stationed in Baker, Randolph and Lee counties, and report to the major general from time to time. Captains Kendrick and Calhoun, will, until further orders, occupy their present position near Lawhon's in Lee county, capt. Bostwick will join captain Jernigan at Lumpkin, and act under his orders; that place and within a convenient distance thereto, will be their permanent post.

The assistant quarter master lieutenant Vinton, will take measures to have the troops furnished with the necessary supplies of provision and forage.

The utmost vigilance is especially enjoined on the commanders of posts in this section, and scouting parties constantly kept out.

The senior surgeon, Dr. Mills, will take charge of the hospital and sick, and furnish medicine and attendants. He will select some healthy point for his hospital, to which place, all the sick and wounded will be sent. By order of major gen. Sanford.

S. ROCKWELL, *Inspector and acting adj. gen.*

*Head quarters, 1st army corps,
Camp Jesup, Echienoochee, August 11.*

GENERAL: I have the honor to inform you, that after having performed a march of sixty miles, I arrived the day after I left you at Woolfolk's, in the neighborhood of the party of Indians, who were reported as having crossed the Chattahoochee on the 24th ult. The result of an engagement which took place on the same day, between that party and a detachment of Georgia volunteers, has already been made known to you, by the official despatch of captain Calhoun. Whilst on its march the day following, it was overtaken by captain Jernigan's corps of mounted men, and a sharp skirmish ensued, in which that brave and meritorious officer, after maintaining for a considerable time an unequal conflict with superior numbers, was compelled to retire with the loss of three of his troop killed and seven wounded. Not discouraged by his want of success, that energetic and enterprising officer determined upon renewing the fight, and having strengthened himself by a number of citizen volunteers, accordingly again made the attack on the 27th between 10 and 11 o'clock and in his turn compelled the enemy to give way, abandoning the whole of his plunder, and leaving fifteen of his warriors slain upon the field. This decisive advantage would have been followed up by an immediate pursuit, but a deep morass through which the enemy retreated into a thick cane brake, precluded all idea of being able to overtake them, in the then exhausted and debilitated condition of the troops. Every exertion, however has since been used and this now being made to come up with them, but the difficulties we have had to encounter in bogs and swamps, have as yet failed in that design; nevertheless we shall neither abate in our zeal nor cease the pursuit, until all hope is rendered desperate by their flight and dispersion.

I have the honor to be, very respectfully, your most obedient servant,

J. W. A. SANFORD, *major general.*
A. P. S. In the last engagement, capt. Jernigan, had three men killed and ten wounded.

*Major general Thomas Jesup,
Command'g army of the south, Fort Mitchell, Ala.*

*Head quarters, 1st army corps,
Columbus, August 12th, 1836.*

GENERAL: I had the honor on the 1st inst. of addressing you a short communication, from Camp Jesup, upon the Echienoochee. Although it was known that the enemy had secreted themselves in the swamp that borders both sides of that stream, the difficulty of obtaining correct information relative to their movements, left me at that time, undetermined in my own. Subsequent developments, however, have fully satisfied me that my only object, since their defeat on the 27th ult. to be on to avoid our pursuit, and to guard against the danger of a second rencontre: indeed, so abating has been their anxiety upon this subject, that in many instances, they have abandoned, and destroyed their children rather than be engaged with them in their retreat! Regarding the desperate act as indicative of their intention to make another desperate struggle, to reach the place their original destination in the lower part of the State, or Florida, proper measures were taken to hasten their earliest movements, and to arrest their progress in that direction. In the mean time, troops were actively engaged in penetrating

the swamp at every point where its intricacy seemed to offer a refuge for the enemy. The efficient manner in which this service was performed alarmed them for their safety, and as foreseen, caused them on the 31st ult. to abandon a situation no longer deemed secure against our approach. Upon being satisfied of this fact, by the discovery of their trails, and that their course was in the direction of Lee and Baker counties, the whole detachment was ordered in immediate pursuit, but the advantage which the fugitives had gained by decamping the overnight, and by separating into small squads, in which every one looked to his individual safety, placed them so far in our advance, that the attempt to cut off their retreat to the swamps which abound at short intervals in that section of the country, proved impracticable. The troops have in consequence again been compelled to resume the arduous labor of driving the swamps, and as their line of operations has been greatly extended by the dispersion of the Indians, I have (as will be seen by orders under separate cover) directed major Alford with captains Greer, Sledges, Byrnes and Hentz' companies of mounted men, to occupy some suitable position near Chickasawhatchee—captains Kendrick, Glover and Calhoun, near Kenchesnee—capt. Jernigan and Bostwick, near Lumpkin, and captain De Lapiere to reoccupy Fort McCreary. By this disposition of the troops, I flatter myself that the enemy will have but little opportunity of venturing abroad without encountering the risk of engagement and defeat. Already, I am credibly informed, that a considerable number, regarding the prospect, of remaining in the country or retreating to Florida, as having become hopeless by this arrangement, have commenced a retrograde movement towards the Chattahoochee, and have actually crossed that river. In all probability, the remainder equally well satisfied with the folly and temerity of their former project, will endeavor to follow the example, with the view perhaps of availing themselves of the overtures now extended to them by the government. I learn, however, by an express from major Alford, that he is in pursuit of a gang who still lurk in the Chickasawhatchee. That energetic and gallant officer, had a few days before, encountered and routed at the point of the bayonet a small party who may now have gained a sufficient strength by the addition of a few stragglers to their number to attempt the passage of Flint river. Should this be the case, an unbroken pine barren of many miles in length, will present a field in which their capture or destruction is inevitable. Of those who have crossed to the eastern bank of the Chattahoochee, in the last few weeks, the accounts are so various and discrepant, it is difficult to determine their number. From the best information I have upon the subject, it cannot exceed two hundred and fifty, including all ranks and conditions. These, if a large portion of them have not already returned to the nation, are scattered over an area of many hundred square miles, affording every facility for their concealment, and rendering their discovery utterly hopeless as long as they continue thus dispersed. Their ulterior arrangements, however, may require them to abandon that policy, and they may reassemble for the purpose of proceeding on their march; in that event they will be overtaken, beaten and expelled from the country. I feel that I hazard nothing in anticipating this result, when I consider the character of the gallant soldiery to whom this enterprise has been entrusted, and the chivalric spirit of the officers who lead them. I have the honor to be, your most ob't servant,

J. W. A. SANFORD, *major general.*
*Maj. gen. Thos. Jesup, command'g army of the south,
Tuskegee, Alabama.*

It is stated in one of the Charleston papers that a vessel, commanded by a Spaniard and an American, recently touched at Indian Key, full of negroes, supposed to have been obtained of the Seminoles in exchange for ammunition. The people at the Key had not force enough to arrest the crew and commanders.

The mail had commenced running daily through the Creek country from Columbus to Montgomery, without a guard.

A body of hostile Creek Indians had been completely destroyed in Lowndes county, Georgia—being the last that was known to have crossed the Chattahoochee.

Columbus, Geo. Aug. 22. The United States marine corps had been ordered by general Jesup to leave Columbus for West Point, a station higher up the Chattahoochee, in order to aid in suppressing any difficulties which might arise among the Creek Indians who were not disposed to emigrate. Detachments of emigrating Creeks to the aggregate number of ten thousand, were to leave Tuskegee before the 28th inst.

WAR IN FLORIDA.
*From the National Intelligencer.
Assistant quartermaster's office,
N. Orleans, Aug. 16, 1836.*

SIR: I have this day seen a publication in the National Intelligencer of the 27th July, taken from the New York Star, on the subject of the campaign in East Florida. The writer, in speaking of the arrival of the army at Tampa Bay, says we there learned that the quartermaster at New Orleans, influenced by the representations made, or caused, as it was said, to be made by general Gaines, that the war was closed, had abstained from sending on provisions he had been ordered to forward from that place. The whole of this part of his statement is incorrect. Where or how he obtained this information, I know not. General Gaines, on his return to New Orleans, told me to continue to send supplies, which was done promptly. Every exertion was made, both by myself and the assistant commissary, to obtain and forward the subsistence and forage required. There was great difficulty in obtaining hard bread, and every barrel that could be had was immediately shipped.

On the 31st of March the assistant commissary at Fort Brooke forwarded a statement to the assistant commissary at New Orleans of the supplies on hand—216,750 rations of meat, 304,423 rations of bread and flour, and the small rations in proportion. At this time there were two vessels on the way laden with subsistence and forage, and the bills of lading show that they were received on the 6th of April, in good condition. Now it appears that the army arrived at Tampa Bay, the 3d, 4th and 5th April, and remained but a few days before they took their departure; and I cannot perceive where was the scarcity of provisions, unless it was in the hard bread. This was unavoidable, for it could not be obtained, that is, the quantity required.

My object in making this statement, is to correct the error that general Gaines had, in any way, contributed to the withholding supplies from the army in Florida; also, to show that there was no cessation on the part of the commissary or myself, in procuring and forwarding the supplies at the earliest period possible. The proofs of this are contained in my list of shipments now at Washington. I have the honor to be, sir, with high respect, your obedient servant,

J. CLARK,

*Assistant quartermaster.
To major T. Cross, acting quartermaster general,
Washington city.*

A letter has been received at Charleston, S. C. dated St. Augustine, August 12, which says there is nothing new or interesting respecting the Indian war. "The regular troops at Micanopy, (or the greater part of them), are sick, and there are not enough well to defend the stations, and furnish escorts for the baggage train, from one place to the other. Even from St. Augustine to Picolata, an escort had to be furnished to-day from the mounted volunteer company of this place. You no doubt have heard what arrangements are being made by our governor, who is commander-in-chief of the forces in Florida, to commence the campaign by the first of October. Two of the officers of the Tennessee volunteers visited Tallahassee a few days ago to make arrangements for the reception of the troops. Some persons in this place think that the governor will be in the field himself shortly, but I trust and hope that he will not undertake it during the summer as I am sure that the climate would kill more than the Indians would."

The following appalling picture of the sickness prevailing at Garey's ferry is derived from a letter from that place, published in the Eastport, (Maine) Sentinel, dated July 30. "You have seen by the papers that a great deal of sickness exists at this place. The half is not known. The people come in here for protection from all quarters, and there are now some 700 or 800; they had comfortable homes, and the conveniences of life, but were compelled to leave all behind: here they have built huts, which keep out neither the sun nor rain, and it rains every afternoon most violently. Added to this, the measles broke out among them, and their insufficient shelter caused colds; death has raged among them most frightfully; 80 or 90 have died within the last five or six weeks, and it is supposed that no less than 200 are now sick with measles, ague and fever, and cholera morbus; the latter takes off adults as well as children.

"I have to-day been in the huts of some 300 or 400 of these miserable creatures; my heart bleeds, and no tongue can tell the sufferings I have witnessed, and the tales of woe I have heard. In a hut ten feet square would be three or four places for beds, that is, four sticks driven in the sand, and poles laid across for boards to rest upon; on them some

had beds, others nothing but a blanket. The occupants of these beds were the most distressing objects I ever saw; some emaciated with cholera morbus, some almost burning with fever; others again, having taken cold with the measles, were swollen most frightfully. There were from two to six sick in each of the huts that I visited. In one instance the father and mother were both dead, leaving five children, all sick, the oldest being thirteen, and these poor creatures were obliged to help each other as well as they could."

The Tallahassee "Floridian" of the 18th of August, contains the following horrible narrative.

A few days since, a party of Lowndes county, Georgia, volunteers, fell in with a party of Creeks near the Florida line, and killed ten warriors, and took eight women and children prisoners. The prisoners were taken to a house under guard. In the evening one of the squaws was observed to give her children drink from a coffee pot. Shortly after, she obtained leave of absence, and not returning, search was made for her, but she had made her escape. Her children were all found dead, from poison administered by their unnatural mother. On Wednesday, the 2d instant colonel Wood, of Randolph Georgia, with only thirty-eight men under his command, discovered a large party of Indians in a swamp—the savages challenged him to come into the swamp for a "fair fight." Notwithstanding his inferiority in numbers, he boldly charged upon them. After a desperate engagement, hand to hand, the savages fled in all directions. Twenty-seven warriors were found dead on the field of battle, and many more were supposed to have been killed and wounded. Before their flight they strangled their children by stuffing their mouths and nostrils with mud moss. The children were found in that condition after the battle was over.

THE PATENT OFFICE.

The select committee of the United States senate recently made a report on the subject of the patent office, accompanied by a bill for its reorganization and better government. We are indebted to the Newark Advertiser for the following synopsis of this document:

The present law was passed in 1793, authorising the secretary of state to grant patents subject to the revision of the attorney general. According to the practical construction of the law, the secretary has no power to refuse a patent for want of either novelty or usefulness. The grant is therefore a matter of course when the application is made in due form. As a consequence of this construction, patents have been constantly granted without examination into the merit or novelty of the invention—the secretary having little time or inclination, if indeed he were properly qualified, to make such examination. The evils which necessarily result from this course must continue to increase, until congress provide a remedy. Among these evils the committee enumerate the following:

1. A considerable portion of all the patents are worthless and void, and as conflicting with and infringing upon one another: arising either from design or ignorance of the state of the arts on the part of the applicant.

2. The country becomes flooded with "patent monopolies" embarrassing to bona fide patentees, whose rights are invaded; and perplexing to the community, leading to law suits and vexations, and injurious controversies.

3. Frauds are extensively practised. It is not uncommon for persons to copy patented machines in the model room: and having made some slight alteration, to apply in the next room for patents—the power of refusal not being exercised, the grant is almost a matter of course. Thus prepared, with the apparent authority of the government, adventurers go forth on a retailing expedition, selling rights to those who have no means of detecting the imposition. This species of speculation has become a regular business, and several hundred thousand dollars, it is estimated, have in this way been annually paid for void patents—leading in many cases to ruinous litigations.

The most obvious remedy for these evils is to establish a check upon the granting of patents, confining them to such only as are new and decidedly useful. To secure this the committee propose to create a commissioner of patents, who shall be selected for his special qualifications, with power to decide upon the merits of applications, giving the applicants the privilege of appeal from his decision to a board of examiners, and in certain cases to a court of law.

The increasing number of patents granted, afford some indication of the progress of improvement in the useful arts. The average number annually from 1790 to 1800 was 26; from 1800 to 1810 it was 91 from 1810 to 1820 it was 209; and for the last ten

years it has been 535. During the last year there were granted 776; and there have been issued during the first quarter of the present year 274, (at the rate of 1,095 a year), being more in three months than were issued in the whole of the first period of ten years. At this rate the duties on patents this year will be upwards of \$32,000. The whole number issued under the laws of the United States, up to the 31st of March last, is 9,731. This is more than double the number which have been issued either in England or France, during the same period. In England, for ten years preceding 1830, the average number of patents granted in one year was 145.

More commodious rooms for models are also needed. A great number, 500 at least, have been stowed away in a dark garret; and those which occupy the appropriate rooms are too much crowded together to be seen, and are without systematic or scientific arrangement. A suitable fire proof building is therefore also recommended. The building, the committee well suggest, should be such as to become an object of national pride. And it will be seen by the following extract from their report that it is thus as practicable as it is desirable for the American people to have a national museum of the arts and sciences.

The patent office, with such accommodations, containing the records of this age of inventions, displaying in its halls and galleries numberless models of ingenious and useful mechanism, and contrivances in almost infinite variety, adapted to the mechanic arts, to manufactures, to husbandry, to navigation, steam power, horse power, water power, rail road transportation, and, in fine, to all the common trades and mechanical pursuits of life, as well as to our rapidly multiplying and magnificent public works, would present an object of great interest and tend not a little to elevate our national character. It has been justly remarked that we can go into no mechanic shop, into no manufactory of any description, upon no farm or plantation, or travel a mile on our rail roads, or in steamboats, without seeing the evidence of our originality, and witnessing the fruits and effects of our ingenuity and enterprise. All the inventions and improvements in mechanism which have done so much towards advancing the useful arts and manufactures, should, as far as practicable, be exhibited in one view in the halls of the patent office. Such a display would attract the attention of the many thousands who annually visit the capital of the union from all quarters of the country, and all parts of the world. No other nation has yet any thing to be compared with it; neither England nor France has every required models to be deposited of patent machinery.

In additions to the models of machinery, it is proposed to embrace an exhibition of specimens of useful and elegant fabrics and of works of art, which manufacturers and artificers may place there for that purpose. It might too, embrace a cabinet of interesting minerals, which may be seen from time to time from the various parts of our widely extended country, with polished specimens of its beautiful marbles from their different locations, illustrating the geology and many of the natural resources of the country; and also a collection of Indian curiosities and antiquities, many of which are now in the possession of one of the departments, boxed up for want of some suitable place for exhibition.

In short, the halls of the patent office should present a national museum of the arts, and be a general repository of all the inventions and improvements in machinery and manufactures, of which our country can claim the honor; together with such other objects of interests as might conveniently and properly be placed under the superintendence of the commissioner. Such an institution, while it would be an object of just pride to every American, would have scarcely less in advancing and accelerating the progress of the useful arts and the improvement of our manufactures, than would even the encouragement afford by granting patents for inventions or establishing high tariffs of protection."

CANALS, RAIL ROADS, &c.

New York canals. The Albany Argus says that the following is a comparative statement of the number of boats which passed the lock three miles west of Schenectady, from the opening of the navigation to the first of August, in 1833, 1834, 1835 and 1836, viz:

	1833	1834	1835	1836
April,	566	1,013	1,281	505
May,	2,903	3,431	3,718	3,467
June,	3,079	2,943	3,509	4,085
July,	2,633	3,715	3,500	3,724
	9,181	10,102	12,008	11,781

The number of cribs of timber passing said lock for the same period, was, in 1834, 757 cribs, in 1835, 1,107 cribs, and in 1836, only 434 cribs.

Notwithstanding the decrease in the number of lockages, the tolls have increased, as before stated, more than 33,000 dollars. There has been an increase in the quantity of merchandise cleared at Albany, of 3,893 tons. There has also been an increase of the quantity of flour arrived at Albany, of 57,288 barrels—of lumber, 10,700,000 feet—of wheat, 115,000 bushels—of pork, 3,400 barrels—of beef, 33,463 barrels—of ashes, 6,847 barrels—of wool, 182,000 pounds—of butter, cheese and lard, 350,000 pounds—of flax and grass seeds, 200,000 pounds—of hops, 30,000 pounds—pig iron, 220,000 pounds—bar and pig lead, nearly 100,000 pounds, &c. The above increases are confined to articles which have arrived at Albany, comparing the business of the present with the preceding year.

Baltimore and Ohio rail road. From the Baltimore Gazette we learn, that while the receipts for travelling on the Baltimore and Ohio rail road, since the beginning of April last, exceed those of the last year during the same months by about fifty per cent. the receipts for freight during the months of April and May of the present year were less by ten per cent. than those of the last year. The receipts for passengers were as follows for the months of April, May and July in each year.

	Receipts in 1835.	in 1836.
For April,	\$7,307 37	\$11,755 51
May,	8,356 18	12,323 53
July,	10,512 52	15,149 92
	26,176 07	39,233 96
		26,176 07

Increased receipts, \$13,057 96

From this statement it appears, that the receipts for travelling have increased since last year nearly fifty per cent. The receipts for freight in each year were—

	in 1835.	in 1836.
For April,	\$18,357 05	\$17,650 98
For May,	19,618 14	16,598 23
	37,975 19	23,249 21
	23,249 21	

Deficiency \$3,725 98

This falling off in the amount of freight, is attributed by the Gazette, in some measure, to the reduced rate of charges made for transportation on the Chesapeake and Ohio canal, which took effect in the beginning of July, 1835—and this opinion is confirmed by the fact, that the amount received for freight on the rail road in July last year was only \$9,081 40—while in July last the amount was \$10,441 86.

We see it stated that since the completion of the rail road from Utica to Schenectady, three lines of canal packets have been discontinued.

Sodus canal. The Ithaca N. Y. Journal says it is now placed beyond all doubt that this project of connecting Cayuga lake with Lake Ontario, by a canal sufficiently large for the passage of steamboats and schooners, will be carried into full execution within two or three years at the outside. The length of the canal is only twenty-two miles, and the water power which it will create at its termination at Sodus bay, will be sufficient of itself to pay all the expenses of construction, through so favorable a route.

During the week ending on the 27th instant, the tolls on the public works of Pennsylvania amounted to about \$25,000. As an evidence of the active trade prosecuted on these works, the fact is cited that the tolls taken at the office at Columbia, since the 1st of April last, to the 20th inst. exceeded in amount the tolls taken the whole of the last fiscal year, at that office. It is added that the fall business has opened with spirit, and promises a prosperous trade.

The total receipts from tolls by the Schuylkill Navigation company this season, up to the 10th instant are \$283,126. During the present season, up to the 18th instant, the number of boats which descended the Schuylkill with coal was 4,831, carrying 22,804 tons of anthracite and 965 tons of bituminous coal. So important has the coal trade on the Schuylkill river become, that a subscription has been opened, and a large amount of stock taken, for the purpose of building one or more steamboats to tow sea vessels up and down that river. A gentleman of this city, whose business carried him to the Schuylkill side of Philadelphia during a recent visit, informs us that he counted one hundred and fourteen vessels, including a ship and several brigs, lying there for coal freights. [Balt. American.]

Harlem rail road tunnel. This stupendous undertaking, it is expected, will be completed in about six weeks. The tunnel is already through the mountain 475 feet on the north side, and 60 feet on the south, and 60 feet more remains to be cut before the workmen meet. This tunnel, when completed, will be the *largest*, though not the longest, in the world, and cut through rock of as hard and firm a texture as can any where be found. The open cuts on either side of the tunnel are almost terrific to gaze at from the edge of the summit. They are through the solid rock, and that on the north side is 55 feet deep. The work is prosecuted under the direction of Mr. Rutter, the able and skilful superintendent, night and day. When completed, and connected with the adjoining scenery, it will form one of the grandest and most romantic sights to be found on the face of the globe.

[N. Y. Times.]

Chesapeake and Ohio canal. We learn from the Williamsport Banner, that the board of directors of the Chesapeake and Ohio canal company, returned to that place on Wednesday the 24th ult. from their explorations westward, and proceeded thence, on the same day, in the canal packet for the District. The board purpose to renew their visit in that quarter, in October next. The Banner states that the work now under contract on the line of the canal, is progressing favorably. There had been thus far it appears, some difficulty on account of scarcity of hands, but the influx expected with the approach of cool weather will do away that difficulty. Thus far the health of the operatives on the canal line had been uninterrupted.

Great performance. The new locomotive engine "George Washington," built by Wm. Norris, late of this city, for the Columbia rail road, drew over the road on Tuesday last, a train of 24 burthen cars, weighing 123 tons, weight of engine and tender not included. This performance is reported by the officers on the road as the best ever made over the same—stands unequalled both in this country and in England—taking into consideration the numerous steep grades and abrupt curves on said road.

[Philadelphia Nat. Gaz.]

POLITICS OF THE DAY.

L. Paynter, esq. recently nominated a candidate for congress by the Van Buren convention of the county of Philadelphia, gave that body the following pledge before he received the nomination.

PLEDGE. I am opposed to the United States bank, whether as chartered by congress or the legislature of the state; it has been put upon us by treachery and dishonesty, against the decided and expressed wishes of the people.

I deem Jesse R. Burden unworthy a seat in any representative body. I have ever advocated the principles and cause of democracy, so nobly sustained by Andrew Jackson; and in whatever situation I may be placed by the votes of the people, I pledge myself to support those principles or resign.

L. PAYNTER.

August 22, 1836.

John Fisher, esqr. of Westminster, Frederick county, Md. one of the Van Buren candidates for the office of elector of the state senate, published the following in the Westminster "Carrolltonian," in reply to certain categories addressed to him in the "Political Examiner."

From the Westminster Carrolltonian.

To "A REFORMER," in the Examiner.

I was brought out before the people of Frederick county, as an elector for senate, contrary to my wishes, and as I am now before the people, declare my determination not to be catechised by any person.

JOHN FISHER.

THE PROGRESS OF STEAM.

From the extent of our coast, the number of our navigable rivers and lakes, and the "go ahead" character of our population, it is evident that steamboats have a special adaptation to our wants; and as a matter of fact, we are, in this species of navigation, quite in advance of any other nation, quite in advance of any other nation on the globe. Not only are our steamboats, as a general remark, larger and more elegant, but their aggregate tonnage is greater. Its increase, for some years past, has been surprisingly rapid. In 1829 the whole steamboat tonnage of the United States was only 39,419 tons. At the end of 1834, beyond which the returns do not reach, it had increased to 122,274 tons, and is now doubtless at least 150,000 tons. This at an average of 300 tons to each boat, would give a total of *five hundred steamboats*. Their speed has increased almost as rapidly as their number. If we suppose each boat to carry on an average 100 passengers, the aggregate number would be 50,000. About this number, we presume, are constantly afloat in these moving palaces. In the vicinity of

navigable waters, they supply to a great extent, the place formerly occupied by stages, private vehicles, and even *legs*. It may literally be said that where steamboat navigation is available, no man can afford to go on foot. The speed of the boats has increased almost as rapidly as their number. Fifteen or sixteen miles an hour, is now considered nothing extraordinary. Places which 25 years since were considered far distant, are brought so near together by this wonderful invention, that they are almost parts of the same town. The revolution which it has effected in business and property are very great. By the facility which it gives in the transportation of troops, ordnance and supplies, it adds immensely to a nation's defensive power; and not less perhaps, by the means it affords, of annoyance to a blockading squadron. It will in fact revolutionize the system of naval warfare. If the progress of steam is to continue in the ratio of the past ten years, it will require a forest per day to supply the consumption of fuel. In short, we see not but the expense of wood and the difficulty of obtaining it, would ultimately become so great as to diminish essentially the value of the invention. But fortunately, in this dilemma, we have another resource which is inexhaustible; the mountains of anthracite coal with which our country abounds. In a few of our boats this article is already used with success, and from its power of producing heat, we have no doubt it will ere long be preferred to wood. If there are any inconvenience or drawbacks attending its use, the inventive genius of our people will find a way to remove them. Much has already been accomplished in this respect, (chiefly by Dr. Nott), and the rest will be achieved in due time.

[N. Y. Jour. of Com.]

LIBERIA.

We inserted in our columns, some days since, an interesting letter from Liberia, written by an emigrant from Norfolk, Virginia. We give below another letter on the same subject, from an intelligent Mississippi emigrant, whose statements are equally favorable to the climate, healthiness and fertility of the colony. The letter was addressed to the rev. Mr. Butler, of Mississippi, and by him published in the Port Gibson Correspondent.

If the abolitionists, instead of agitating the country with their mischievous assumptions, and worse than vain abstractions, would employ their efforts in assisting to remove all the free and emancipated negroes to the land which nature has made their peculiar home, and which is their most suitable asylum, they would contribute at once to a work of practical philanthropy and public utility. The only effect of their present misguided efforts is to do harm to the negro, mischief to society and good to no body.

[National Intelligencer.]

Monrovia, April 24, 1836.

DEAR SIR: According to promise I undertake now to sit down to write you from my long-wished-for Africa; although I wrote you since I arrived, which I hope came to your hands, and that it, as well as this, may find you in the enjoyment of one of heaven's best blessings, *health*. I am glad to inform you that myself and family are well, and generally have enjoyed as good, if not better health than in the United States; indeed, our expedition has suffered very little with the fever of the climate, and the proportion of deaths among us has been less than if we were in America. I have been quite busy since we arrived in building, as well as in settling my farm, and I honestly believe that I shall be well repaid for my labors. I assure you, rev. sir, that I do truly thank my God and my kind friends who directed my feet to this land of liberty, together with its concomitant blessings. We have, although a few privations to undergo, many of nature's blessings, and I do expect in a few years to be able to say that we do then live in a land of unrivalled plenty and luxury, and, what's most cheering, we enjoy so many religious privileges. We have truly a *goodly heritage*; all we want here is proper men with a little beginning, and this place will convince the designing *cavillers* in America that we are not what they represented us to be. Although we have not as yet work animals, yet I have 8 acres of corn, some sugar cane, &c. planted. I intend to plant some cotton, which, when once planted, will bear for several years.

We want some of your good seed corn, cow peas, &c. However, they will do better after a few years. If an expedition comes from your part, you will confer a favor on us to send us a few such seed, &c. Gloster Simpson and family are quite well. His daughter Rhoda is just married. He has a thriving farm adjoining mine: our children are all going to school. I send you a few Liberia Heralds. I would be much gratified if you would send me a few of your Port Gibson papers, and any others. The health of this place since Christmas, has been

better than most parts of America. Out of a population, in Monrovia, of near 1,400, we had but *four* deaths. The expedition from Louisiana has *not* lost one as yet. The expedition from Savannah lost 4 in eight months—3 children and one adult. If emigrants come over with means to render themselves comfortable, they are apt to do well. Emigrants ought to bring the kind of provisions which they have been most accustomed to with them. The thermometer ranges here from 72 to 87. I have more to write, but I must stop.

I have the honor, dear sir, of being your obedient servant,

DAVID MOORE.

WOODEN PAVEMENT.

From the New York Express.

The success which the experiment of paving a part of Broadway with wood, has met with, has brought in a flood of letters from all parts of the country, demanding information. To obviate the necessity of demanding further information, we have been furnished with a letter from the street commissioners, which our exchange papers in the different cities will find interesting to their readers:

SIR: Agreeably to your request, I have prepared the following statement in relation to the pavement of wood in Broadway.

The wood pavement in Broadway is composed of sawed blocks of hemlock. The blocks are twelve inches deep, of a hexagonal form, and cut from a circle of nine inches in diameter.

In the experiment three different kinds of foundation were used in one, the ordinary pavement of round stones; in the second one, of flag stones, four inches thick; in the third, the earth was excavated to the depth of two feet, and a layer of broken stone, such as is used in Macadamizing, was spread to the depth of one foot. On each of these foundations the blocks were placed; a coating of tar and pitch was applied, and over this, while yet warm, was spread a layer of gravel.

The cost per square yard of the wood pavement was about \$2 50; the price of each block being 7 cents, requiring 23 to each square yard.

I am of opinion that future experiments will show, that pavements of wood can be done at much less cost than in these experiments. I believe that blocks may be obtained for 4 cents each, and that expensive foundations may be dispensed with.

In future experiments, it is our intention to employ square blocks, instead of hexagonal ones, and to form the pavement by two modes, as follows, viz:

1. To excavate to a sufficient depth, and spread a layer of gravel one foot deep; ram this well, and cover the surface with two inch boards; tar and pitch them, and set in the blocks; after which give the whole a coat of tar to fill up the seams.

2. The same as the preceding, omitting the boards and placing the blocks directly upon the gravel.

The advantages derived, or expected to be derived, by using blocks of wood in place of stone, are their adaptation to a smooth and uniform surface, and in streets of much travel, their greater durability.

In Broadway, stone pavement requires constant repairs, which are not only attended with expense, but found to be exceedingly inconvenient from the frequent interruption of vehicles. As far as our experiment has shown, these difficulties will be obviated by block pavement, while it continues undecayed, as the blocks are not subject to derangement.

The only question now to be settled to determine the expediency of using this kind of pavement extensively, is the durability of the wood—this, time alone will determine. It is supposed that it will last about eight years.

The wood makes a beautiful and clean pavement, and is pleasant to ride upon and free from noise.

Your's respectfully,

JOHN EWEN, jr. street commissioner.

NEW GRANADA.

From the Globe.

We have received a Bogata Gazette of the 25th of June, containing a notice that the offer of col. Biddle, and those associated with him, for making a communication across the Isthmus of Panama, has been accepted. Several of the natives, men of capital and of high standing, are concerned in the undertaking, and have subscribed largely, we understand. Some of the English, also, resident at Bogata, have become interested, and through them it is to be presumed that English capital will be liberally applied to the great and interesting work. American capitalists will no doubt, give their assistance too; and we cannot but think that, considered as a mere speculation, the stock will be as good, or better, than of some of the five hundred land companies, (more or less), that are now mov-

ing heaven and earth, and all the paper mills, to raise the means for monopolizing the public domain; leaving to the honest and industrious cultivator no part of it but what they consider too poor and unpromising to be turned to any profit, now or hereafter.

The distance across the Isthmus, that will require a canal or rail road, is about twenty miles; and the locality is not by any means of an unfavorable character, and presents no obstacles that may not be overcome easily and expeditiously, and without any very extraordinary outlay. Much greater difficulties are encountered and vanquished continually in the United States; and really, to suffer this narrow neck of land, which divides two great oceans, and interposes a barrier to commercial enterprise, to remain with no better means of communication than a mule path, is a disgrace to the canal digging, road making spirit of the times, and ought to be either wiped or dug away at once. And as the matter has been taken in hand by the New Granadians, North Americans and English, we think it probable that in less than three years a journey across the Isthmus will be performed in about the same time and the same manner that it is now performed across the state of Delaware by canal or rail road.

The government of New Granada seems much disposed to encourage every undertaking calculated to be beneficial to the country, and grants of various kinds have been made upon very liberal terms. Though the population is increasing very rapidly, and will continue to do so as long as there is peace, yet the government gives every encouragement to the emigration of foreigners, and pursues that enlightened policy pursued by the United States, of offering to the people of other countries every inducement to become part and parcel of us and of guarantying to emigrants protection, equal rights and citizenship.

GRINDING OLD GARMENTS INTO NEW.

Sir George Head, in his *Tour through the Manufacturing Districts*, gives the following account of a new trade carried on at Dewsbury; literally tearing in pieces fusty old rags, collected from Scotland, Ireland, and the Continent, by a machine called a "devil," till a substance very like the original wool is produced, this by the help of a small addition of new wool, is respun and manufactured into sundry useful coarse articles, such as the wadding which Messrs. Stulze and Co. introduce within the collars of their fashionable coats, and various descriptions of druggist, horse-sheeting, &c. The trade or occupation of the owner, his life and habits, or the filthiness and antiquity of the garment itself, oppose no bar to this wonderful progress of regeneration; whether from the scarecrow or the gibbet, it makes no difference; so that, according to the transmutation of human affairs, it no doubt frequently does happen, without figure of speech or metaphor, that the identical garment to-day exposed to the sun and rain in a Kentish cherry-orchard, or saturated with tobacco-smoke on the "back of a beggar in a pothouse" is doomed in its turn, "perfusis liquidis odoribus," to grace the swelling collar, or add dignified proportion to the chest of the dandy.—Old flannel petticoats, serge bunting, are not only unravelled and brought to their original thread by the claws of the devil, but this machine, by the way, simply a series of cylinder armed with iron hooks, effectually, it is said, pulls to pieces and separates the pitch-mark of the sheep's back—which latter operation really is a job worthy of the very devil himself.

Those who delight in matters of speculation have here an ample field, provided they feel inclined to extend their researches on this doctrine of the transmigration of coats; for their imagination would have room to range in unfettered flight, even from the blazing galaxy of a regal drawing room down to the night cellars and lowest haunts of London, Germany, Poland, Portugal, &c. as well as probably even to other countries visited by the plague. But as such considerations would only tend to put a man out of conceit with his own coat, or afflict some of my fair friends with an antipathy to flannel altogether, they are much better let alone. * * It is really extraordinary to observe, on taking a portion of shoddy in the hand as it comes from the mill, the full extent of its transmutation—how perfectly the disentanglement of the filament has been effected, although, notwithstanding its freshened appearance, time and temperance must have inevitably brought it nearer to the period of ultimate decay.

[London paper.]

GIRAFFES.

Several of these rare, beautiful and curious animals have recently been conveyed to England, and

are now exhibited at the Zoological Gardens in London. The manner in which they were procured is thus detailed in the memoir addressed by M. Hirbault to the society:

"Having learnt, on my arrival at Malta, that you were desirous of information on the subject of the four giraffes which you have intrusted to my care, I regard it as a duty to transmit to you a short statement, by which you will become aware of the difficulties that I encountered in obtaining and preserving for the society these interesting animals, which are now, I hope, altogether out of danger.

"Instructed by col. Campbell, his majesty's consul general in the Levant, and desirous of rendering available for the purposes of the Zoological society the knowledge which I had acquired by twelve years' experience in travelling in the interior of Africa, I quitted Cairo on the 15th of April, 1834. After sailing up the Nile as far as Wadi Halfa, (the second cataract), I took camels, and proceeded to Dabbat, a province of Dongolah, where, on the 14th of July, I started for the descent of Kordofan.

"Being perfectly acquainted with the locality and on friendly terms with the Arabs of the country, I attached them to me still more by the desire of profit. All were desirous of accompanying me in my pursuit of the giraffes, which, up to that time, they had hunted solely for the sake of its flesh, which they eat, and for its skin, from which they make bucklers and sandals. I availed myself of the emulation which prevailed among the Arabs, and as the season was far advanced and favorable, I proceeded immediately to the south west of Kordofan.

"It was one of the 15th of August that I saw the first two giraffes. A rapid chase, on horses accustomed to the fatigues of the desert, put us in possession, at the end of three hours, of the largest of the two: the mother of one of those now in my charge. Unable to take her alive, the Arabs killed her with blows of the sabre, and, cutting her to pieces, carried the meat to the head quarters, which we had established in a wooded situation; an arrangement necessary for our own comforts and to secure pasture for the camels of both sexes which we had brought with us in aid of the object of our chase. We deferred until the morrow the pursuit of the young giraffe, which my companions assured me they would have no difficulty in again discovering. The Arabs are very fond of the flesh of this animal. I partook of their repast. The live embers were quickly covered with slices of the meat, which I found to be excellent eating.

On the following day, the 16th August, the Arabs started at daybreak in search of the young one, of which we had lost sight not far from our camp. The sandy soil of the desert is well adapted to afford indications to a hunter, and in a very short time we were on the track. We followed with rapidity and in silence, cautious to avoid alarming the creature, while it was yet at a distance from us. Unworn myself, and anxious to act in the same manner as the Arabs, I followed them impatiently, and at nine o'clock in the morning I had the happiness to find myself in possession of the giraffe. A premium was given to the hunter whose horse had first come up with the animal, and this reward is the more merited as the laborious chase is pursued in the midst of brambles and thorny trees.

"Possessed of this giraffe, it was necessary to rest some time, in order to render it sufficiently tame. During this period an Arab constantly holds it at the end of a long cord. By degrees it becomes accustomed to the presence of man, and takes a little nourishment. To furnish milk for it I had brought with me female camels. It became gradually reconciled to its condition, and was soon willing to follow, in short stages, the route of our caravan.

"This first giraffe, captured at four day's journey to the south west of Kordofan, will enable us to form some judgment as to its probable age at present, as I have observed its growth and its mode of life. When it first came into my hands, it was necessary to insert a finger into its mouth in order to deceive it into a belief that the nipple of its dam was there: then it sucked freely. According to the opinion of the Arabs and to the length of time that I had it, this giraffe cannot, at the utmost, be more than nineteen months old. Since I have had it, its size has fully doubled.

"The first run of the giraffe is exceedingly rapid. The swiftest horse, if unaccustomed to the desert, could not come up with it unless with extreme difficulty. The Arabs accustom their courser to hunger and to fatigue; milk generally serves them for food—and gives them power to continue their exertion during a very long run. If the giraffe reaches a mountain, it passes with rapidity; its feet, which are like those of a goat, endow it with the dexterity of that animal; it bounds over ravines with incredi-

ble power—horses cannot in such situations compete with it.

"The giraffe is fond of wooded country. The leaves of trees are its principal food. Its conformation allows of its reaching their tops. The one of which I have previously spoken as having been killed by the Arabs, measured twenty-one French feet in height, from the ears to the hoofs. Green herbs are also very agreeable to this animal; but its structure does not admit of its feeding on them in the same manner as our domestic animals, such as the ox and the horse. It is obliged to straddle widely; its two fore feet are gradually stretched widely apart from each other, and its neck being then bent into a semicircular form, the animal is thus enabled to collect the grass. But on the instant that any noise interrupts its repast, it raised itself with rapidity, and has recourse to immediate flight.

"The giraffe eats with great delicacy, and takes its food leaf by leaf, collecting them from the trees by means of its long tongue. It rejects the thorns, and in this respect differs from the camel. As the grass on which it is now fed is cut for it, it takes the upper part only, and chews it until it perceives that the stem is too coarse for it. Great care is required for its preservation, and especially great cleanliness.

"It is extremely fond of society, and is very sensible. I have observed one of them shed tears when it no longer saw its companions or the persons who were in the habit of attending it.

"I was so fortunate as to collect five individuals at Kordofan; but the cold weather of December, 1834, killed four of them in the desert on the route to Dongolah, my point of departure for Bedbah. One only was preserved; this was the first specimen that I obtained, and the one of which I have already spoken. After 22 days in the desert, I reached Dongolah on the 6th of January, 1835.

"Unwilling to return to Cairo without being really useful to the society, and being at Dongolah, I determined on resuming the pursuit of giraffes. I remained for three months in the desert, crossing it in all directions. Arabs in whom I could confide accompanied me, and our course was through districts destitute of every thing. We had to dread the Arabs of Darfour, of which country I saw the first mountain. We were successful in our researches. I obtained three giraffes, smaller than the one I already possessed. Experience suggested to me the means of preserving them.

"Another trial was reserved for me, that of transporting the animals, by bark, from Wadi Halfa to Cairo, Alexander and Malta. Providence has enabled me to surmount all difficulties. The most that they suffered was at sea, during their passage, which lasted twenty-four days, with the weather very tempestuous.

"I arrived at Malta on the 21st of November. We were there detained in quarantine for twenty-five days, after which, through the kind care of Mr. Bourchier, these valuable animals were placed in a good situation, where nothing is wanting for their comfort. With the view of preparing them for the temperature of the country to which they will eventually be removed, I have not thought it advisable that they should be clothed. During the last week the cold has been much greater than they have hitherto experienced; but they have, thanks to the kindness of Mr. Bourchier, every thing that can be desired.

EXTRACTS FROM FOREIGN PAPERS.

The name of Napoleon, though now only on the records of history, bears about it still an irresistible charm:

Tuesday was the second day's sale of the effects of the late Mr. Barry O'Meara. Most of the articles produced good prices, and all the undoubted relics of the emperor Napoleon sold extremely well. A few lines in the emperor's hand-writing sold, after much competition, for eleven guineas; a lock of his hair for 2l. 10s.; one of his teeth, extracted by Mr. O'Meara, for seven guineas and a half; a few articles of plate, formerly the property of the emperor, sold for about six times their intrinsic value.

In the article "France," of the *Dictionnaire Geographique Universel*, now publishing in Paris, by a geographical society, the following statement is given of the capital of the French soil and of the revenues of the empire: The arable lands, at a valuation of 30 francs the hectare, are worth 13,690,800,000 francs; the woods, vineyards, meadows and other lands, 2,828,800,000; ponds and marshes, 34,920,000; rustic buildings, 3,000,000,000; cattle, valued at the lowest price, 16,703,941,676; poultry, 51,600,000 head, at 1 franc, 51,600,000; swine, 3,900,000 head, at 40 francs, 156,000,000; asses, 2,400,000 head, at 25 francs, 60,000,000; farming utensils, 8,000,000,000; total, 39,522,061,676

francs. To this may be added the annual receipts—from manufactures, 1,820,102,000; agriculture, 4,678,708,000; colonies, 40,380,000; foreign countries, 346,020,000; in warehouse, 52,000,000; total, 6,987,210,000 francs. The produce of the taxes of every class is 924,410,000 francs.

The Paris *Moniteur* publishes the comparative view of the revenue for the first six months of this year, with the same period of 1834 and 1835. The indirect taxes have produced 297,698,000 francs, which is nearly twenty-three millions and a half more than the first six months of 1834, and nearly 12 millions more than the first six months of 1835. The only diminution has been in the duty on salt; all the others have increased. The duties on customs and navigation exceed by 2,231,000 francs the receipt of the corresponding half of 1835, notwithstanding a diminution of 2,069,000 francs in the duties on colonial and foreign sugars. To this loss of 2,069,000 francs must be added 1,700,000 for the increase in bounties in the exportation of refined sugar for the first six months of 1836, so that the loss on sugars for the first six months of 1836, is about 3,800,000 francs.

Conveyance of newspapers. The bill to consolidate and amend the laws relating to the conveyance of newspapers by the post, enacts:—

1. That all newspapers sent by the general post within the United Kingdom shall go free.
2. That all newspapers, sent through the general post, and delivered by the penny or twopenny post, and *vice versa*, go free.
3. That newspapers sent by the twopenny post only pay 1d. and may be sent within post towns at the like rate.
4. That newspapers sent from the United Kingdom by packets to the colonies, shall go free; as also newspapers sent by packets from the colonies to the United Kingdom.
5. That newspapers may be sent from any colony to another colony, *via* United Kingdom, by packet boat, free of postage.
6. That newspapers sent from the United Kingdom to the colonies by private ships shall pay 1d.
7. That newspapers brought into the United Kingdom from the colonies by private ships shall pay 1d.
8. That newspapers to or from foreign countries shall pay 2d; but that if any foreign state receives or send newspapers to or from the United Kingdom free of duty, then no duty shall be charged on newspapers to or from such state, if by packet boat; or if by other vessels, then only 1d.
9. That 1d be paid masters of private ships for each newspaper.
10. That newspapers be sent without a cover, or in a cover open at the sides, without writing or marks.
11. That they be put into the post office within seven days after date, if going out of the United Kingdom.
12. That the postmaster general shall be authorized to search and to charge treble postage, &c. The sender to be liable to treble duty, on attempt to evade the duty of postage.

By this act it is not compulsory to send newspapers through the post, and newspapers redirected are to be forwarded free of postage, if not opened.

English and French post office treaty. By the new arrangements between England and France, letters may be sent from one country to the other without paying any part of the postage in advance, or the whole postage may be paid. The English postage on such letters is also reduced nearly one-half.

Importance of the China trade. The tonnage engaged by the European and American nations to China, might, before the opening of the trade with Great Britain, have been estimated in round numbers at 85,000; but, in the very first year of the emancipated commerce, a number of shipping, nearly equal to this amount, cleared out from Canton for the United Kingdom alone. The native craft, that is, the junks carrying on foreign trade, is supposed to be about 80,000 tons; but the value of their cargoes, consisting for the most part of coarse manufactures and raw produce, is small, compared with those of the European and American shipping. From a tolerable intimate acquaintance with it, however, we are not disposed to estimate its value at more than \$20,000,000. This added to the American and European commerce, will raise the value of the whole foreign trade of the empire to about \$90,000,000, or, in round numbers, to nearly 20,000,000 sterling. This shows the great capacity of that country for foreign trade—which we repeat, is yet in its very infancy; it shows also the vast difference between the European and those even of the best governed of the Asiatic nations; for the estimate quoted, considerable as it seems, is, after all, not equal to more than one-fifth part of the foreign trade of the United Kingdom, of which the population scarcely amounts to one-fifteenth

of that of China. [*Edinburgh Cabinet Library, Historical and Descriptive account of China, vol. 8.*]

According to a report from Dr. Pariset and Dr. Scipion Pinel, addressed to the council general of the hospitals, it appears that 458 insane female patients were received into the Salpêtrière during the first quarter of the present year. Of these, 25 were furious maniacs, 21 lunatics, or periodically mad, 17 with general paralysis and slight incoherence of ideas, 7 melancholy maniacs, 3 with religious monomania, 11 suicides, 3 homicides, 9 idiots and 11 epileptic patients. The two homicides were both mothers, who had attempted to kill their own children. The ages of the patients admitted were, for the most part, between 35 and 40 years. During the quarter, 76 patients were cured and set at liberty. The cause of insanity in these patients were in order of frequency, distress of mind, drunkenness, consequences of child-birth, jealousy, religious enthusiasm, old age, vicious habits and critical time of life. The average duration of treatment and cure was 55 days. There were 34 deaths, the greater part of which were of old, paralytic and infirm women.

The Frankfort journals state that a general meeting of the shareholders in the intended canal for uniting the Danube and the Marne was held on the 1st inst. at the villa of M. Rothschild. Subscribers from Munich, Kelheim-on-the-Danube, Nuremberg Bamberg, Aschaffenburg and other distant places, attended, and those of England and Belgium were represented by authorized agents. The count de Giech came from Wurzburg, as commissioner of the king of Bavaria. The success of the undertaking appeared to be certain, and it was resolved that it should be immediately commenced.

EFFECTS OF EMANCIPATION IN THE WEST INDIES.

From the New York Evening Post.

The results of the British emancipation bill, in a pecuniary point of view, are truly surprising. To the astonishment of even the most sanguine friends of abolition, the plantations of the colonies are more productive, more easily managed, and accepted as security for higher sums on mortgage than ever they were under the slave system. the following is an official statement of the comparative quantities of the great staples of West Indian produce exported from Georgetown (Demerara) and Berbice, in the first quarter of the present year, and the three preceding years:

From Georgetown, (Demerara)— Average exports of the 1st quarter of the three years preceding emancipation.		Export during corresponding quarter of present yr.	Increase since emancipation.	Decrease since em'n.
Sugar—Hogsheads	12,248	14,742	2,494	
Tierces	68	779	711	
Casks	1,379	1,099		208
Rum—Punchoons	5,510	5,510		
Hogsheads	1,136	1,408	272	
Barrels	301	358	57	
Molasses—Hhds.	8,036	8,786	750	
Coffee—Pounds	496,838	602,700	105,862	
Cotton—Bales	805	718		87
Being an increase on the whole of about 20 per ct.				

From Berbice—Average exports of the 1st quarter of the three years before emancipation.		Exports during corresponding quarter of present yr.	Increase since emancipation.	Decrease since em'n.
Sugar—Hogsheads	2,638	4,347	1,709	
Tierces	200	444	244	
Barrels	160	401	241	
Rum—Punchoons	1,069	1,579	501	
Hogsheads	1,526	248		1,278
Barrels	5	17	8	
Molasses—Hhds.	797	1,308	511	
Coffee—Pounds	286,500	596,400	309,900	
Cotton—Bales	334	374	40	

Being an increase on the whole of about 50 per cent. and on coffee upwards of 100 per centum!

The above statements are taken from the Standard, an English journal, which predicted nothing but ruin to the planters from the abolition of slavery.

The hundred million indemnity thus appears to have been a compensation of a novel kind, a compensation for being made richer.

TRIAL AND EXECUTION OF ALIBEAUD.

[In the "REGISTER" of the 20th ult. we briefly noticed the execution of Alibaud, who attempted to assassinate the king of the French. The following particulars of his trial and execution are from London dates recently received at Boston.]

This trial took place in the court of peers, on Friday, the 8th of July. Shortly after ten o'clock,

the prisoner was introduced into the court, in custody of five municipal guards, two of whom held him under the arms, and led him to the box prepared for him. The prisoner walked to the bar with a firm step. His carriage was erect, though his face was pale, and his eyes cast down. As his advocate advanced, he rose and shook hands with him. The peers entered immediately afterwards. The president asked the accused the preliminary questions; to which the prisoner answered, that his name was Alibaud Lewis, about twenty-six years, and that his birth place was Nismes. The remaining answers of the prisoner were candid and animated. He attempted not to deny for one moment the motives by which he had been actuated. He confessed, with the calmness of one who had long contemplated and made up his mind to the situation in which he then stood, and that he had procured the cane gun, practiced with it, and bought the poignard, all with a view to take the life of the king on the first opportunity. His object, he said, had been to arrive at a republic, by a general overthrow of every thing. His project, he said, he had first conceived at Barcelona; which place he left for the purpose of taking the life of the king. Several witnesses, who had been on intimate terms with the prisoner, were called. It appears that the unhappy man has been a soldier in the 15th infantry, a shopman, and latterly, a commercial traveller. All the witnesses agree in giving him an excellent character. He was described as being honest, brave, generous and modest. On the first day the court adjourned at half past five. They resumed at a quarter to 11 o'clock on Saturday. He again exhibited the utmost composure of demeanor.

The appeal being concluded, the president observed that, all the witnesses having been heard on the preceding day, it now remained with the attorney general to present his requisitory.

M. Martin Du Mond accordingly rose, and said that he might abstain from adducing further proofs of the guilt of the prisoner, his avowal being sufficient for his conviction. M. Martin then blamed the conduct of M. Corbiere in the affair. He regretted that the legislation did not allow him to order the arrest and prosecution of that witness for not revealing Alibaud's intention to the magistrates. M. M. then endeavored to fasten on the factions, as well as on the miserable condition of the regicide, the crime he had perpetrated.

M. Ledru, Alibaud's advocate, said that when he was chosen by the president of the court for that difficult task, he had at first hesitated, but having at last accepted, he resolved to do his duty to the fullest extent. When he repaired to Alibaud's cell, he found him calm, and reading over the bill of indictment. Alibaud greeted him, and told him that he was guilty, and could not be defended: "But," said he, "my head alone will not suffice for my persecutors: they have pryed into my whole life: they must have my honor and that of my family; it is that and that alone you must defend." M. Ledru then read a note Alibaud had drawn out for his defence, &c. He was born of poor but honest parents. One of his uncles had received a sword of honor in the armies of the republic—the star of the brave had been placed on his breast by Napoleon, by whom he had been appointed commandant of cavalry. M. Ledru related a number of facts creditable to Alibaud. On two occasions he had saved, once a young girl, and another time a fellow soldier, who were on the point of drowning. In Strasbourg he defended alone three of his comrades assailed by a crowd of people, by whom they were being killed. The advocate concluded by an appeal in favor of the prisoner to the clemency of the court.

Alibaud afterwards rose and read, in a firm voice, his defence, which went to clear his honor. He condemned, in energetic terms, the conduct of the attorney general, who had, he said, debased himself by the vile manner in which he had conducted the prosecution against him. He then represented that the king had violated all his oaths and promises, that he was a tyrant, that the people had a right to put him out of the way. Alibaud then went on to justify the doctrine of regicides, which he maintained was a right invested in the people. The president, however, finding he was going on too far, ordered him to sit down, and refused to allow him to proceed with his defence. In vain did the prisoner insist on continuing; he was taken by two of the municipal guards, and forced to sit down. He anew protested against the violence offered him, and handing his manuscript to his counsel, he said, I confide to you this document. The president ordered it to be put into the hands of the officers of the court. M. Ledru, after some hesitation, gave it to M. Sajou, who handed it to the recorder.

M. Boujour, the second counsel of Alibeaude, rose and recommended his client to the humanity of the court, which Alibeaude disclaimed with indignation. The president asked Alibeaude if he had any thing to add to his defence?

The prisoner begged to be allowed to continue his MS.

The president said, that, if he abstained from the expression of regicide sentiments, he might go on with his defence.

The paper was then placed in the prisoner's hand, who, skipping over a few leaves, commenced reading anew. No sooner, however, had he read a few lines, in which he ascribed to the king all the sufferings of the people, and contended that it was a praiseworthy act to drain their source, by destroying their author, than the president interrupted him, and ordered him to sit down. As he was paying no attention to the president's injunction, but was proceeding with his MS. two municipal guards seized and compelled him to obey.

The president then announced, that the public debates were closed, and that the court would retire into the council room to deliberate. He next ordered the accused to be conveyed back to prison.

Two soldiers took him under the arms and led him off. On his way to the door, Alibeaude shook hands with a young lady and several other persons seated in the passage. He walked with a firm pace, and betrayed no symptoms of emotion.

As soon as the prisoner had been removed the court rose, and, at a quarter to one, retired into the council room.

At two o'clock the court returned, and the president, in the presence of the prisoner, proceeded to read the sentence. Louis Alibeaude was found guilty of having committed an attempt against the king's life, on the 25th of June last, and for that crime was condemned to the punishment of parricides. He was to walk to the scaffold barefooted, in his shirt, his head covered with a black veil, and the sentence to be read to him on reaching the place of execution, in presence of the people. He was, moreover, condemned to pay the costs of the trial—and to be executed as soon as the attorney general should think proper.

The Paris papers seem to say, that the speech must have made a great impression upon the peers, as the police agents were sent round to the several journals, forbidding its publication on peril of seizure of the papers. The *Gazette de France* and the *Messenger* both appeared without the speech; the latter having left a blank space intended for its insertion, and containing in its leading columns an energetic protest against this new violation of the charter. This threw the government into a fresh state of alarm. Messengers were sent round to make apologies, and the *Moniteur* was instructed to announce that the police agents had acted without the knowledge of the authorities. The trial created a wonderful sensation in Paris.

THE EXECUTION.

The execution of Alibeaude took place on Monday morning. The scaffold was erected between midnight and three o'clock. The troops on duty, consisting of four or five battalions of infantry, as many squadrons of cavalry, and several companies of the municipal guards, foot and horse, may be computed at thirty thousand men, besides a multitude of sergens de ville, by whom all the avenues to the Place St. Jacques was guarded; and the few persons who had obtained access to the Place were compelled to fall back. At two minutes before five, the prisoner arrived at the foot of the scaffold, the steps of which he ascended with a firm step. The prisoner was dressed simply in his shirt and trousers, his head enveloped in a black veil, which descended below his eyes. His feet were naked. He remained a few moments in conversation with his confessor, in prayer, at the foot of the scaffold, and was then seen to mount its steps firmly, but deliberately. The attending clergyman followed and stood by him while the sentence of the court was read—read—not in accordance with its own direction—"in the presence and in the hearing of the assembled people," but in the presence of the soldiers, by whom the people were removed and re-acted. This over, the executioner took off the veil from the prisoner's head. The latter exclaimed, "Farewell, my brave fellows." He was instantly seized by the executioner and his aids—made to stand on the ledge belonging to the plank—was strapped to it with the rapidity of thought—the plank descended—was pushed forward—the groove in which the neck is inclosed was too small, and, suffering from the pressure, Alibeaude uttered a slight shriek, which had scarcely escaped him, when the axe fell, and he was no more.

The mutilated remains of the wretched man were then placed in the usual receptacle—a huge

oblong basket, and removed for interment to the cemetery of Mount Parnasse. The aids of the executioner poured several pails of water on the scaffold and on the pavement, while the executioner himself repaired to a wine shop, without the Barriere, to draw up his *proces verbal*. The guillotine was dismantled, and, with the scaffold, placed on the vehicle by which they had arrived, and at half-past five o'clock—that is precisely within half an hour from the moment of the execution—the guards, executioners and the horrible machinery of death had left the Place St. Jacques.

ARCTIC ENTERPRISE.

From the *London United Service Journal*.

Since the subject of northern research was last noticed in this Journal, the journey of capt. Back in quest of Ross, and the voyage of captain James Ross to search for the missing whalers, have added another deeply interesting page to the annals of Arctic enterprise. Both are alike creditable to this country and in the highest degree honorable to the British navy.

The journey of capt. Back—humane in its object, and admirable in its execution—is described with modesty and elegance. The author has long been known to the world as the intrepid companion of Franklin and Parry, and the sequel will show that he has fully justified an already high reputation.

It is unnecessary to remind the reader that in the year 1832 great alarm was felt throughout England respecting the fate of Ross and his companions, who had left this country for the polar regions in 1829. Capt. Back was travelling in Italy, but hearing of the general anxiety, and being of opinion that there was yet hope, returned immediately to England, and proffered his services, which were readily accepted, to conduct an expedition in quest of his unfortunate countrymen. Private individuals came forward to assist the government; and on the 17th of February, 1833, the commander sailed from Liverpool, accompanied by Dr. King and three other persons. Early in April they arrived at Montreal when, embarking in canoes, after a tedious and fatiguing inland navigation, and in spite of the inexpertness of the "mangeurs de lard," or greenhorns, who composed the crews, and of the mosquitoes that stung the whole party to madness, on the 8th of August they reached Fort Resolution on Great Slave Lake, the extreme station of the Hudson's Bay company, and the last outpost of civilization. Here commenced the plan which captain Back had been chiefly instrumental in forming, and on which he was directed by his instructions to act. It was to make preparations for passing the winter at the north eastern extremity of Great Slave Lake and to employ the previous autumn in endeavoring to ascertain the existence of the river Thlew-ee-chow, supposed, on very uncertain grounds, to take its rise somewhere contiguous to the lake, and to discharge its waters into the Polar Sea. It will be seen how judicious was the arrangement of this scheme, for not only did Back find the river in question, (now called after his name), but its course conveyed him to a spot at the debouchure, only fifty miles from the obelisk near the magnetic pole, that was erected by James Ross at the southern limit of his journey.

Embarking on the lake, and supplied with Indian guides, the expedition consisted of twenty-four persons, three only of whom, with Mr. King, had accompanied our traveller from England. The remainder consisted of four artillerymen, who had volunteered to accompany them at Montreal, of some experienced steersmen and *voyageurs* belonging to the Hudson's Bay company, and lastly of an Indian interpreter.

They were now in the country of the aboriginal tribes, whose character the commander has portrayed with much acuteness and infinite humor. Fickle and unsteady of purpose, they seem to be amiable and brave, their virtues as well as vices being the effect of impulse.

The descriptions of the discovery of the sources of Back's river is full of interest. Quitting the Slave Lake, under the uncertain guidance of Maufelly, an Indian, with great labor they effected the portage into the Cat Lake of Hearne. From thence he conducted them into Clinton Colden Lake; and eventually into one, which received the name of Aylmer. This seemed to be the head-water of the circumjacent inland seas, and great was the commander's anxiety respecting the event of his search.

"Twice he (Maufelly) went to adjacent heights to discover some object, which might remove his doubts; and the second time he returned with a light step, and a countenance betokening satisfaction and triumph. With renewed confidence he pointed to a bay from whence we might go to the Thlew-ee-chow (river Back), and on our landing turned to the

interpreter, and showing him the well beaten tracks of the deer, exclaimed with a smile, that his old father loved to dwell on the feats he had performed there—"and though," added he, "I was but a child when I accompanied him, these places look familiar to me."

Shortly afterwards the commander himself, at some distance from the lake, discovered the object of his hopes and wishes. Crossing two rivulets, whose lively ripples ran due north, the thought occurred to him that these must be the feeders of the Thlew-ee-chow, and yielding to the pleasant emotion which discovers, "in the first bound of their transport, may be pardoned for indulging, I threw myself down," says he, "on the bank, and drank a hearty draught of the limpid water." A little rum had been reserved, which the bold travellers shared amongst them, in the midst of surrounding desolation.

Having ascertained that he was on the true track, he returned to the head of Great Slave Lake, where Mr. McLeod, an officer of the Hudson's Bay company, had commenced the building of a house, and where, in a short time, Dr. King with some of the party, which had separated at Cumberland house, arrived. The station received the name of Fort Reliance.

The preparations for the winter were admirable, and the account of the residence full of interest and amusement, though the description is heart rending of the sufferings which the improvident and famished Indians underwent during the severity of the winter. The party nearly starved themselves, in order to assist these wretched creatures, and the magnanimity of Mr. McLeod, in going to ascertain the fate of the main body of the tribe under Akaitcho, their friendly chief, is too striking not to be recorded. On the 18th of December, with a temperature 102° of Fahrenheit below the freezing point, did this humane and heroic person quit the shelter of the winter quarters. He soon wrote to say that the coldness of the weather had prevented the Indians from following the deer, but being a first rate rifle shot himself, he had, by his exertions, already assisted one party, and was on his way to visit another. During his absence the commander was occupied in making experiments on the intensity of the cold, but he had difficulty in recording the observations, as both ink and paint froze, with his table "as near the fire as he could bear the heat." On one occasion, after washing his face within three feet of the fire, his hair was clotted with ice before he had time to dry it.

On the 9th of February Mr. McLeod returned. The weather had made a visible alteration in his countenance, which had seven times been frost bitten; "nor was it to be wondered at, on such a wide unsheltered lake as he had been travelling over." Many Indians, he reported, had died of cold and starvation, and, but for his intervention, a whole family would have fallen victims, the unnatural monster of a father having abandoned them. Such instances of barbarity, however, appeared so abhorrent to the Indians themselves, that we may hope that they are of rare occurrence.

On the 23th of April news arrived that Ross and his companions had reached England. The announcement was received with joy that might have been expected; "and to me," says Back, "the intelligence was particularly gratifying, not only as verifying my previously expressed opinion, but as demonstrating the wisdom as well as the humanity of the course pursued by the promoters of our expedition, who had thereby rescued the British nation from an imputation of indifference which it was far from meriting. In the fulness of our hearts we assembled together, and humbly offered up our thanks to that merciful Providence which, in the beautiful language of scripture, hath said 'mine own will I bring again, as I did sometime from the depths of the sea.'"

The geographical and scientific object of the journey still remained to be performed; and the commander resolved, after reducing his party to the number of ten persons, to follow the course of the Back, as he hoped to the Polar Sea. Accordingly, on the 7th June, accompanied by Mr. King, and preceded by Mr. McLeod, who was to hunt before them and leave the produce "en cache," our intrepid travellers set out upon their journey; and on the 28th they picked up the boat that had been built for them by the carpenter of the expedition on Artillery or Cat Lake. The wood was found to be indifferent; and, when wet, was not supposed possible to carry her. "However, I trusted," said capt. Back, "to circumstances, my own resources, and the spirit and stamina of the crew, determining not to anticipate evil, or yield to fears that might never be realized."

On the 1st July they arrived at Musk Ox Rapid, the point at which they had stopped the year before,

and the source of the river Back. Shortly afterwards they parted with Mr. McLeod, who returned to supply Fort Reliance with stores, and to make other arrangements for the next winter. It is unnecessary here to detail all the escapes and privations they endured in descending this tortuous and dangerous stream. The reader must refer to the book itself, which will amply repay the perusal. Suffice it to say, that passing the head of Coronation Gulf, at the distance of sixty miles, and that of Chesterfield inlet and Repulse bay, both within 90 miles—on the 31st of July they reached the salt waters of the Polar Sea. Five days before, they had fallen in with a party of Esquimaux, who were kindly disposed, and supplied some geographical information. At the mouth of the Back their further progress was arrested by the fields of drifting ice that occupied the great bay into which the river discharges itself. After waiting fifteen days upon these rugged and utterly desolate shores in the hopes of the sea becoming clear—on the 15th August the commander resolved to return home.

"I had," he says, "for some time cherished the notion of dividing the party, leaving four to protect the boat and property, whilst the remainder with Mr. King, would have accompanied me on a land journey towards Point Turnagain; but this scheme was completely frustrated by the impracticability of carrying any weight on a soil in which at every step we sunk half-leg deep; destitute of shrubs or moss for fuel and almost without water; over which we must have travelled for days to have made even a few miles of longitude, and where, finally if sickness had overtaken any one, his fate would have been inevitable. Thus circumstanced, therefore, and reflecting on the long and dangerous stream combining all the bad features of the worst rivers in the country—that we had to retrace, the hazards of the falls and rapids, and the slender hope which remained of our attaining even a single mile farther, I felt that I had no choice, and, assembling the men, I informed them that the period fixed by his majesty's government for my return had arrived; and that it only now remained to unfurl the British flag, and salute it with three cheers in honor of his most gracious majesty, whilst his royal name should be given to this portion of America by the appellation of William the fourth's land." The intimation was received with extreme satisfaction; and the loyal band performed the ceremony, with the cheering accompaniment of a glass of grog.

On the 31st August, opposite Chesterfield inlet they fell in with another party of Esquimaux—probably from that place; but as time was precious, they could allow themselves no communication with them. The ascent of the river was more dangerous and difficult than its descent: but surmounting all obstacles, the party, on the 17th September, came up with Mr. McLeod near the sources of the river; and on the 27th housed themselves at Fort Reliance for the winter. From thence, in the spring, captain Back, parting with his brave companions—(Dr. King returned from Hudson's Bay)—proceeded to England, where he arrived on the 8th of last September.

The extreme point seen by capt. Back is about thirty-three miles from the extreme seen by captain James Ross. The distance that separates them may, or may not, be occupied by a strait. On the one hand, there is the Esquimaux drawing to show that the land is continuous, and they seldom mislead us: on the other, there is the driftwood found by Back on the shores that he reached, which can hardly have come but from Cape Turnagain and the McKenzie river. The wood cannot, at any rate, have made the circuit of what sir James Ross has called the northern extreme of America. The point is full of difficulty and perplexity. This much is certain—that the passage, if there be one, must be useless, as far as the object of finding a north west passage is concerned. Blocked up with the western sea, and with a current enforcing and perpetuating the blockade, even sir John Barrow, in his letter to the Geographical society, does not recommend its use, nor will its existence, if ascertained, diminish one jot from the importance of the discovery by Ross, that Prince Regent's inlet is but a *cul de sac*, and totally unavailable as a passage to the north west of America. It cannot be penetrated by the north, as we have seen by the fate of the Fury and of Ross's expedition; and we have Parry's authority for saying that it is impossible to enter by the east through Hecla and Fury's strait. The westerly stream that sets through that passage would, he states, undoubtedly have the effect of keeping the ice close home upon the western mouth, so as to prevent the egress of a ship; and if such reasoning be conclusive in this instance, how much more so will it be in the case of the supposed strait between Boothia Felix and the continent of America.

It has just been announced that his majesty's ship Terror, the command of which has been given to captain Back, is immediately to proceed to Wager river, when our undaunted countryman will cross over with his boats to Prince Regent's inlet. There the party will separate—one boat to proceed in the direction of Turnagain, the other to the western mouth of Hecla and Fury's strait: the whole, returning, it is hoped, in the month of November to England. Having laid down the coast line, and thus made another most important addition to the geography of the north coast of our American possessions, the next step will be to ascertain the existence, now approaching to certainty, of an open sea between Coronation gulf and cape Walker, the north western extremity of Boothia.

When this shall have been accomplished, the question of the north west passage, which for ages has perplexed philosophers, will have been solved, and the voyage in detached portions actually made. "That there is an open, and at times a navigable passage," says that accomplished seaman, captain Beaufort, "between the straits of Davis and Behring, there can be, no doubt in the mind of any person who has duly weighed the evidence." Let the navigator once know the exact direction, and in a favorable season little danger or difficulty need be apprehended in sailing through it, impelled by the prevailing westerly wind, and assisted by the easterly current that sets from Behring's into Davis strait. His majesty's ship Sulphur is now surveying the coasts of California. Capt. Beechy has already penetrated into Behring's straits farther than any former navigator. We learn from his narrative that he is confident of the existence of a passage; and who shall say that the honor of returning to England by the north, shall not fall upon this enterprising and accomplished officer.

The next branch of our subject—and it is one which every Englishman may be proud to notice—is the departure of the expedition in search of the missing whalers. Alarm had begun to be felt so early as the beginning of last winter, when the eleven ships, which had been observed, to be beset in the ice, did not return at the usual period. About the month of November the cries of the friends and relatives of the unfortunate mariners found their way to the public ear, and on the 4th of December a memorial from a number of merchants and gentlemen of Hull was addressed to the admiralty. It was a touching appeal, and stated that although the ships were supplied with provisions beyond what was necessary for the purposes of the voyage, "yet they were not sufficiently provided with the means of supporting life through the severities of an Arctic winter, particularly as the crews of two wrecked vessels are added to their original number," and the memorialists feared that the crews, amounting altogether to upwards of 600 souls, would be exposed to "dreadful sufferings." It goes on to suggest that a ship might be sent to open a communication with them "over the ice," and to pray for the assistance of the government.

The admiralty, in reply, expressed regret for the unfortunate situation of the crews, but did not think it possible to afford them the required assistance. This answer called forth a yet more urgent appeal from the merchants, saying that the opinion of the oldest and most experienced masters of whale ships induced them to entertain hopes; and, moreover, intimating that, should the government decline to interfere, they, the memorialists, would feel it their duty to make the attempt. The petition was backed by a letter, published in the newspapers, from capt. Humphreys, the deliverer of Ross, calling loudly on the Christian love and disinterested benevolence of his fellow countrymen to "disregard all fears of probability," and at least to make the effort.

This was more than enough—a ship, the *Cove*, was fitted out by national subscription, the Trinity house of Hull voting £1,000. The government readily consented to officer and man her—volunteers from all quarters presented themselves—and capt. James Ross, having been first in the field, was selected to command; though captain Back was ready, in the cause of humanity, to lay aside the enjoyment of a repose which he had devoted to recording his adventures—a task at once honorable and profitable—and again to brave the dangers of the north.

In a very short space of time his majesty's ship *Cove* reached the Orkneys—on the 13th of January, the very depth of winter—she quitted Stromness to search for our unhappy countrymen, regardless of the severity of the late season, and of the storms that met her at the outset of her chivalrous attempt, and notwithstanding she was once driven back with the loss of her bowsprit, before the fury of an Arctic hurricane.

But Providence, as if to reward such public virtue and individual heroism, by one of those miraculous movements at her disposal, in the months October, November, and part of December, "with a mighty hand," poured out the mass of ice that occupied Davis's strait and Baffin's bay, and scattering it in the Atlantic, released ten, out of the eleven ships that were frozen up. Most of them reached home in a wretched state of destitution. The *La Jane* was the last that arrived, her numbers frightfully thinned, the survivors sick and exhausted. But the same kindness that dictated their preservation while afloat has been extended to them on shore, and hopes are entertained that all who have escaped will ere long be restored to their homes and families.

Capt. Taylor, of the *Greenville* bay, states that he was set upwards of 600 miles—that is, from the latitude of Home bay in Arrowsmith's map, to the mouth of Hudson's bay, into which he was driven by the current, which, however, eventually released him. It is most likely that the *William Tell* the missing vessel, which experienced the same fate, though she was not farther from shore when last seen, than her companions. If so, it is probable that she remain shut up, near the entrance of Hudson's bay. That Ross will fall in with her can scarcely allow ourselves to hope, but of this our countrymen will be confident, that all that seamanship and scientific knowledge can accomplish, that kindness and courage can effect, will be exhausted by this officer in the benevolent cause which he is still engaged.

EXTRAORDINARY OCCURRENCE.

Extract of a letter from Rome, dated June 20.

"A tragic event lately occurred at Canino, and is the subject of general conversation in this capital. The name of Bonaparte has given to it an increased interest, and excited public curiosity to unusual degree; but as yet it is difficult to ascertain the causes which led to this singular affair come to a correct conclusion upon the whole of circumstances.

"D. Pierre Napoleon and D. Antoine Lucien sons of prince Lucien Bonaparte, have been residing for the last few years at Canino, a country mansion situated in the pontifical states. Their taste for hunting and field sports, and the necessity of being constantly armed, so as to protect themselves from the attacks of robbers, so frequent in this country, had accustomed them never to leave their house without some fire-arms or other means of defence, and which every Roman prince is right to carry. This habit, which no doubt other respects appeared rather singular, soon gave rise to certain reports, which were taken advantage of in order to excite feelings of disquietude in the mind of the pope, as to their residence in his state and to obtain a decree of exile against these young princes.

"His holiness's determination was already known to them; they had been promised passports, were actually preparing for their departure from America, when they were suddenly attacked by a number of the pontifical carabinieri, without having received the slightest notice of an intention to arrest them! The two brothers were not together at the moment. The eldest, D. Pierre, walking quietly in the public square with the chief of the carabinieri; he was the first object of attack. Finding himself suddenly seized by several men, who did not even state their real intentions and naturally supposing that they came to take away his life, he defended himself most courageously. In an instant, however, he was surrounded by thirty or forty carabinieri, who rushed from adjoining houses, and commenced firing pistols dealing out bayonet wounds right and left. He encountered the officer of carabinieri was killed, a quartermaster dangerously wounded. Young Pierre (Napoleon) fell, in consequence of his getting entangled in his spurs, and whilst on ground received several musket shots, by one of which he was wounded in the head, and by another in the leg. Finding himself thus placed before the possibility of defending himself, his assailants rushed upon his brother (D. Lucien Bonaparte) who on hearing the report of guns ran down stairs. The first carabineer who advanced fired a pistol at him, upon which D. Lucien seized a fowling piece; several muskets were then discharged at him, but none took effect, and he was also successful in parrying off the bayonets which were thrown against him, but not without receiving some wounds in the hands. He then assumed a more determined aspect and succeeded, without firing a single shot from his gun, in keeping the carabinieri at bay; the latter, awed by his bravery and sang froid, thought it prudent to retire and

him in quiet possession of his house. They, however, returned to D. Pierre Napoleon, bound him hand and foot, and conducted him to Rome, where he was incarcerated in the castle of St. Angelo under a strict guard. D. Antoine Bonaparte, the other brother, has, it is said, succeeded in making his escape, and has embarked for America.

"The question now is, why, at the moment that their passports were being made out, the authorities decided upon arresting them? Why was this order given? What was its object, or under what influence was it granted? Is it even certain that this order emanated from the pope? These interrogatories can only be answered by the proceedings which are about to take place. On the one part against D. Pierre Napoleon, and on the other against the carabineers, and by the relations and friends of the young emperor. As yet the suppositions and reports on this subject are vague and uncertain.

"The public take a great interest in the trial of D. Pierre Napoleon, and there seems to be no fear of his condemnation. The state prosecutor will endeavor to prove that it was D. Pierre who killed the officer of carabineers; but up to the present moment the various inquiries, investigations and depositions tend, on the contrary, to show that the officer in question fell from the musket shot of one of his own men. The mass of evidence is entirely in favor of the two young princes, and the anxiety which the inhabitants of Canino evince in coming forward to support their justification fully proves that they possessed the talent of making themselves beloved."

RESIGNATION OF JUDGE SAVAGE.

At a meeting of the court for the correction of errors, holden in New York, on Thursday the 18th ult. the following communication was received from chief justice Savage.

Albany, August 12, 1836.

To the pres't of the court for the correction of errors.

DEAR SIR: Having been for a number of years a member of the court for the correction of errors, and present at the commencement of its sessions, it seems to me proper that the reason of my present absence should be known. I beg leave therefore, through you, to present to the court over which you preside, the enclosed copy of a communication made by me to the governor on the 30th of July last.

I have the honor to be, with great respect, your obt's serv't,

JOHN SAVAGE.

The hon. John Tracy, president, &c.

COPY.

Albany, July 30, 1836.

DEAR SIR: I inclose my resignation of the office of chief justice of the supreme court.

Enough—perhaps more than enough, of official life has fallen to my lot—certainly as much as could reasonably have been desired.

My present office was given unsolicited. Under a due sense of the honor conferred, it was gratefully accepted. It is now cheerfully resigned.

In tendering my resignation at this time, I have been influenced by two considerations. The first is, the business of the court is closed up about as perfectly as it ever can be. All the causes argued and submitted previous to the last term, have been examined and discussed, and all decided except a few in which a farther examination became necessary. The business of the last term is in as great a state of forwardness as is practicable. The unfinished business of the court will therefore not materially increase the labors of the remaining judges in consequence of my retirement.

The second consideration is, that as the senators will convene in a few days as a court for the correction of errors, the vacancy may be speedily filled.

I am, with great respect, your excellency's obedient servant,

JOHN SAVAGE.

His excellency gov. Marcy.

On motion of Mr. Tracy, the following preamble and resolutions were unanimously adopted:

This court entertaining the highest estimation of the learning, judicial talents, personal virtue and official services of the hon. JOHN SAVAGE, have received with sincere regret his communication of the 12th inst. announcing his resignation of the office of chief justice of the supreme court of this state.

Resolved, That in retiring from the station which he has for many years filled with signal benefit to the public, and to his own great honor, he carries with him the affectionate esteem and respect of every member of this court, and the grateful recollections of the people of this state.

Resolved, That the aforesaid communication be entered on the minutes of this court, and that the clerk communicate to the hon. John Savage a copy of the foregoing resolutions.

VISIT OF THE PRESIDENT OF THE U. STATES.

From the Jonesborough (Tenn.) Sentinel.

At an 7 o'clock on Monday morning, the various roads leading into town were thronged with people on horseback, and the favorable indications of a fine day gave promise of an unusually large concourse of citizens from the neighboring towns and country. At eight o'clock, a very large party of gentlemen, mounted upon fine horses, and arranged in military order by col. Willet (marshal of the day) and his assistants, left town to meet the president, having learned that he had sojourned the night previous with his old friend, Mr. Gammon of Sullivan county, and would start for Jonesborough after breakfast. At the distance of seven or eight miles from the town, the procession met the president, accompanied by the secretary, (major Donelson), and a number of the citizens of Blountville and vicinity. He was on horseback and seemed in fine health and spirits. The horsemen took open order on the right and left of the road, and when the president had reached the most central position, Mr. Kennedy advanced towards him, and in conformity with the appointment by the meeting of Saturday, delivered to him a brief, but feeling and eloquent address, of which we have been politely furnished with the following sketch:

"Gen. Andrew Jackson, president of the U. States:

"Sir: On behalf of many of the citizens of Washington county, I have been deputed to meet you at this place and give you a hearty welcome during the short sojourn you may make on your way to the Hermitage. I should not execute this commission acceptably to the great body of the people, or correspondent with my own judgment and feelings, were I to omit to state, that as we were amongst the first to invite you to become a candidate for the presidency, so from the commencement to the present, we have been the constant supporters of your administration; an administration which, we are proud to acknowledge, has been prompted by enlightened wisdom and patriotism, and which, in our history, will be distinguished for the benefits it has conferred on our beloved country.

"When you were inaugurated, our foreign relations were in a most perplexed condition. The commercial countries of Europe had committed depredations on our commerce, in violation of the laws of nations, and had, by one pretext or other, withheld indemnification; and it became your arduous duty, through the instrumentality of judicious treaties, to re-establish the harmony which had been interrupted between our own government and several of the European powers, and thereby obtain that justice which before that time had been withheld. We rejoice that we have lived to see these difficulties adjusted under your administration.

"At home we had a large amount of national debt to pay, which is now discharged. Intestine dissensions were subdued by your patriotic measures, and that hydra to civil liberty, in the form of a bank of the United States, with its hundred millions of bank paper, and its consequently corrupting influence, has been crushed, and we trust forever, by the wise and energetic measures that you have employed against it. We have heard it again and again stated, that a certain Mr. Whitney had by some means or other, obtained the command of some of the funds of the treasury without law, and against the plain rules of common honesty—this we cannot credit, and we claim it as due to your friends to know whether it is true or otherwise.

"We have now the happiness to meet you, under circumstances the most grateful to our feelings, whether in reference to an overflowing treasury and the peace and prosperity that prevail throughout our widely extended country, or in reference to that peculiar affection which has been entertained by the people of this country for you, for nearly half a century. If your patriotic services and sacrifices, through a long and eventful life, could cease to be felt elsewhere as having conferred singular benefits upon your country, they never can be forgotten in the county of Washington, where you first became a resident of the state, and, with many of our forefathers, one of the early pioneers of Tennessee.

"It can be hardly necessary to state, that as we have, when fairly represented, unflinchingly stood by you heretofore, we shall hereafter be found, so far as we are concerned, among your steady supporters during the remainder of your administration, of such measures as shall redound to the permanent welfare of our country, and your individual fame."

The president's reply was as follows:

"Sir: The cheering welcome given me on this occasion by the citizens of Jonesborough and its

vicinity, is received with feelings of the deepest sensibility. Accompanied as it has been by the sentiments you have just declared it excites reflections in my bosom which I fear any language which I can employ will but inadequately express. Forty-eight years have passed away since I first came to this happy land. Forty years ago, I was its sole representative in congress; and now to learn through the many political tests to which my life has been since subjected, there has been no change in the confidence and partiality which its inhabitants so early and so generously bestowed upon me, is an honor which fills my heart with emotions of gratitude and thankfulness to that Providence in whose hands are the destinies of us all. Allow me, to assure you, sir, that at no former period have I been so deeply penetrated by the sense of my obligations to the country, in whose service I have spent a great portion of my life, and witnessed the most of those political events which have influenced its prosperity.

"Taking my views of public duty from the school of the revolution, by which we achieved our liberties, I have endeavored to follow the lights afforded by the examples of the patriots who founded and who reformed our system of government. If I have been so far successful as to have done nothing to impair their sacred work, and shall leave, at the close of my administration, our country and its free institutions in the happy state you have described, I shall feel myself fortunate far beyond my merits. The applause you have bestowed upon me will be due to the people whose firmness, intelligence and virtue, have upheld and stimulated my exertions.

"You have done me but justice, sir, in refusing to credit the declarations which have been made respecting the agency ascribed to Mr. Whitney in the management and possession of the public funds. These declarations have been contradicted by frequent official reports, and are known to be false by any one at all conversant with the proceedings of the session of congress which has just closed. The rumors which have prevailed on the subject are like many other fabrications which have been put afloat with the view of prejudicing the republican cause, and slandering the character of those who have been bold enough to expose the corruptions of the bank of the United States.

"I beg leave to repeat my hearty thanks for the cordial reception given me by the citizens of Washington, and to assure them that I meet them as an old friend, identified with all their fortunes by the most sacred of ties."

After this ceremony, the president rode forward to the right of the corps of escort, when the latter formed in the rear, and the procession in this order moved onward to the town. In the mean time, the number of people in the streets swelled to a vast throng—all glowing with impatience to welcome the immortal JACKSON. A well arranged alignment on foot was formed from the entrance of the Blountville road as far down the street as the post office, and as the president and escort approached, the "spirit-stirring drum and fife" announced the gratifying fact. Every head was uncovered—every heart spoke out its grateful welcome, as the venerable man passed in front of the line of citizens. At Dr. Chester's hotel, the escorting procession halted, and the president was conducted in by his friends. The indications of the popular feeling at this moment, were imposingly affecting. The moistened eyes of the old men told, in voiceless eloquence, of a deep emotion—and the flush of satisfaction plainly perceptible in the faces of the throng that surrounded the hotel; the heart dictated expressions, from hundreds, of love for the "old chief"—all found a sympathetic response in every generous bosom. Shortly afterward, the president appeared on the porch in front of the hotel, and the multitude advanced, in good order to enjoy a "hearty shake of the hand" with their excellent, age-worn friend and fellow citizen.

JOHN BELL, ESQ. OF TENNESSEE.

The following correspondence between Mr. Bell and a committee of his constituents, is published in the Nashville papers.

Davidson county, August 13, 1836.

SIR: Since the first existence of the political relations which you have borne, for several years, to your constituents, they have attentively marked your official conduct. The scrutiny has satisfied them that a genuine devotion to the interests of your country has been the governing motive of your public life. Of this conviction they have, at the ballot box, by unanimous re-elections, repeatedly given to you and to the world the ordinary evidence. Yet, having for the last eighteen months, witnessed the most extraordinary combination of efforts to tarnish your well-earned fame throughout

the union, and even, if possible, to withdraw from you the confidence of your own immediate constituents, they feel desirous, after the accusations preferred against you have been dispassionately heard and deliberately weighed, to demonstrate that they are proud to claim you as their representative.

Your course has been marked by a lofty patriotism, which rebukes the petty schemes and strife of a selfish and sordid party devotion. Your constituents feel a pride, congenial with the elevated chivalry and republican independence which have ever characterized the people of Tennessee, that, while some of your competitors in the contention for political honors have contented themselves to seek distinction by fidelity to party organization and party plots, their representative has worshipped alone at the shrine of his country's glory and prosperity.

Boast who may fealty to a party, your constituents pride themselves on your fidelity to your country.

The undersigned, who act with the consent of a large portion of those constituents, do, therefore, invite you to accept, at such time as may be convenient to you, of a dinner, which they propose to give you at Pleasant Grove Seminary, as a testimonial of their unshaken confidence in your political integrity and talents, and as a token of their entire approval of your past conduct.

Respectfully, your friends and fellow citizens,

William Vaulx,	William Murphy,
John J. Gowen,	Hebert Towns,
John K. Buchannon,	Thomas S. King,
Samuel J. Carter,	William Simms,
Richard H. Barry,	Thomas Rutherford,
Blackman Hays,	Charles Hays.

Hon. John Bell.

Nashville, August 14, 1836.

GENTLEMEN: I have had the honor to receive your letter of the 13th instant, inviting me to partake of a dinner at Pleasant Grove Seminary, at such time as may be convenient to me.

This invitation you state, is given with the consent of a large portion of those constituents, as a testimonial of their unshaken confidence in my political integrity, and their entire approval of my past conduct.

You have been pleased to accompany your invitation with many other expressions of approbation and kindness, which, under recent and existing circumstances, are particularly grateful to my feelings, and will be long cherished and remembered with the profoundest gratitude and attachment to the authors. The conduct of every public man, whatever may be the purity and singleness of his intentions, is necessarily exposed to much misconception, even on the part of friends, and very often of successful misrepresentation by opponents and enemies. To be assured, after every effort of an interested and resentful opposition to abuse and mislead the public mind, in relation to my public conduct, has been exhausted, that my immediate constituents and countrymen—those who have attentively marked my course—are satisfied that a sincere devotion to the interests of my country has been the governing motive of my public life, affords me the highest and proudest gratification. To merit such approval has been the chief object of my ambition; and to receive the evidence of it, I esteem the greatest good fortune.

I accept, with pleasure, the invitation given to me under circumstances so gratifying; and, as I am informed that Thursday, the 1st day of September, will be the most agreeable to you, I can only say that it will be entirely convenient to me to partake with you of the proposed dinner on that day.

I am, gentlemen, with sentiments of the highest esteem and respect, your obedient servant and fellow citizen,

JOHN BELL.

To Messrs. Wm. Vaulx, John J. Gowen, John K. Buchannon, Samuel J. Carter, Richard Barry, &c.

MR. CLAY'S SPEECH,

At the public dinner given to him on his return to Kentucky, by the citizens of Woodford county.

MR. CLAY rose to address the company, but was so overpowered by the allusion to the remains of his mother being buried in Woodford, and probably by his recent heavy afflictions in the death of a beloved daughter, and his only sister, that he resumed his seat for a short time, when he proceeded. He spoke about two hours, in his accustomed manner, fervent, solemn, sometimes pathetic, sometimes playful, convulsing his audience with laughter. He touched a great variety of topics, and his speech abounded in interesting matter. We regret that we cannot even attempt to report it, and he has positively but respectfully declined writing it out. We can do no more than present a sketch of some of the most prominent topics. After returning his

thanks, and making his acknowledgments, and paying a compliment to the young gentleman (Mr. Thompson) who had addressed him:

He spoke of the surplus in the treasury of the United States. That was an accumulation resulting mainly from the protecting policy, adopted after the termination of the late war with Great Britain. That system—too much abused and misrepresented—too little understood—beneficial, as he verily believed, to all parts of the union, injurious to none, had paid off the national debt, eminently contributed to the present prosperity of the country, and was the main cause of the vast surplus which had recently engaged the deliberations of congress. It was a system which had been indispensable to the larger part of the union, and furnished a growing home market, for the great staple of the residue, absorbing at this time about one-sixth part of the annual product.

When he was last elected to the senate of the United States, he saw the necessity of providing, in season, for a just disposition of the surplus, which it was then evident, the tariff would accumulate. Its friends had predicted that result, whilst its foes had foretold that it would give rise to a necessity to resort to direct taxation to supply the ordinary wants of government. The remedy for the surplus which occurred to him was the land bill. He had every right to suppose that the president would approve it, because it was substantially in conformity with his own recommendations. But instead of giving it his sanction, he, in an unprecedented and unconstitutional manner, pocketed the bill, thereby depriving congress of an opportunity to pass it against his veto. Had that bill then passed, there would have been no surplus at the last session to squabble about, as it would have previously passed into the hands of the several states, and been applied to local beneficial objects. At the last session, the land bill again passed the senate, and was transmitted to the house of representatives. There every means was resorted to, by the dominant party, to evade a direct vote, which they were afraid to encounter. Weeks passed away in controversies as to what committee it should be referred, whether it should be laid on the table, &c. The dominant party were desirous to place it in the hands of some committee, adverse to its provisions, that would smother it. They were desirous to spare the president the responsibility of again vetoing it, and yet they had not the moral courage to meet the bill by a direct vote. They knew that the people demanded the passage of the bill, and between their subserviency to the president, and their apprehensions of the people, they found themselves unable to settle the preliminary point of a mere reference of the bill!

Under these circumstances, the deposit bill was taken up. He (Mr. Clay) gave it his cordial support. He saw in it the same principles, substantially, as those contained in the land bill. Both bills were in fact bills for the distribution of the surplus: for although one was called a deposit bill, and contained a provision for the return of the money from the states to the general treasury, he did not believe that a single member of either house imagined that a dollar would ever be recalled. The two bills agreed as to the amount which would be respectively distributed by them. They differed as to their duration; but, then, approved as the principle of distribution was by the public voice, he had not a doubt that the land bill or another deposit bill would hereafter pass. They differed as to the amount which the new states would receive. They were entitled to ten per cent. more under the land bill than under the deposit bill; but this difference was a just punishment of those members from the new states who opposed the land bill. The land bill passed the deposit bill; for those who eluded voting directly on the land bill, were afraid to defeat both, and therefore voted for the deposit bill. To prevent a veto, an amendment in the house of representatives was introduced and passed, with the co-operation of the president, which did not vary, in the slightest degree, the principle of the bill. To this amendment he had readily assented; for he thought it of more importance to the country that the bill should certainly pass by general consent, than it was to gain a triumph over the president by having his veto vetoed.

Six senators only, embracing most of the administration leaders, voted against the deposit bill. It was amusing to witness their long faces and awkward predicaments. There stood Mr. Wright, one of them, with his project to dispose of the whole surplus by an investment of it in the debt of a few states which had issued stock. This would have conferred no benefit upon the states generally, and would have tended to aggrandize two or three states only (his own among them) or the foreign stockholders of the debt created by those states. There

stood Mr. Grundy, another of the six, with his project to evaporate the surplus in locomotives on rail roads, under the honest administration of Amos Kendall. There stood the senator from Missouri (col. Benton) with his projects to exhaust the surplus in arms, armories, standing armies and fortifications, the latter planted on the coast so thick that, as was justly remarked by his colleague (Mr. Crittenden), you would never be out of hearing of a cannon from the bay of Passamaquoddy to the Balize. There stood the new senator from Mississippi, (Mr. Walker), not exactly a leader but a candidate to be a leader, with his project, which aimed rather to prevent the accumulation of any surplus hereafter, by reducing the price of the public lands to a mere nominal sum, at a period when the unexampled amount sold demonstrates that the price is not too high.

It was impossible to contemplate this woe stricken group of leading senators, without mixed feelings of pity and ridicule, the latter however greatly predominating. They stood alone with their glory. Their followers had all left them, to follow the people, who demanded the distribution. They reminded him of an anecdote which he had heard during the presidential contest between Mr. Adams and general Jackson; and, perhaps not in the most commiserating spirit, he could not resist the temptation to tell it to the senate. He would repeat it here. Whilst that contest was in progress, a convention had assembled in Baltimore to promote the election of Mr. Adams. A raw Irishman, who had just arrived in the United States, being near where they met, expressed a wish to go in and see what sort of looking persons the members were. He accordingly went in and remained some time, and on coming out, being asked how he liked their appearance, he said, *by Jesus* they are a set of very decent looking gentlemen, what a pity it is that they have not some constituents. Now, he could agree with the Irishman, in bestowing the compliment upon the personal appearance of the senators referred to, but he entirely concurred in thinking that they had no followers nor constituents in voting against the deposit bill.

It was repeatedly denied by one of those leaders, during the session, that there would be any surplus. But since its close, in an official document published by the order of congress, the secretary of the treasury admits that the surplus on the 1st of January next, will exceed twenty-seven millions of dollars. It ought to be near forty-six millions, if the amount due from the old bank of the United States is brought, as it may be brought, into the divisible fund. But supposing it only twenty-seven millions, the proportion of Kentucky will be about one million and a half.

Mr. Clay proceeded to speak of the constant tampering with the currency which marked the conduct of this administration. One rash, lawless and crude experiment succeeds another. He considered the late treasury order, by which all payments for public lands were to be made in specie, with one exception for a short duration, a most ill-advised, illegal and pernicious measure. In principal it was wrong; in practice it will favor the very speculation which it professes to endeavor to suppress. The officer who issued it, as if conscious of its obnoxious character, shelters himself behind the name of the president. And where is the authority for such an order? If, in contemplation of law, payments to the public treasury are to be made in specie, the law contemplates all payments. The law should be equal in its prescriptions, equal in its execution, equal in its administration. The distinguishing characteristic of republican government—of any government of laws—is the universality of their operation, without favor or partiality, without discrimination. The law no more requires payments for the public lands to be made in specie, than payments for custom house duties. Both should be demanded in specie, or neither.—Duties could be paid in specie without much inconvenience, as they are collectable in cities, where banks and specie abound. Lands cannot be paid for in specie without immense inconvenience. Yet the order exacts specie for the lands, and permits bank notes to be received for duties. The order, in effect, requires specie, at great hazard and expense, to be transported from the Atlantic cities across the mountains, that the pleasure may be enjoyed of transporting it back again in like vehicles, at similar expense and hazard. Or, what will be still more injurious to the western states, it subjects their banks to perpetual drafts of specie to meet the wants of purchasers of the public domain.

There is no authority of law for the discrimination between payments for the public lands, and payments for duties. There is no authority for the geographical discrimination which has been made between the western states and the Atlantic states. If the president may enforce the law upon some,

and forbear to enforce it upon others, according to his pleasure, HIS WILL, in effect, becomes the law, and the law has lost its equal, general and impartial operation. If he may make a geographical distinction; if he may say, at his pleasure, that for some things specie shall be paid, and for others bank notes, to the government, he may make a personal discrimination, and order that his friends may pay in bank notes, but his opponents shall pay in specie. In principal there is no difference.

The measure will aid the very speculation against which it purports to be levelled. The speculators—that keen-eyed, watchful, sleepless class—will soon learn and know well enough how to accommodate themselves to the new state of things. They are large purchasers, requiring large means, and they will take care and provide the requisite masses of specie. But on the small purchasers—the saddle-bags men—on the poor, the operation of the measure will be most injurious. Many of them will hear of the order the first time at the land office, when they are about to pay for the lands which they wish to enter. They will offer good eastern notes, really worth a premium of from a half to two per cent. at any land office in the United States. These notes will be rejected, perhaps, and the very lands which they wish to enter, may be appropriated on the spot by some speculator. Or the land officer will turn them over to some neighboring broker (possibly with whom he may be concerned) to cash his premium notes at a discount. Or the purchaser finding that his notes will not be received by the public, some speculator present may offer to take them and accommodate him with land at an advanced price. Or the land officer, knowing that the notes are really worth more than the specie, if the purchaser be a friend or political partizan, may determine, the order notwithstanding, to receive them, to remit them to the eastward, have them cashed to his credit, and pocket the profit. The measure is fraught with abuses of all kinds. We shall hear of the loss on the road of wagon loads of specie from the land offices to the eastern banks, never transported; and the loss will be verified with all the forms of complete proof.

But the president and secretary had no right to promulgate any such order. The law admits of no such discrimination. If the resolution of the 80th April, 1816, continues in operation (and the administration on the occasion of the removal of the deposits, and on the present occasion, relies upon it as in full force) it gave the secretary no such discretion as he has exercised. That resolution required and directed the secretary of the treasury, to adopt such measures as he might deem necessary, "to cause as soon as may be, all duties, taxes, debts or sums of money, accruing or becoming payable to the United States, to be collected and paid in the legal currency of the United States, or treasury notes, or notes of the bank of the United States, as by law provided and declared, or in notes of banks, which are payable and paid on demand, in the said legal currency of the United States." This resolution was restrictive and prohibitory upon the secretary only as to the notes of banks not redeemable in specie on demand. As to all such notes he was forbidden to receive them from and after the 20th day of February, 1817. As to the notes of banks which were payable and paid on demand in specie, the resolution was not merely permissive. It was compulsory and mandatory. He was bound, and is yet bound to receive them, until congress interferences.

Mr. Clay animadverted upon the conduct of the present administration towards the Indian tribes. It had been productive of fraud, violence and injustice. By treaties or pretended treaties made with them, both the United States and the Indians had been de-

frauded out of lands of immense value, under the forms of reservations, which had gone to enrich individual speculators. By our ill treatment of them, they are goaded into acts of desperation; and then the sympathies of the white people, are appealed to on account of Indian depredations. The object of this policy, is, to remove them from one side of a river, where they are surrounded by the whites, to the other side, where they will soon be again surrounded by the whites. And before this process of removal is completed, whilst it is yet in progress, the states in whose neighborhood, west of the Mississippi, they are placed, are calling upon the general government for protection against the danger of Indian hostilities. Already two regiments of dragoons have been raised permanently for that purpose, and at the last session a bill passed the senate to augment the standing army by an addition of four thousand men, and the chief argument urged for it, was the concentration of the Indians west of the Mississippi. Thus a permanent charge of great annual amount, is fastened upon the country, to carry out this policy. Taking that in view, the cost of Indian treaties, of Indian wars, the consequence of the policy, and other expenses, Mr. Clay believed that the cost of this removing policy, would not fall much short of fifty millions of dollars before it was finally executed.

He spoke of the Cherokee treaty ratified at the last session of congress. No vote of the senate, since he had been a member, had given him more pain or excited more surprise. Gov. Carroll of Tennessee and parson Schemerhorn (a disgrace to the pious and honorable profession of which he was a member) had been jointly appointed to treat with the Cherokee nation, composed according to a report of the secretary of war, of about 18,000 souls. Governor Carroll could not attend, and the whole business fell into the hands of the parson exclusively. The Cherokees, in general council in September last, appointed a committee to treat. With them he did not treat. Instead of treating with them, for the purchase of the Cherokee country, he made a proclamation that he would at a specified day and place, within the Cherokee country, treat with any of the Cherokees who would attend and treat with him; and that all who did not attend should be considered as assenting and bound by the treaty which he might conclude. In the mean time, all practicable means at the command of the American negotiator, were employed to coax and coerce the attendance of the Indians. On the day appointed, out of the eighteen thousand, some five or six hundred, including men, woman and children, only presented themselves, and many of these formed no part of the Cherokees east of the Mississippi alone having right to sell the Cherokee country. With some seventy or eighty Indians, he patched up a treaty and sent it to Washington. It was submitted by the president to the senate. And it had not been there many weeks before the almost united voice of the Cherokee people was raised against it. Memorials, signed or subscribed with the marks of upwards of sixteen thousand Cherokees, were laid before the senate, denying the Indian authority upon which the treaty was negotiated, and solemnly protesting against its obligatory force upon the Cherokee people. In spite of these memorials—in spite of all the opposition which was made by himself and others to the ratification of such a treaty, it was ratified against the votes of fifteen senators, that of his colleague and himself being of the number.—And thus the Cherokees, a people who have been always friendly to the United States, and who were represented at Washington by delegates as civilized, as orderly and decent in their appearance as members of congress, are stripped of their entire country, and the people of the United States are subjected to the payment of five million six hundred thousand dollars. It is proper and just to mention that one senator who voted for the ratification of the treaty (and others are believed to have acted under the same impressions) declared in his place, that he did not believe the instrument was a treaty; and that he voted for it because he apprehended the Cherokees would be exterminated by the whites if not removed. Mr. Clay had believed that no consequences, however deplorable, could justify the ratification of an instrument, as a treaty, which was deficient in the essential requisite of the concurrence of two contracting parties. But he believed, also, that these consequences might have been averted by the proper exercise of the lawful authority of the United States.

Mr. Clay said, that he had again and again warned his countrymen of the danger, illustrated by all history, of elevating to the chief magistracy, a man possessing no other than mere military qualification. He never had contended or thought it improper to place at the head of public affairs, a citizen who united to a knowledge of the art of war and experi-

ence in conducting it, the requisite attainments for civil administration. On the contrary, such a union of qualifications constituted a great recommendation of the person in whom it might be found. It was desirable that the first officer of the republic should, if possible, be intimately acquainted with, and have experience in every branch of administration, civil, military, naval and diplomatic. The wider the circle of his knowledge, the better for the country, if it be united with virtue and integrity.

We have now had seven years experience of the administration of a chief magistrate who brought into the office no other than military pretensions. The time, or the occasion, was not suitable to review fully his administration of the civil government of the country. But all will admit, that we had a right to expect that the military affairs of the union would be administered with skill and ability; that any wars, in which we might be unfortunately involved, would be conducted with vigor, promptitude and success; and that under his auspices, our arms would acquire additional renown and fresh laurels. Has this expectation been realized? Let the miserable Black Hawk war tell, in which millions of dollars were expended, and so little efficiency was displayed, considering the amount of means employed. Let the more disgraceful Seminole war testify, in which the untutored Osella, with four or five hundred wretched outcast Indian warriors, has baffled the skill of three or four major generals of the United States, and all the immense force brought at a vast expense to operate upon him, cutting off or defeating corps of our troops, and besieging, with an inferior force, one major general with his army, reducing them to the shameful necessity of a revolting subsistence upon the flesh of horses and dogs, found in the same entrenchment with themselves! During the session, his colleague and himself had conversed about the expediency of offering to the administration to contract, in behalf of the state of Kentucky, to capture and deliver west of the Mississippi every Seminole Indian at five hundred dollars per head. The execution of such a contract would have saved a million or two of dollars to the treasury of the United States.

Mr. Clay next alluded to his intended retirement from the senate of the United States. One session of the term for which he was last elected, still remained. He felt the full force of the implied obligation which every man who accepted office contracted to serve during the period for which he was appointed, unless some strong reasons existed for his resignation. That consideration might possibly carry him back once more to the senate, although it was his real wish now to retire. He would, at all events, positively decide, in due season, that the state might be fully represented. But beyond that period he had no desire to continue in the senate. And, although he entertained the profoundest gratitude for the confidence so long and so often reposed in him by the state of Kentucky, and should ever feel a deep and thankful sense of the friendly wishes of his fellow citizens to retain him in that body, he could not consent to be again a candidate for a seat in it. And he hoped the state would turn its attention to some other citizen. He admitted that eminently prosperous as the whole union undoubtedly was in the general business and concerns of the people, its political condition was far from being safe or satisfactory. He was convinced that foul corruption had penetrated almost every branch of administration, and was gradually poisoning the whole government. He admitted it to be the duty of every citizen to employ, to his latest breath, all his abilities, and every energy he possessed, if necessary to serve his country; and he would willingly remain in the public councils, and exert himself hereafter, as he had faithfully done heretofore, to preserve our free institutions in the utmost purity, if he believed he could do any public good at all proportionate to the private sacrifices which he should make. But he had been a long time in public employment and needed repose. Perhaps his voice had been too often raised, was too familiar to the public ear; perhaps one less known, of more buoyancy and elasticity, may be heard with more salutary effect. He fervently hoped that the republic might survive all impending dangers. But it was not to be disguised that the people themselves must purify and preserve their free institutions, if they were to be supported. No people ever lost their liberty who resolved to maintain it. No people ever maintained their liberty who tolerated, sanctioned and upheld corruption and corrupt men in the government.

Mr. C. concluded by proposing the following toast:

The public lands. The common property of all the states, they should be administered for the benefit of all, exclusively for none.

*The following is a copy of the whole resolution referred to by Mr. Clay.

Resolved by the senate and house of representatives of the United States of America in Congress assembled, That the secretary of the treasury be, and he hereby is required and directed to adopt such measures as he may deem necessary, to cause as soon as may be, all duties, taxes, debts or sums of money, accruing or becoming payable to the United States, to be collected and paid in the legal currency of the bank of the United States, as by law provided and declared, or in notes of banks which are payable and paid on demand, in the said legal currency of the United States; and that, from and after the twentieth day of February next, no such duties, taxes, debts or sums of money, accruing or becoming payable to the United States as aforesaid, ought to be collected or received otherwise than in the legal currency of the United States, or treasury notes or in notes of banks which are payable and paid on demand in the said legal currency of the United States.

[Approved 80th April, 1816.]

FOREIGN CHRONICLE.

Caspar Hauser. Lord Stanhope, the friend and patron of Caspar Hauser, about whom there was so much mystery a few years ago, now admits that he was imposed upon, and gives a strong body of evidence to show that they who believed this young fellow's wonderful story, were made egregiously fools of. Touching the catastrophe, Lord Stanhope thinks that Caspar unwittingly killed himself when trying to inflict a slight wound, in order to carry out his romance, revive an interest in his fate, stifle investigation, and procure his being removed from the impending danger of detection.

The Poles. We have already announced that a decree has been promulgated by the Russian government at Warsaw, subjecting all medals, prints, drawings, and objects of art to censorship. The *Swabian Mercury* contains a letter from the frontiers of Poland, in which the cause of this decree is explained. It appears that since the regulations of the government have become so severe that no secret correspondence can be carried on between any of the Polish refugees and their friends in the country, a method has been devised of forming a kind of symbolical correspondence. Many houses in the engraving line, and dealers in hardware had received, almost simultaneously, from Paris, considerable quantities of works in bronze and marble sculpture, executed with much taste and at a moderate price. The police, however, found out the mystery, and the decree above alluded to was issued in consequence.

[*Galignani's Messenger.*]

"Nothing new." The resemblance between most of ancient and modern domestic articles, both of use and luxury, has been remarked by all who have seen those which have been dug from the buried cities near Naples. This resemblance, however, reaches to a more remote date. It is said that an Egyptian *buffet* or sideboard, with all its details, not excepting dishes, plates, knives, and spoons, near 4,000 years ago, bore a strong resemblance to the sideboards of our modern palaces and villas. The hunting cups were embellished, as at present, with heads of the animals of the chase; but the banqueting urns, instead of being supported by the forms of vanquished Carians, i. e. Cariatides, as at Athens, are supported by the forms of vanquished Bactrian, Chaldean, Scythian, or Ethiopian kings.

A letter from Smyrna, of the 17th June, received via Liverpool, states that such had been the severity of the last winter, that many of the fig trees had been destroyed, and consequently a very small crop was expected.

A letter from Rio Grande, dated 8th July, states that information had been received that a counter-revolution had broken out in Port Algero, and the vice president had, with several other officers, been imprisoned—which it was thought, would have a beneficial result.

The ex-empress of France. The *Swabian Mercury* gives the following from Vienna of the 24th ult.—The archduchess, Maria Louisa, visited yesterday, in the convent of the Capuchins, the tombs of her father and her son. The count de Bombelles and a lady of honor accompanied the princess. The venerable Capuchins had prepared the same morning in the church for the duke of Reichstadt (the son of Napoleon) a *requiem*, followed by a mass for the dead, with which the archduchess mingled her tears. She then was conducted into the vaults, and knelt with a fervor of grief before the tombs of her father and son.

Romantic incident. The New York Advertiser has received a copy of the "Algemeine Zeitung," a newspaper published at Vienna, which gives an account of the upsetting of a pleasure boat, by which the princess Adelaide Sophia was precipitated into the water, and would have drowned if it had not been for the exertion of Mr. Bell, a young American gentleman, son of Dr. Bell, of Charleston, S. C. who, happening to be near in another pleasure boat, immediately plunged into the river (without knowing the quality of the lady) and rescued her from a watery grave. He was the next day invited to the imperial palace, where he was presented by the princess herself with a breastpin, studded with diamonds, and valued at twenty thousand dollars.

Honor to Bozzaris. The French sculptor, David, has executed and presented to Greece, a statue representing a youthful figure holding in one hand a crown of laurel, and with the other pointing to the name of Bozzaris. It is erected over the tomb of the warrior at Missolonghi. King Otto has sent the artist, the cross of the order of deliverance.

Nettles. In Scotland I have eaten nettles, I have slept in nettle sheets, and I have dined off a nettle table cloth. The young and tender nettle is an excellent potherb, and the stocks of the old nettle are as good as flax for making cloth. I have heard my mother say that she thought nettle cloth more durable than other species of linen.

[*T. Campbell in the New Monthly.*]

Halifax. Halifax papers to the 20th ult. have been received—They recommend to the people to return

at the ensuing election, those who are friendly to agriculture and the fisheries, as these pursuits are the foundation of colonial hope and prosperity. They complain that the principal resources of their colonial wealth languishes and decays, while the pecuniary laborers of other nations, American and French, whiten their shores with canvass, and exhaust the wealth of the waters that flow at their feet.

A leak lately took place in the Thames Tunnel at London, which threatened to overflow the entire work, but was fortunately stopped by some experienced miners before any serious damage was done.

"In our country," exclaimed an Italian, "in our country, sir, we have the ever burning Mount Vesuvius."

"Have you, indeed," replied a son of America, "and in our country, we have the Falls of Niagara, which would put it out in five minutes."

Vaccination. Before the introduction of vaccination it was estimated that between 70 and 80,000 people died a day, upon the whole globe, of the small pox.

Portugal. On the 14th of July, the treasury building in Lisbon took fire and was entirely consumed. The public documents were, for the most part, saved. The loss to the government is about £70,000.

Ancient coins. Lately, a girl, employed in picking up stones in a field adjoining the church at Savignia in the Jura, found an old oak box very much decayed, in which were 212 pieces of money, part silver, and partly mixed metal, of the reigns of the emperor Charles V. and his son Philip IV. It is believed that in or near this spot the victims of the plague in 1639 were buried. Here also at the same time was carried on the disastrous war in these mountains by Guebriant, lieutenant of the duke de Weimar, in the same time of Louis XIII, when it is not doubted the pieces of money in question were hidden.

German literature. Alluding to the literary fair at Leipsic, a recent writer says "the wagons of printed paper which leave this mart of the brain exceed in number an Indian caravan." The same authority adds that at least 10,000,000 of new volumes are printed annually in Germany; that every year furnishes 1,000 new writers, and that there are at least 50,000 persons living in Germany who have written a book.

Eugene Aram. A late provincial paper, (says one of the London papers), contains a notice of the death of Edward Day, at Knaresborough, aged one hundred and one years, one of the constables who arrested the celebrated Eugene Aram, 80 years ago.

DOMESTIC CHRONICLE.

Paupers and prisoners. A New York paper says—The alms house office is continually thronged with application for admissions by foreign paupers, most of them recently landed on our shores, and even now in the summer season, when the alms house is usually comparatively empty, there are 1,880 paupers therein. In the penitentiary there are 330 female and 237 male prisoners—557 in all—sentenced for longer or shorter periods; and in the Bridewell, there are on an average constantly 100 persons, committed for trial, making of paupers and prisoners, convicted and unconvicted, 2,537 persons. From the rapidity and increasing number of the applications for admission into the alms house, by foreign paupers, it is apprehended that the present accommodations will not be half sufficient in the winter to contain all that will struggle for admission, and the erection of more extensive buildings will be inevitably necessary!

An English pauper, recently imported, attempted to sell his wife in the streets of New York, a few days since, for the purpose of raising money to support three small half starved children who followed the miserable parents! The circumstances becoming known, nearly six dollars were collected from the spectators and given to the wretched pair, which sum they considered a large fortune. Another collection to send them back to the parish authorities of Bristol who sent them hither, might prevent the public from witnessing another similar spectacle.

Our French relations. We are gratified to learn, through a gentleman of high standing in Paris, and one intimate with the councils of the king, that a minister is shortly to be sent to this country, to restore our diplomatic relations and at the same time the cordial and kind feeling which ought always to subsist between the two nations. [*Globe.*]

The United States brig Porpoise, lieut. commandant Ramsey, sailed a few days since from New York with the commissioners appointed to locate a naval depot in Florida.

Centennial celebration. A meeting has been held in Norfolk, at which, Miles King, esq. presided, to take into consideration the propriety of celebrating the 15th day of September next as the centenary anniversary of the incorporation of that borough. The following resolution was adopted.

Resolved, That we will observe *Thursday the 15th of Sept.* ensuing, being the *centennial anniversary* of

the creation of our *borough* into a body politic and corporate, as a day of *thanksgiving to Almighty God*, for past and present blessings and mercies, and of supplication to Him, for his continued care and favor; and also as a day for public rejoicing for all the social happiness and prosperity which our fathers and ourselves have enjoyed from the first establishment of our corporation to the present time; and for the hopes which we may justly entertain of the future enlargement and improvement of our borough, and the more distinguished success which may hereafter crown the virtue, industry and enterprise of its citizens, for years and ages to come.

Pure water. A vote of the citizens of Boston was recently taken—"whether the city government should assume the responsibility of introducing *pure water* into the city, instead of vesting it in a private corporation," and decided in favor of vesting it in the city by a vote of 2,207 to 156.

Convoy. Information was received in this city yesterday from commodore Dallas, at Pensacola, dated August 9th, that he should in a few days despatch a vessel of war to stop at the passes of the Mississippi, and take in convoy all the vessels bound for the ports of Matamoros and Tampico, and would prevent, as far as he was able, any hindrance to the commerce of the United States with Mexico. Said vessel will take charge of any specie that may be intended for this city on its return. [*N. Orleans American.*]

Incendiarism. The clerk's office of the United States court, at Clarksburg, Va. was partially consumed by fire on the night of the 12th ult. The *Wheeling Times* states that extensive frauds had been committed on the treasury by pension agents through forged papers. Suspicion had been aroused, prosecutions entered, and the documents were on file in the clerk's office. The loss of individuals from the destruction of valuable papers has been great, and deep excitement pervaded the community.

A letter in a Georgetown (South Carolina) paper of the 5th of August, relates that a deer was lately shot in that neighborhood, and out of the animal was taken a piece of wood about one and a half inches in length, and about the fourth of an inch in diameter. The wood appeared to be oak, was perfectly well preserved, and from the appearance of the liver, which was healthy and sound, had been lodged there a long time. The writer accounts for the phenomenon by supposing that the deer had been *staked*, as it is termed—a mode sometimes resorted to, and a very barbarous one, for the destruction of deer that are troublesome to fields.

Flour. The New York Express of Monday says, "It will be seen by the report of the market, that flour had advanced considerably up to the close of Friday's market. Wheat, western, there was in market Saturday has been sold at \$8 37½ a 80. On the 20th, western flour sold at \$7 3-8—10-day the same brand sold at \$8 50. We learn that a house which contracted to deliver about this time 2,000 barrels at 7 3-8, is now buying at \$8 50 a 8 62 to complete the contract. No new wheat had been received at the western mills at last advices.

Wheat. Prime new white wheat has sold recently in the Baltimore market at \$2 15 to \$2 16 per bushel, and prime red at \$2 05.

Jersey flax. The Hunterdon county Gazette mentions that a gentleman of Flemington has adapted a horse-power thrashing machine to the purpose of thrashing flaxseed from the stalk; and that it will, with one horse, do the work as fast as it can be done by six men in the usual way. Flemington is in a flax growing district.

Broom corn speculations have been made in this region: some evidence touching the fruitfulness of the crops. Large lots have been sold in the field, in anticipation of the coming harvest, at 6 and 7 cents per pound. [*Northampton Courier.*]

Capt. B. L. E. Bonneville of the U. S. army returned to this city on Sunday morning from a tour to the Rocky Mountains, where he has been (with the exception of a few months) for the last five years. We are happy to learn that the captain, in connection with Washington Irving, esq. contemplates compiling a narrative of his travels, together with an account of the various tribes among which he sojourned, and a geographic account of the country through which he passed. We await with impatience the appearance of this work. [*St. Louis Observer.*]

The Virginia springs. The Lewisburg, Alleghanian of the 19th ult. states the number of visitors at the White Sulphur and neighborhood, at more than 720 ladies and gentlemen—besides from 60 to 80 boarders at the White Sulphur hotel kept by Mr. Martin—at the Salt Sulphur, 250—at the Blue, 200—and between one and two hundred white persons at the Street springs. It estimates the whole number of visitors at all the springs within 40 miles square, as at least 2,000.

The Alleghanian also states, that "general Harrison had arrived at the *Blue Sulphur* springs.

In New York, last week, there was 209 deaths. In Philadelphia, same period, 124 deaths.

NILES' WEEKLY REGISTER.

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BALTIMORE, SEPTEMBER 10, 1836.

[Vol. LI.—Whole No. 1,303.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED, BY WILLIAM OGDEN NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

Our abstract of foreign news will be found to be more than usually interesting—especially the accounts from Spain and Mexico.

The present sheet contains a letter from Mr. Van Buren, and one from gen. Harrison, in reply to certain queries propounded to them by Mr. Sherrod Williams, of Kentucky. They will be read with interest at this particular crisis.

The secretary of war, who has been recently appointed minister to France, left Washington on Sunday last for New York to make arrangements for his approaching departure. He is expected to return in time to receive the volunteer companies from Baltimore on their visit to Washington next Monday.

Mr. Butler, attorney general of the United States, will be (it is stated in the Georgetown Metropolitan), placed at the head of the war department during the remainder of the present administration.

We learn from the same paper, that Mr. Forsyth, secretary of state, is too much indisposed to attend to the duties of his station.

Rothschild, the celebrated London banker, died at Frankfort on Thursday, July 28, aged fifty-one years. He was at Frankfort on a visit to his son, when attacked, and his illness was of several weeks duration. This event has caused a great sensation in the financial and political world, and will be felt in all quarters. He was the great head of the firm, and the principal projector of all its financial schemes—and swayed princes and ministers by the power of immense wealth.

THE ARMY. By the adjutant general's report published in the present sheet, (page 21), it will be seen that, in the 1st regiment of dragoons, and in the 1st, 2d, 3d, and 4th regiment of artillery, and in the 2d, 4th, 5th, 6th and 7th regiments of infantry, there have been, since July 6, 54 promotions, 25 resignations, and 4 who have declined appointment.—Of the resignations, 7 were captains, 8 1st lieutenants, and 10 2d lieutenants. During the same time there had been but five deaths among the officers who are enumerated in this list.

THE PRESIDENT. A public dinner was given to him in the vicinity of Nashville. A large multitude present. George V. Campbell and Dr. Felix Robertson presided, assisted by 9 vice presidents. The toast in honor of the president, was as follows:

"Our illustrious guest: The president of the United States. By maintaining the true principles of republicanism, and a sound construction of the constitution, he has disappointed his enemies and fulfilled the most sanguine expectations of his friends. The great measures of his administration will continue to be supported by the people."

After the enthusiastic shouts of approbation with which this toast was received had subsided, the president, in his usual dignified and feeling manner, returned his acknowledgments for the favorable sentiments expressed in the toast, and concluded by offering the following sentiment:

REPUBLICAN TENNESSEE: Her motto, "principles not men"—She will never abandon her good old Jeffersonian democratic republican principles which she has so long maintained and practiced, to throw herself (on any occasion) into the embraces of the federalists, the nullifiers or the new born whigs.

This sentiment was received and cheered by deafening thunders of applause.

[Richmond Enquirer.

MARVELLOUS ESCAPE. The Philadelphia Gazette states that the hon. Henry Clay recently had a marvellous escape from death. He was riding on horseback in one of his fields, surveying his cattle, when a furious bull, maddened from some cause or other, rushed towards him, and plunging his horns with tremendous force into the horse on which Mr. Clay was seated, killed the poor animal on the spot. The distinguished rider was thrown to the distance of several feet from his horse, and though somewhat hurt by the fall, escaped without material injury.

CHIEF JUSTICE OF NEW YORK. The senate met at New York on Tuesday last, when the nominations by the governor of judge Nelson as chief justice and E. Cowan as associate judge, were confirmed. Mr. Nelson was the senior judge, and as such, received the appointment of chief justice in accordance with invariable usage.

Vol. LI.—Sic. 2.

SURPLUS REVENUE. The editor of a West India paper, called the "Bermudian," thus speaks of the bill for the distribution of the surplus revenue. He says: "We believe it is a singular instance for a government to acknowledge it has more money than it rightfully can dispose of, and an extraordinary state of things when that power which is generally viewed as an extortioner of the means of the country, should be seen pouring back on the people its stores of treasure to be disposed of by them as they should seem fit."

CHOLERA. By the following official communications, it will be seen that the cholera has made its appearance in Charleston, S. C. The disease appears to be chiefly confined to the colored population and persons of intemperate habits. Charleston, it will be recollected, was one of the cities which were almost entirely exempted from the disease in 1832.

Office board of health, Charleston, Aug. 31.

At the joint request of the committee of council and a special committee of the board of health, Dr. T. Y. Simons submitted the following report, which was accepted, ordered to be recorded and published. Extract from the minutes.

A. G. HOWARD, M. D. clerk.

The board of health having pledged themselves to give immediate notice to the citizens, should sufficient evidence be exhibited of the existence of cholera asphyxia in our city, feel it their duty to report that eleven cases of that disease have been announced to their special committee, since yesterday, (Tuesday), at 1 o'clock, P. M. of which two have terminated fatally. The board will hereafter give a faithful statement every day, of all cases which shall have been reported to the committee during the previous twenty-four hours; and in order to insure the fullness and accuracy of that statement, they earnestly request every medical practitioner of the city and neck, to furnish their clerk, Dr. A. G. Howard, with a daily account of the cases under their treatment, and also of the result of such cases before 12 o'clock, M. The board would, therefore, advise the citizens to place confidence only in the report which their special committee will publish daily; and to give no credence whatever to the exaggerated rumors that are now and will probably hereafter be promulgated. The board would again endeavor to impress upon the public mind the absolute necessity of attending to cleanliness, in the removal of filth and the purification of out-houses and premises by a liberal use of lime and the chloride of lime. To those who may be unable to purchase those articles, they will be supplied gratis on application to any member of the board.

THOS. Y. SIMONS, M. D.

Chairman medical committee board of health.

One o'clock P. M. Sept. 1.

The special committee of the board have to report for the last twenty-four hours, three cases of cholera; two under treatment, the other dead; of the eleven cases reported yesterday, four more deaths have occurred. The cases reported to-day are all blacks; of the eleven cases reported yesterday, two were whites and nine blacks. By order,

THOS. Y. SIMONS, M. D.

Chairman special committee.

Sept. 2, 1 o'clock, P. M.

The special committee of the board have to report for the last twenty-four hours, seven cases of cholera; six under treatment—the other dead, one white the remainder blacks. Of the three cases reported yesterday as under treatment, all have died.

Sept. 3, 1 o'clock, P. M.

The special committee of the board have to report for the last twenty-four hours, seventeen cases of cholera; two whites and fifteen blacks—two dead, the others under treatment. Of the seven cases reported yesterday, two more have died—the others are convalescent. By order,

THOS. Y. SIMONS, M. D.

Chairman special committee.

A. G. Howard, M. D. clerk.

The city council of Charleston has passed an ordinance imposing a penalty of \$500 on every physician who neglects or refuses to report such cases of cholera as arise in his practice in that city.

THE CORN TRADE. The N. Y. Journal of Commerce of a late date, says: "Bread stuffs have hitherto constituted one of our principal articles of export, amounting in 1831 to within a small fraction

of \$12,000,000. In 1835, (we speak, in both cases, of the commercial year, ending the 30th September), the quantity was reduced one half, and the value about the same proportion. In 1831, the value of bread stuffs imported was only \$1,032, whereas in 1835 it had increased to \$311,116. The year ending 30th of the present month will show still smaller exports of these articles, and larger imports. And the ensuing year from present appearances, will very possibly show an amount of imports equal to the exports. Should the corn crop be cut off in the northernmost states, as it is now very liable to be by the early appearance of frost, the extraordinary phenomenon will probably occur, of the greatest grain-growing country in the world becoming dependant upon foreign countries for a portion of its bread."

From the following extract from the British agricultural report for July, it will be seen that an abundant harvest is anticipated, notwithstanding the confident predictions which were made about a failure, a few weeks ago.

British agricultural report for July. The wheat is now in full ear, the barley beginning to ear, and both are miraculously covered. It has been remarked that "a dry stunt is more easily overcome than a wet stunt," and this appears to be the almost universal case this season. Up to this moment, when a gentle dew-like rain is falling (June 21,) the alternations of sun and shower have been exactly of that kind which constitutes, in farming language, "growing weather;" and coming just at this precise time, it rescues the scalds of the light soils from that disastrous destructive heat which often burns up the produce about mid-summer. This must be taken in addition to the set-off against the failure of the coming harvest. That opinion is thoroughly against a greatly deficient crop, mangle the four predicted plagues—less sown—a late harvest—thin in quantity, and bad in quality—is shown by the markets perseveringly declining. The buyers hold off, and though factors reluctantly give way, price falls.

At most of the country markets, wheat was lower last week, for the second time during the past month; and in Mark lane, the centre of information, it fell from 1 to 2. The last prices are in their range as last month, the fall being limited to particular qualities. Imperial averages, June 10,—wheat, 51s.; barley, 33s.-2s.; oats, 24s.-7s.; rye, 35s.-2s.; peas, 41s.-7s.

WEST INDIA ISLANDS. The New York Journal of Commerce has extracted the following statistical items from late files of Kingston papers.

The value of exports and imports during the last year in the islands of Antigua, Barbadoes, Dominica, Grenada, Jamaica, Montserrat, Nevis, St. Kitt's, St. Lucia, St. Vincent, Tobago, Tortola and Virgin islands, Trinidad, Bahamas, Bermudas, Demarara, Berbice, Honduras, are, for imports, £9,087,194. The exports during the same time, were £5,521,169. Increase of exports over the imports, £3,566,025.

Productions. Sugar, coffee and rum are the three principal articles imported from the British West Indies into the United Kingdom. For the year 1830, the quantity exported in the above named islands, is as follows:—Sugars, 2,912,628 cwt. 2 qrs. 12 lbs. The number of lbs. of coffee exported, was 27,428,877. The rum (proof gallons) were 6,751,796.

The population during the same year, and in the same places, was (males and females), 836,527.

The currency of the West India islands is peculiar to itself, being an imaginary money, and different in different colonies. The following are the values of £100 sterling, and of a dollar, in the currencies of the different islands:—

	Sterling.	Currency.	Dollar.	Currency.
Jamaica,	£100	£140	1	6s. 8d.
Barbadoes,	£100	£135	1	6s. 8d.
Windward islands, (except Barbadoes),	£100	£175	1	8s. 3d.
Leward islands,	£100	£200	1	9s.

VALUE OF REAL ESTATE IN NEW YORK. From the New York Daily Advertiser. We have obtained the following highly interesting article, from an abstract of the assessors' books, by which it will be seen that the taxable real estate, of this city, has reached over 226,000,000 dollars—an increase of \$82,000,000 over that of last year. This sum was considered so low, that the assessors raised it over

\$70,000,000—making it upwards of \$300,000,000. Notwithstanding the fire in the "Burnt District," the value of property in the first ward is 10,000,000 dollars above what it was last year; second ward, 6,500,000 dollars; third, three and a quarter; fourth, one and a half; fifth, three and a half; sixth, three; seventh, three and a half; eighth, four and a half; ninth, four; tenth, three; eleventh, ten; twelfth, nearly forty; thirteenth, three; fourteenth, two and a half; fifteenth, six; sixteenth is taken off the twelfth. The growth of this city is truly unparalleled—last year the real estate was valued at \$144,000,000, this year at over \$300,000,000. An increase, we believe, that cannot find a parallel in the history of the world. What the amount of personal property will be, we are unable to say—indeed the books have not yet been made up.

	Last year.	This year.
1st ward	\$26,064,500	\$36,270,500
2d do.	13,800,000	19,712,600
3d do.	10,904,200	14,229,850
4th do.	7,740,800	9,152,300
5th do.	8,951,000	12,602,100
6th do.	6,366,958	10,330,134
7th do.	8,553,037	11,964,190
8th do.	8,501,115	13,127,300
9th do.	6,204,825	10,144,200
10th do.	4,825,500	7,613,700
11th do.	8,796,100	18,716,300
12th do. including the 16th ward last year.	15,870,400	10,163,140
13th do.	2,993,300	4,920,550
14th do.	5,314,720	7,779,450
15th do.	9,635,750	15,536,300
16th do.		23,963,690
	\$144,321,805	\$226,246,404

On the real estate, in addition to the above assessments, the 1st ward had 3 per cent. added; the 3d, 11 per cent. the 4th, 15 per cent. the 5th, 8 per cent. the 6th, 8 per cent. the 7th, 2 per cent. the 8th 4 per cent. the 9th, 8 per cent. the 11th, 3 per cent. the 12th, 140 per cent. the 13th, 21 per cent. the 14th, 18 per cent. the 15th, 11 per cent. the 16th, 4 per cent. By the order of the board of assistants.

BRITISH HARDWARE AND CUTLERY. The following return of British hardware and cutlery, exported from the United Kingdom, is copied from the New York Express.

Countries to which exported.	Declared value.	Quantity. tons.
United States of America,	\$978,491	11,062
Asia	105,300	1,003
British West Indies	93,661	1,134
Brazil	85,096	1,143
British colonies in N. America	84,259	1,202
Mexico and states of S. America	74,893	815
Germany	74,430	570
Foreign West Indies	43,329	721
France	43,272	315
Italy	42,959	372
Holland	36,195	303
Portugal, Azores and Madeira	33,162	290
Africa	30,567	386
Russia	24,033	197
Spain and the Canaries	19,608	148
Belgium	16,691	142
Guernsey, Jersey, Alderney & Man	10,058	75
Turkey and Continental Greece	7,106	55
Gibraltar	5,940	60
Norway	3,646	46
The Ionian Islands	3,459	33
Prussia	3,451	48
Malta	3,432	22
Denmark	2,266	27
Morea and Greek Island	1,400	11
Sweden	1,271	9
	\$1,833,042	20,197

That is, in good round numbers, more than one-half of the whole cutlery and hardware exports of Great Britain are to the United States.

The exports to France—where the population is more than 33 millions—is only equal to one 35th part the quantity exported to the United States, with a population of 15 millions. The French, as well as ourselves, can make their own cutlery and hardware, but choose to use the home made article, (though dearer) in preference to the cheaper article made in England. France refuses to have free trade—to exchange their wines and silks against English hardware, cutlery and muslin. The same principle extends to other parts of Europe, and the result is that the exports of cutlery and hardware to ALL parts of Europe are not equal to one quarter of what England sends to the United States.

In 1835 there were exported from England 2,810 tons of unwrought steel—of which the U. States took 1,386 tons: in 1824 the export was only 570 tons, of which 174 tons went to America.

In 1833 the total value of the exports of hardware and cutlery amounted to £1,434,431—in 1834, to £1,466,361, and last year to £1,833,042—being an increase of 23 per cent. over 1834. For the same time the increase in our other ports was,

Cotton goods	7 per cent.
Silk	6 do.
Woolen	18 do.

Since 1820 the amount of all sorts of hardware and cutlery had more than doubled.

MEXICO. The population of the Mexican states consists of about 9,000,000 of freemen. Of these about 4,000,000 are unmixed Indians; 2,500,000 are Mestizos, or the mixed offspring of Spaniards and Indians; 1,500,000 are Creoles, or the unmixed offspring of Spaniards; 1,000,000 are Washingangoes, or offspring of Indians and negroes, including also the mulattoes; 100,000 are negroes; 10,000 Spaniards born in Spain, and about 30,000 strangers, consisting of emigrants from various nations. From this estimate, it seems that the Indians and Mestizos form the bulk of the population. But it is said that they are in many respects superior to the Spaniards and Creoles. They are honest, industrious and peaceable, and generally cultivators of the soil. Those only are addicted to vicious habits who live in the vicinity of large towns. They are of a ruddy complexion—small of stature, and have in general well formed features. Some of them are no smaller than the Spaniards, and many of their women superior in beauty to the Creole women account of their rosy cheeks. The Indians are excellent soldiers, well civilized, though still idolaters, and they will undoubtedly form the democracy of the country, and being nowise inferior to the other races, are probably destined to rule the nation. The Mexicans, before they were conquered by the Spaniards, had already advanced very far in the arts of government and civilization. The conquest has undoubtedly hastened their march of improvement, and if they do but retain their freedom, they will, in less than a century, in all probability be one of the greatest nations of the earth. [Boston Post.

CURIOUS SPANISH RELIC. One of the most characteristic relics of the Spanish dominion in Louisiana is to be seen at the bureau of Mr. Ramos, register of births and deaths in St. Anne street. It is a picture well known to the inhabitants of New Orleans, as having formerly belonged to Mr. Pedesclaux. It exhibits the termination of a long law suit which had been carried on with a ravenous spirit, and resulted in the enriching of the judge, and the total ruin of both suitors. The scene is the judge's audience room; in the midst is his worship—fat, lazy and beastially selfish—on his table is a pile of gold. On either hand are the parties, both naked, one has under his arm the title papers or other documents which are the trophies and fruits of his long misery. He exclaims with woe-begone exultation: "yo gane," (I have won); the other asks "que has ganado," (what have you won); the judge replies: "lo que tiene del brazo," (what he holds under his arm). The picture has some marks of the Spanish school in drawing and coloring, though it has small pretensions to merit as a piece of art. The solemn satire conveyed in it is truly Spanish. Possessed, as Spain and her colonies were, of the best code of laws in the world, yet the custom of giving gratifications to the officers of the court, especially to the judges, is notorious wherever a Spanish tribunal exists. The fable of the judge who took the oyster and gave each party a shell, is too often almost true in the colonies. Some think that this picture relates to a real process (the name of which is written on the bundle) which was once heard in Louisiana. The artist is unknown. [New Orleans Advertiser.

ASSAULT ON AN EDITOR. Great excitement prevails in Danville, Virginia, on account of an attack made by James M. Smith and Marcellus Bell, upon Thomas A. Terry, jr. editor of the Danville Reporter. The cause of the outrage was, certain editorial comments on the delinquencies of a relation of the first named gentleman, who was a mail contractor in that district. At the tavern of the place, one of the aggressors assailed Mr. Terry, (who was unarmed, not expecting any violence to be offered him), with a heavy cane, while the other with a pistol in each hand threatened death to any one who would approach to relieve their victim. This defiance however was disregarded, and the prostrate man was rescued from their murderous hands wounded severely but not fatally. The same desperate spirit was manifested by the offenders,

when the civil authorities attempted to take them into custody. The town sergeant, captain Townes, with the aid of some citizens, effected their capture, at the imminent hazard of their own lives, being themselves without arms, while Smith and Bell had various weapons. Smith attempted several times to shoot Dr. J. B. Campbell, one of the sergeant's temporary assistants, who warded off the pistol, and George White, esq. received a ball, aimed at his heart, through his hand, coat and waistcoat. His active presence of mind in avoiding the direct aim, was his preservation. The decision and bravery of the gentlemen who seized the aggressors are highly commended. Smith and Bell are both in jail, awaiting their trial. [Nat. Gaz.

CARRIER PIGEONS. When a trained carrier pigeon is tossed, after making one or more circles, it rises in a rapid spiral to an enormous height, before it takes its departure, and at that height it is supposed to make its journey. The speed of the Antwerp birds which are lighter and more finely made than the English breed, is supposed to be a mile a minute. They are more extensively used than is supposed in financial transactions; one eminent speculator at Antwerp keeps 1,200 pigeons. The value of a pair of well trained Dutch birds is £5. [Sporting Magazine.

[Carrier pigeons have been seldom used in this country. The first on record or in memory, were those of sir John Wentworth, governor of the province of New Hampshire, who, previous to the revolution, retired each summer from the government at Portsmouth to his country seat at Wolfborough, on the border of the Winnepisseogee lake, where in cases of emergency, he dispatched a pigeon charged with instructions to Portsmouth, a distance on a line of about forty miles. He brought many of these birds from England, and their errands were performed with singular fidelity.] [N. Y. Gaz.

ELECTIONS.

RHODE ISLAND.

The Providence Morning Chronicle of Monday states, that the house will stand 40 administration and 32 whigs, or 8 majority. All the senate are administration. The majority in the house at the April election was six.

MARYLAND.

The senate of the state of Maryland is elected for five years by a college of electors chosen by the people. The electoral election was held on Monday last and resulted as follows:

Baltimore city.

Wards.	Ridgely, (whig).	Vansant, (V. B.)
First ward	291	351
Second "	335	390
Third "	289	542
Fourth "	279	601
Fifth "	429	406
Sixth "	333	633
Seventh "	481	260
Eighth "	266	563
Ninth "	444	324
Tenth "	291	514
Eleventh "	421	576
Twelfth "	310	650
	4,169	5,810
		4,169

Vansant's majority 1,641

Baltimore county.

	(Whig.)	(Van Buren.)	
	Harryman, Tuggart.	Ellicott.	Bell.
1st district	57	320	\$15
2d "	132	132	140
3d "	198	198	76
4th "	41	41	141
5th "	122	124	125
6th "	31	31	175
7th "	144	143	196
8th "	123	117	173
9th "	39	35	143
10th "	60	68	63
11th "	102	99	105
12th "	48	48	97
13th "	35	31	170
	1,132	1,112	1,924
			1,930

Kent county.

Whig.	Van Buren.	
Vickers,	565	Ringgold,
Gale,	545	Miller,
		458

Montgomery county.

Whig.	Van Buren.	
Gaither,	669	Duvall,
Harbin,	640	Chiswell,
		663

Calvert county.			
Whig.	Van Buren.		
Kent,	403	Wailes,	324
Dalrymple,	393	Mackall,	318
Somerset county.			
Whig.	Van Buren.		
Williams,	1,022	Long,	701
Handy,	1,012	Teackle,	683
Worcester county.			
Whig.	Van Buren.		
Spence,	1,107	Parker,	1,041
Franklin,	1,103	Whitelock,	1,041
City of Annapolis.			
Whig.	Van Buren.		
Brewer,	148	Harwood,	162
Anne Arundel county.			
Whig.	Van Buren.		
Kent,	855	Sellman,	1,017
Ridgely,	855	Linthicum,	1,015
Alleghany county.			
Whig.	Van Buren.		
Beall,	845	Frantz,	786
Bruce,	805	Matthews,	744
Washington county.			
Whig.	Van Buren.		
Kershner,	1,147	Wason,	1,586
Seibert,	1,136	Macgill,	1,519
Frederick county.			
Whig.	Van Buren.		
Bantz,	2,658	Fisher,	3,168
McKinstry,	2,647	Quynn,	3,144
Harford county.			
Whig.	Van Buren.		
Moore,	880	Hope,	1,066
Arnos,	874	Sutton,	1,059
Charles county.			
Whig.	Van Buren.		
Merrick,	401	Stone,	264
Browner,	409	Mitchell,	267
Talbot county.			
Whig.	Van Buren.		
Dickinson,	593	Lloyd,	567
Dudley,	591	Stevens,	568
Caroline county.			
Whig.	Van Buren.		
Charles,	545	Keene,	598
Ford,	539	Fountain,	570
St. Mary's county.			
Whig.	Van Buren.		
Leigh,	566	Key,	515
Hearn,	529		
Dorchester county.			
Whig.	Van Buren.		
Hicks,	925	Breerwood,	780
Lake,	927	White,	798

☞ We have not yet received complete returns from Cecil, Prince George's and Queen Anne's counties. They shall have a place in our next.

RECAPITULATION.			
	Whig.	Van Buren.	
Alleghany,	2	0	
Annapolis city,	0	1	
Anne Arundel,	0	2	
Baltimore city,	0	1	
Baltimore county,	0	2	
Calvert,	2	0	
Caroline,	0	2	
Cecil,	0	2	
Charles,	2	0	
Dorchester,	2	0	
Frederick,	0	2	
Harford,	0	2	
Kent,	2	0	
Montgomery,	1	1	
Prince George's,	2	0	
Queen Anne's,	0	2	
St. Mary's,	2	0	
Somerset,	2	0	
Talbot,	2	0	
Washington,	0	2	
Worcester,	2	0	
	21	19	

ALABAMA.

The Mobile Advertiser of the 25th ult. contains full returns from the whole state. From this statement, it appears that the state of parties in the next legislature will be as follows:—

	Whig.	Van Buren.
Senate,	18	12
House of representatives,	46	44
	64	56
Majority on joint ballot,	8	

NORTH CAROLINA.

The "Raleigh Register" of the 6th inst. contains a corrected list of the senators and members of the house of commons, recently elected—from which it appears, that the senate is composed of 26 whigs and 24 friends of Mr. Van Buren. The senator from Cumberland, it is said, will vote for the whigs in all leading questions. In the commons there are 59 whigs and 61 friends of Mr. Van Buren. This, observes the "Register," gives a Van Buren majority of 2 in the house, which, taken from the whig majority of 4 in the senate leaves a whig majority of 2 on joint ballot. But we learn from good authority, that col. Stockard, of Orange, will vote with the whigs. If so, it will tie parties in the house, and still leave the whigs the benefit of their 4 majority in the senate.

FROM FLORIDA.

The most important event which has transpired in Florida, since our last notice, is detailed in the following official communication from maj. Pierce, of the U. S. army, which we copy from the "Globe."

Micanopy, August 21, 1836.

SIR: I have the honor to report to you that I arrived here yesterday, and learning that there were Indians lurking about Fort Drane, ten miles from this post, I determined to make an expedition against them. For this purpose I marched, at two o'clock this morning, with 110 men and a piece of ordnance, fifty men commanded by captain Childs of the 8d artillery, and lieutenant Spalding of the 2d dragoons; fifty men by lieutenant J. R. Irwin and lieutenant Herbert of the 1st artillery. I arrived at Fort Drane about sunrise, attacked the Indians, who proved to be numerous, say 300, Micasucky Indians, commanded by Powell. Lieutenants Irwin and Herbert on the right, captain Childs and lieutenant Spalding on the left, the artillery in the centre, commanded by lieutenant Pickell, all attacked them with great vigor and spirit, drove them three-fourths of a mile into an extensive hammock, and in a hurried passage over the field counted ten dead.

This engagement was well contested by the Indians, who fought with determined bravery for more than an hour. The recesses to which they retired could not be penetrated by our exhausted and inferior force. I therefore marched the detachment back to Micanopy, leaving no killed or wounded on the field. Our loss was one killed and sixteen wounded, viz: lieutenant Betts (my adjutant) slightly wounded in the thigh; sergeants Dustin, (C) 4th artillery; Ares, (A) 3d artillery, wounded; corporals McKnight, (C) 4th artillery; North, (I) 3d artillery; Dennis, (A) 3d artillery, wounded; artificers Skiffington, (6) 4th artillery; Sinclair, (E) 1st artillery, wounded; musician, Alexander Heer, (G) 1st artillery, wounded; privates, Shisler, (E) 1st artillery; Treat, (A) 3d artillery; Coppinger, (C) 4th artillery; Story, (A) 8d artillery; Ribbold, (A) 8d artillery; Bennet, (D) 1st artillery, wounded, none thought dangerous; wagon master, Jackson, severely; killed, Sykes, private, (G) 1st artillery.

The officers of my command were captain Childs, 3d artillery; lieutenant Pickell, 4th artillery; lieutenant J. R. Irwin, 1st artillery; lieutenant Spalding, 2d dragoons; lieutenant Herbert, 1st artillery; lieutenant W. H. Betts, (adjutant), 1st artillery; surgeons Tripler and Bevy.

The officers and men all justified my most sanguine expectations.

I deem it due to captain Childs to state, that he contemplated the same movement previous to my arrival, and was awaiting the return of the train to accomplish his purpose.

Jackson, a wagon master, well acquainted with the localities of Fort Drane, volunteered his services, and as a guide on the march, or a soldier in the engagement, was brave and useful. He received two severe wounds, lost a valuable horse, and deserves a liberal reward. Very respectfully, your ob't servant, B. K. PIERCE, maj. command'g.

Fort Drane, it will be recollected, had been abandoned, in consequence of its being unhealthy, and the troops removed to Micanopy. It is, however, the intention of the medical director of the army, Dr. Hawkins, to establish St. Augustine as a general hospital, to which the sick will be removed as soon as they can be transported by water. More than 120 sick remained at Micanopy.

An officer of the U. S. army in Florida, in a letter to the editor of the Norfolk Herald, dated on the 22d ult. writes thus:—

"Such have been the ravages of the climate on our northern constitutions, that 300 would measure the army of the United States at this theatre of war! Is not the population of the United States at this time about 15,000,000? Is not ours a wealthy country? Are you a good arithmetician? If so, please to tell me what chance 300 or 400 men, exhausted by a year's residence and more in this cli-

mate, and broken down in spirits from utter neglect and indifference, have to conquer, in a summer campaign, an enemy now increased in number and animated by success, in their own climate and country, who could not be conquered by 5,000 in the most favorable season of the year? Or, to ask a better question, is not this state of things shameful to the nation and cruel to our poor little abused but gallant army?"

The gallant conduct of capt. Dimmock of the U. S. army, in a skirmish with the Indians, which took place some months ago, near St. Augustine, is thus narrated in the Fredericksburg (Va.) Arena.

"In the midst of the action, whilst capt. Dimmock on horseback, was directing, and by his coolness and courage, animating his little party, he was suddenly, as if by concert, set upon from different directions by two Indians of huge stature. They fired simultaneously and wounded captain Dimmock in the leg, at the same time bringing down his horse. Disengaging himself from his horse, with great activity, he gained his feet in time to bring down one of his antagonists, as with fearful yells, they rushed to take his scalp, thinking their fire had killed him. On seeing his companion fall, the other Indian took to flight, but not in time to save himself. Captain Dimmock wheeled about, and, with great coolness, shot him dead with the other barrel of his fowling piece. In the mean time, the wounded Indian, though unable to rise, had seized a gun, but before he could use it, captain Dimmock despatched him with his sword. We are gratified to be able to state that the casualties of the service have presented an opportunity of promoting this gallant officer, and that he is now a full captain in the 2d artillery."

FOREIGN NEWS.

From foreign papers to the 2d of August inclusive.

GREAT BRITAIN AND IRELAND.

The Irish church bill was passed in the house of lords on the 28th of July. Their lordships' amendments were to be considered in the other house, on the 2d of August. They rejected the appropriation clause.

The newspaper stamp duties bill was passed on the 25th, in the house of commons, by a vote of fifty-five to seven.

The friends of Mr. O'Connell, in Derby, were making preparations to give him a splendid dinner.

Sir Robert Liston, baronet, one of his majesty's privy council, died at his seat near Edinburgh, on the 15th of July. He was in the 94th year of his age, and the oldest of the whole diplomatic body of Europe. About ten years since he was minister at the court of Turkey.

The proprietors of the Manchester and Liverpool rail road had a meeting at Liverpool on the 27th of July, at which the directors announced a dividend of £5 per share for the preceding six months. The net profits of the rail road for the six months were £39,402. The company has a mortgage debt of £427,500 to pay off.

In the house of lords on the 30th July, that body had under discussion the subject of slavery in India. Mr. F. Buxton inquired what steps had been taken relative to the abolition of slavery in India, and was informed by Sir J. C. Hobhouse that the subject was left entirely in the hands of the local authorities in India, who could apply the operation of the clause in the act with better effect than those at a distance.

Count Survilleiers, Joseph Buonaparte, who took passage in the Philadelphia packet at N. York had arrived out, and with his suit, was established in London.

FRANCE.

The king of France and his ministers had resolved that there should be no review on the 29th July—the last of the "three days"—and the preparations making therefor were countermanded. Much agitation existed in Paris, and rumors were current of a widely extended conspiracy, in which several regiments of the line were involved. A society was also spoken of, having the menacing title of "Avengeurs of Alibeu." Another account says—King Louis Philippe was very unwilling to give up the review, and was only prevailed on by a unanimous assurance from his ministers, that if he persisted they would resign in a body.

Paris, July 27. The fetes of July have commenced under impressions and feelings of gloom and dissatisfaction. They will terminate without any serious incident, for the king will not quit the Tuilleries, and all the precautions ordered in anticipation of his appearance in public—if it were indeed contemplated—are strictly observed. Very great uneasiness, and very serious complaints are, however, expressed at this concealment of the king, and every moment one hears his conduct on this occasion contrasted with the resolution shown by his majesty on the 5th and 7th of June, 1832, and on the 18th April, 1834, when armed bodies of men were in

open insurrection, and actually fighting with the troops and national guards in the streets of Paris.

Paris, July 28. *Plots against the life of Louis Philippe.* The Messenger of Tuesday states that the authorities were first made aware of the existence of new regicide projects, by the incorporation into companies of the national guard of several suspicious individuals, destitute of means of subsistence, who, nevertheless had found money to equip themselves agreeably to the new ordonnance. It adds that those men were to have profited by the confusion, which usually prevails in the ranks of the national guard before the review, to choose their station among them, so as to be as numerous as possible when filing by the king. A telegraphic despatch denounced a non-commissioned officer of a regiment of the line, in garrison at Metz, as going to Paris with the intention of meddling in political intrigue. This young man, named Hocquart, was accordingly arrested on Saturday, and brought to the prefecture of police, where he was put into solitary confinement.

The *Droit* announces that 113 new arrests had been made on Saturday and Monday, 77 of which were grounded on political reasons. The day and night reserve detachments were doubled in all the barracks of Paris. Police agents repaired on Monday to the house of a M. Olanier, in the Passage Brady, for the purpose of apprehending him, when they learned he had been dead two years! On Monday morning, M. Montalivet, Gasparin, Gisquet, remained a long time closeted with the king. In the afternoon, prince de Talleyrand had himself carried to the Tuilleries.

M. Armand Carrel, principal editor of *Le Nationale*, died at Paris on the 24th of July, of a wound received in a duel with M. Girardin, editor of the new journal *La Presse*. M. Persat, the responsible editor of *La Nationale* has been fined 1,000 francs and sentenced to three months imprisonment for publishing an article reflecting on the king for signing the order for the execution of Ali-beaud. The editor of *La France* was fined 1,000 francs and sentenced to two months imprisonment for copying the same article.

Information had reached Paris, by telegraph, that general Bugeaud had gained a signal victory over Abdel Kader, near Tremecen, on the 9th of July. The loss of the Arabs, in wounded and prisoners, was upward of one thousand. The Arab chief had made overtures for negotiation, but the French general would not receive them, and set out immediately in pursuit of the enemy.

A rigid non-intercourse is still kept up between France and the Swiss canton of Basle; a large military force is employed.

SPAIN.

An insurrection took place at Malaga on the night of the 25th of July, which resulted in the massacre of the civil and military governors of that city, and the complete triumph of the partisans of M. Mendizabal.

It seems that the partisans of the royal statute, and of the former prime minister, M. Mendizabal, had respectively made out lists of candidates of representatives to the cortes, which was to convene in August. Although defeated in the capital, the former were successful in other towns in the electoral district. On this news reaching Malaga, the adherents of Mendizabal made preparations for a revolutionary movement. They succeeded in corrupting the military, eight hundred men, recently brought to Malaga to cause the authority of the governors to be respected, who were both known to be firm supporters of the royal statute, and in consequence had been repeatedly insulted by the populace. On the evening of the 25th, the national guards took umbrage at some change, which it was reported the military governor intended to introduce; reinforced the detachment on duty at the main guard, and as the crowds began to collect in the streets, ordered the *generale* to be beat.

The military governor, a veteran covered with scars, whose valor had been often tested in the field, immediately proceeded to the main guard, accompanied only by an aid-de-camp—and exclaimed, "gentlemen what is this? What is the meaning of such strange proceedings?" Upon which one of the national guard who stood near him, presented a pistol, which, however, flashed in the pan. "Pistols do not frighten me," exclaimed the veteran, and entering the guard room, he called loudly for assistance. Some of the guards immediately levelled their muskets at him. "National guards," cried the governor, "is this the way you reward the victory I obtained at Puente de la Reyna?" He was answered by a discharge of muskets, and his body was afterwards run through in twenty places by the bayonets of the national guard.

In the mean time, the civil governor, the distinguished count Donadio, hearing the *generale* beat,

repaired to the convent where the troops were quartered, and put himself at their head; but he soon found that they were not to be depended upon in a contest with the national guard. And upon the approach of a large body of national lancers shouting loudly "the constitution forever!" "Death to tyrants!" "Death to the *pastorales*!"—(seeming friends, but real foes to liberty)—"Down with the royal statute!" &c. he retired within the walls of the convent, and ordered the gates to be closed. A large body of the insurgents now collected, beating drums, firing muskets, and uttering obstreperous cries of "down with the republic!" &c. A short parley being held between the regular troops and the national guard, the former left the convent and joined the insurgents, shouting "union forever!" and on pointing out to the guards the governor, who was attempting to make his escape, disguised in the dress of a common soldier, he was instantly shot dead, and his body dragged into the public square, where it was exposed until the next morning.

On the 26th instant, the constitution of 1812 was solemnly proclaimed and sworn to, and a new junta, or board of government established, the president of which was the same commandant of carabineers, who presided over the provisional one. The new governor had forcibly recommended the maintenance of the public tranquillity.

The internal condition of the kingdom is represented to be very unsettled and even alarming. The populace in Madrid and the other principal cities are discontented and weary of the protracted war. In the suburbs of the capital their discontent had occasioned riots and bloodshed. In Segovia it had been necessary to adopt strong measures, to secure the city against a *coup de main*.

Two Carlist expeditions had been despatched on Arragon and Castile—and it was apprehended that one object of these movements, was to make an attack on Valladolid. Subsequent accounts, however, stated that the troops had been met and dispersed among the mountains.

Mina has issued a proclamation, threatening severe punishment to the inhabitants of the towns and villages, which may in future assist the enemy, or comply with any of their requisitions for supplies, unless they can prove that the enemy's superior numbers left them no chance of successful opposition or resistance.

M. Mendizabal has been elected a procurador, or deputy, from Malaga, Xeres and Madrid. Senor Isturitz from Medina-Sidonia and Cadiz.

A letter from Bayonne, dated July 27, states that all the public offices, &c. had been removed from Vittoria to Miranda-on-the-Ebre; doubtless under apprehension that the city might fall into the hands of the Carlists, gen. Cordova having withdrawn from Vittoria with his forces.

Recruiting for the French legion, serving in the ranks of the queen's army, was going on very actively in the neighborhood of the frontier.

General Aldama, governor of Barcelona, had gone to Figueras with a strong body of troops, to execute justice upon the murderers of brigadier-general Tena, late governor of Figueras, who, it will be remembered, was slain in a late tumult.

It is stated that some important advantages had been gained by the queen's troops. Another account says the queen's troops are dispirited and in some instances have laid down their arms.

M. Rayneval, the French ambassador at Madrid, had applied for his recal, and at the same time demanded the appointment of a general of high reputation to succeed him, whose opinions may have weight in the queen's councils. Marshal Molitor is said to have been nominated, in pursuance of this demand.

BRAZIL.

The imperial government had latterly succeeded in gaining advantages over the insurgents in the provinces of San Pedro de Sal, (Rio Grande) and that it was hoped that all would be restored to tranquillity. Com. Grenfell has been appointed to the command of a squadron of 11 or 12 brigs and schooners.

No further accounts from Para. Rumors were circulated that the rebels had been beaten. Considerable opposition had been manifested in the chambers against the administration of regent Feijó, but on the whole his government appeared to be popular.

MEXICO.

We learn from the editors of the New Orleans "Bee" of the 22d ult. who have received files of the *Diario del Gobierno* of Mexico, to the 30th of July, inclusive, that the republic is agitated by domestic commotions. The liberal party or federalists, (i. e. those opposed to *centralism*) are making rapid advances; they have made a bold attempt to abolish the present order of things, and restore the government to its former features; but whether their force

was insufficient to obtain the success they calculated upon, or whether the government anticipated their designs and frustrated them by timely organization, we cannot tell; however, they were completely routed at *Ella* in the engagement which took place between 900 government troops under the command of gen. Canalazo, and 600 federalists commanded by col. Miguel Acevedo.

From Canalazo an official despatch or bulletin appears in the *Diario* of the 24th—which states that the federal party had 100 men killed, and 228 taken prisoners. Among the latter are Acevedo, chief of the revolutionists, Andreas Castenada, brevet commandant of the battalion, Ramirez, commanding the company of Tacachi, and a foreigner named Laprelladi, captain of artillery. The remainder of their force were entirely routed. The loss on the part of the government was 3 killed and 6 wounded.

The day succeeding this engagement, Acevedo, Castenada, Ramirez and Laprelladi were shot. A council of war had been held upon the other officers, but the result has not yet transpired.

The commandant of artillery of the federal troops succeeded in making his escape from *Ella*, and has arrived in this city. He informed us, that the greatest agitation prevails in the interior of Mexico, occasioned by the revolutionary movements of Oajaca; disturbances are hourly anticipated.

The official accounts from the states, on the other hand, directed to the general government, and published in the *Diario*, declare most directly, that the greatest tranquillity prevailed throughout.

The Mexican fleet, consisting of the brig *Fama* and the schooner *Bravo*, were at Vera Cruz on the 9th. They were preparing to make a cruise.

By a decree of the general government, published in the official paper of 17th July, an annual contribution of \$3 upon every thousand dollars' worth of property has been declared upon all rural estates.

The *Diario*, of the 24th July, informs us that a pamphlet is circulating in the capital, entitled "The Ministry Made Known," said to have been printed at Oajaca, in Valde's office, but which was really printed in Mexico. This document is wholly occupied with censuring the acts of the cabinet. M. Maugino is accused of being the cause of all the troubles and dissensions which have formerly existed. The secretary of war, Tornel, is called a coward, and unworthy of the place he occupies. This pamphlet appears to have given great uneasiness to the ministry, if we may judge from the articles published in the official papers against it.

From the official proclamations relative to the conspirators of the state of Oajaca, and the southern provinces, and the movements of the federalists in Mexico, received by the general government, it appears that numerous arrests have been made since the battle of *Ella*. Two individuals belonging to Lauareigas' band (the companion of Caberilla Melendes) have been arrested and imprisoned, on the charge of exciting the people to revolution, by proclaiming a new government, and crying long life to federation. One of these individuals in defending himself was wounded. Three muskets and four shot guns were found on his premises.

At San Felipe (Guanajato) a lieutenant colonel of the name of Louis Gonzales made efforts to excite the patriots there to revolt, but not completely succeeding, he decamped for Zacatecas, where a party of troops have been sent to arrest him.

An official letter from Lonja says that the Gonzales party, of which we have spoken in the preceding paragraphs, has been reduced to six men, the balance having abandoned him. He will have to make his escape from that department, or run the risk of being arrested or killed.

Another official note from the same city, under date of the 24th of July, states that the detachment of troops sent in pursuit of Gonzales and his accomplices, are making every endeavor to ferret them out, and that but little doubt is entertained of the whole of them being taken.

On the 25th the official account of the arrest of these individuals, amounting to twenty-two, was received.

Later news.

The New Orleans Bee of the 24th ult. gives copious extracts from a file of the *Cosmopolita* a liberal journal of Mexico, on the subject of the affair at *Ella*. The execution of Acevedo and others at that place by the commandant of the government troops, Canalazo, is denounced as a repetition of the bloody scenes of the despotic reign of Bustamente. These excesses are compared to the conduct of Danton and Robespierre, but the day of retribution as then is prayed for, in the occurrence of another 18th Brumaire, which shall put an end to the reign of terror.

The *Cosmopolita* avers that such is the distracted state of the government that it cannot procure

money for a single campaign. That the same fate awaits the present system of centralism and consolidation as that which overwhelmed Bustamente. There are neither statesmen nor warriors; even the army was better off under the tyrant Bustamente.

The following articles from the same paper, show the extent of the disaffection:

Congress, on account of the penury of the public treasury, speak of new contributions. Is there a representative or a senator, if asked, who can tell what has been disbursed for the war in Texas? Is there that individual living who can make a recapitulation of the sums spent, *soi desant*, for secret expenses?

Mr. Fonseca, who has pronounced in the city of Folooca for federalism, is augmenting his followers, and seems disposed to march upon Michoacan.

A. Teutillilan and gen. Gomez have pronounced in favor of federation.

On the 18th at 7 o'clock in the morning, an extraordinary courier arrived at Gradelaria from Calunia, bringing intelligence that in the latter city a rising had taken place in favor of federalism.

They write from San Louis: "Every day we have the arrivals of the unfortunate officers and soldiers from Matamoras, the army having been entirely disbanded. The war department of the republic will shortly present in the most imposing manner a loss of its maritime force."

At Cohuli, Tamaupilis and San Louis, great complaints are made about the contributions, and great anxiety prevails to know how the money which goes into the treasury is disposed of.

FROM NACOGDOCHES.

The public has heard scarcely any thing from gen. Gaines' head quarters since his letter of the 10th of July, announcing his intention to march a part of his army to Nacogdoches; and from that post itself we have not, until now, heard a word. If the government has been any better advised, their information has not been worth publishing, or they have thought proper to keep it to themselves. This long silence had, indeed, begun to create doubts in the minds of some people whether gen. Gaines had, in fact, compromised the neutral obligations of his country, by a military movement into the Mexican territory; but the annexed extract from a letter received yesterday by one of our citizens, from an officer at Nacogdoches, settles the question, and shows that a detachment of our army is in actual occupation of that Mexican town: [*Nat. Intel.*]

Extract of a letter from an officer of the U. S. army, dated camp Nacogdoches, Aug. 4, 1836.

"Since I last addressed you from Fort Towson, I have performed another march of near two hundred miles, and now, on a small hill which terminates, or rather on which Nacogdoches partly stands, our encampment is spread. We were two weeks accomplishing the march, which was truly fatiguing. Part of the country over which we passed had never been travelled before, except by men on horseback; and as we were encumbered with ox teams, a road had necessarily to be cut as we advanced, which caused great delay, even when no river was to be crossed, and the trouble incident to building bridges and rafts did not occur to detain us. We reached this place about a week ago, and the firing of a small piece of artillery on our approach told of a favorable reception. The inhabitants are extremely polite and obliging, but many of them have left the town in consequence of the hostile attitude of the Indians, who are said to be so numerous that some do not consider the town safe now, notwithstanding the presence of the U. S. troops.

"Yesterday evening the roaring of artillery and the sound of martial music announced the arrival of gen. Houston and staff. He seems to have suffered in health, and the wound received at the battle of San Jacinto confines him still to his crutches.

"Reports said a week or two since that ten thousand Mexicans were on their march to Texas, but, like most reports of the kind, it proved to be incorrect, though it is yet believed that about two thousand are embodied at Matamoras. The Texian army is daily increasing in strength and confidence, and will doubtless be able successfully to oppose any force that can be brought against them."

It is stated in the Pensacola Gazette, that general Gaines having sent an officer into Texas about the middle of July, for the purpose of reclaiming some deserters, he found them to the number of 200 already enlisted in the Texian service. They were in the uniform of the American army, but refused, of course, to return with the officer. On application to the commander of the Texian forces, that officer replied that the soldiers might go if they chose, but that he had no authority to send them

back against their will. It is not stated whether these men belonged to the regular army or were volunteers called into the service of the United States.

THE ARMY.

GENERAL ORDER, NO 59.

Head quarters of the army, adjutant general's office, Washington, August 29, 1836.

1. Promotions in the army since the publication of "general order" No. 46, dated 6th July, 1836.

I—PROMOTIONS.

First regiment of dragoons.

1st. lieu. Abraham Van Buren, to be captain 4th July, 1836; vice Hunter, resigned.

2d lieu. Gaines P. Kingsbury, to be 1st lieu. 4th July, 1836; vice Van Buren, promoted.

Brevet 2d lieu. Lloyd Tilghman, to be 2d lieu. 4th July, 1836; vice Kingsbury, promoted. (Bvt. 1st July, 1836.)

Brevet 2d lieu. Thomas McCrate, to be 2d lieu. 31st July, 1836. (Bvt. 1st July, 1836.)

First regiment of artillery.

1st lieu. Charles Dimmock, to be captain 6th August, 1836; vice Gates, deceased.

2d lieu. Jacob W. Bailey, to be 1st lieu. 6th Aug. 1836; vice Dimmock, promoted.

Brevet 2d lieu. Alex. P. Crittenden, to be 2d lieu. 31st July, 1836; vice Allen, resigned. (Bvt. 1st July, 1836.)

Brevet 2d lieu. Peter V. Hagner, to be 2d lieu. 6th August, 1836; vice Bailey, promoted. (Bvt. 1st July, 1836.)

Brevet 2d lieu. Martin J. Burke, to be 2d lieu. 31st August, 1836; vice Sitgreaves, resigned.—(Bvt. 1st July, 1836.)

Second regiment of artillery.

Brevet major Matthew W. Payne, captain of the 4th regiment of artillery, to be major 27th June, 1836; vice Heileman, deceased.

2d lieu. Andrew A. Humphreys, to be 1st lieu. 16th August, 1836; vice Locke, resigned.

Brevet 2d lieu. Henry H. Lockwood, to be 2d lieu. 20th July, 1836; vice Loughborough, deceased. (Bvt. 1st July, 1836.)

Brevet 2d lieu. Muscoe L. Shackelford, to be 2d lieu. 31st July, 1836; vice Burnett, resigned.—(Bvt. 1st July, 1836.)

Brevet 2d lieu. Robert Allen, to be 2d lieu. 16th August, 1836; vice Humphreys promoted. (Bvt. 1st July, 1836.)

Third regiment of artillery.

Brevet captain Richard B. Lee, 1st lieu. to be captain 31st August, 1836; vice Ansart, resigned.

Brevet captain Samuel Ringgold, 1st lieu. to be captain 31st August, 1836; vice Thurston, resigned.

2d lieu. Wm. R. McKee, to be 1st lieu. 13th August, 1836; vice White, resigned.

2d lieu. Benj. Poole, to be 1st lieu. 31st August, 1836; vice Lee, promoted.

2d lieu. Edwin Rose, to be 1st lieu. 31st August, 1836; vice Ringgold, promoted.

Brevet 2d lieu. Christopher A. Greene, to be 2d lieu. 13th August, 1836; vice McKee, promoted. (Bvt. 1st July, 1836.)

Brevet 2d lieu. Christopher Q. Tompkins, to be 2d lieu. 31st August, 1836; vice Poole, promoted. (Bvt. 1st July, 1836.)

Brevet 2d lieu. Israel C. Woodruff, to be 2d lieu. 31st August, 1836; vice Rose, promoted.—(Bvt. 1st July, 1836.)

Brevet 2d lieu. William Frazer, to be 4d lieu. 21st August, 1836; vice Vinton, resigned. (Bvt. 1st July, 1836.)

Fourth regiment of artillery.

Brevet captain Henry A. Thompson, 1st lieu. to be captain 31st August, 1836; vice Ward resigned.

2d lieu. Joseph E. Johnston, to be 1st lieu. 30th June, 1836; vice Hopkins, resigned.

2d lieu. Frank E. Hunt, to be 1st lieu. 31st July, 1836; vice Barnes, resigned.

2d lieu. Simon H. Drum, to be 1st lieu. 15th August, 1836; vice Ewing, resigned.

2d lieu. Samuel C. Ridgeley, to be 1st lieu. 31st August, 1836; vice Thompson, promoted.

Brevet 2d lieu. Charles B. Sing, to be 2d lieu. 1st July, 1836.

Brevet 2d lieu. John W. Phelps, to be 2d lieu. 28th July, 1836; vice Brush, resigned. (Bvt. 1st July, 1836.)

Brevet 2d lieu. Wm. B. Arvin, to be 2d lieu. 31st July, 1836; vice Hunt, promoted. (Bvt. 1st July, 1836.)

Brevet 2d lieu. George C. Thomas, to be 2d lieu. 15th August, 1836; vice Drum, promoted.—(Bvt. 1st July, 1836.)

Second regiment of infantry.

1st lieu. Samuel L. Russell, to be captain 28th June, 1836; vice Johnson, resigned.

1st lieu. Carlos A. Waite, to be captain 3d July, 1836; vice Ranson, deceased.

2d lieu. Silas Casey, to be 1st lieu. 28th June 1836; vice Russell, promoted.

2d lieu. Abner R. Hetzel, to be 1st lieu. 28th June, 1836; vice Gallagher, resigned.

2d lieu. James W. Penrose, to be 1st lieu. 3d July, 1836; vice Waite, promoted.

Brevet 2d lieu. J. R. D. Burnett, to be 2d lieu. 28th June, 1836; vice Casey, promoted. (Bvt. 1st July, 1836.)

Brevet 2d lieu. Henry W. Wessells, to be 2d lieu. 28th June, 1836; vice Hetzel, promoted.—(Bvt. 1st July, 1836.)

Brevet 2d lieu. James W. Anderson, to be 2d lieu. 3d July, 1836; vice Penrose, promoted.—(Bvt. 1st July, 1836.)

Brevet 2d lieu. Thomas Johns, to be 2d lieu. 31st July, 1836; vice Brown, resigned. (Bvt. 1st July, 1836.)

Fourth regiment of infantry.

2d lieu. Charles H. Larned, to be 1st lieu. 7th August, 1836; vice Hood, resigned.

Brevet 2d lieu. Stephen T. Tibbatts, to be 2d lieu. 7th August, 1836; vice Larned, promoted.—(Bvt. 1st July, 1836.)

Fifth regiment of infantry.

Brevet 2d lieu. Alex. H. Tappen, to be 2d lieu. 31st July, 1836; vice Collingsworth, resigned.—(Bvt. 1st July, 1836.)

Sixth regiment of infantry.

1st lieu. Levi M. Nute, to be captain 31st July, 1836; vice Rogers, resigned.

2d lieu. Nathaniel J. Eaton, to be 1st lieu. 31st July, 1836; vice Nute, promoted.

2d lieu. Robert Sevier, to be 1st lieu. 10th August, 1836; vice Linden, deceased.

Brevet 2d lieu. Jacob E. Blake, to be 2d lieu. 31st July, 1836; vice Eaton, promoted. (Bvt. 1st July, 1836.)

Brevet 2d lieu. John P. Center, to be 2d lieu. 10th August, 1836; vice Sevier promoted. (Bvt. 1st July, 1836.)

Brevet 2d lieu. George H. Ringgold, to be 2d lieu. 15th August, 1836; vice Drayton, resigned. (Bvt. 1st July, 1836.)

Seventh regiment of infantry.

1st lieu. Washington Seawell, to be captain 31st July, 1836; vice Tillinghast, resigned.

2d lieu. Roger S. Dix, to be 1st lieu. 31st July, 1836; vice Seawell, promoted.

2d lieu. Richard C. Gatlin, to be 1st lieu. 31st August, 1836; vice Mather, resigned.

Brevet 2d lieu. Wm. H. Griffin, to be 2d lieu. 31st July, 1836; vice Dix, promoted. (Bvt. 1st July, 1836.)

Brevet 2d lieu. James M. Wells, to be 2d lieu. 31st August, 1836; vice Gatlin, promoted. (Bvt. 1st July, 1836.)

II—CASUALTIES.—(34.)

Resignations.—(25.)

Captains.—(7.)

David Hunter, 1st dragoons, 4th July, 1836.

Brevet major Felix Ansart, 3d artillery, 31st August, 1836.

Charles M. Thurston, 3d artillery, 31st August, 1836.

Charles Ward, 4th artillery, 31st August, 1836.

Seth Johnson, 2d infantry, 28th June, 1836.

Jason Rogers, 6th infantry 31st July, 1836.

Nicholas Tillinghast, 7th infantry, 31st July, 1836.

1st lieutenants.—(8.)

J. W. Shaumburg, 1st dragoons, 31st July, 1836.

Joseph L. Locke, 2d artillery, 16th August, 1836.

Edward B. White, 3d artillery, 19th August, 1836.

M. C. Ewing, 4th artillery, 15th August, 1836.

James Barnes, 4th artillery, 31st July, 1836.

Joseph S. Gallagher, 2d infantry, 28th June, 1836.

Washington Hood, 4th infantry, 7th August, 1836.

Wm. W. Mather, 7th infantry, 31st August, 1836.

2d lieutenants.—(9.)

Lorenzo Sitgreaves, 1st artillery, 31st August, 1836.

Robert T. P. Allen, 1st artillery, 31st July, 1836.

Ward B. Burnett, 2d artillery, 31st July, 1836.

Francis Vinton, 3d artillery, 31st August, 1836.

Thomas J. Lee, 4th artillery, 31st August, 1836.

Alfred Brush, 4th artillery, 28th July, 1836.

Jacob Brown, 2d infantry, 31st July, 1836.

John T. Collingsworth, 5th infantry, 31st July, 1836.

Thomas F. Drayton, 6th infantry, 15th August, 1836.

Brevet 2d lieutenant.—(1.)

Wm. H. Price, 1st infantry, 31st August, 1836.

Deaths.—(5.)

Bvt. lieu. col. Julius F. Heileman, major 2d artillery, 27th June, 1836.

Bvt. maj. Owen Ransom, captain 2d infantry, 3d July, 1836.

Captain Lemuel Gates, 1st artillery, 6th August, 1836.

1st lieutenant Henry St. James Linden, 6th infantry, 10th August, 1835.

2d lieutenant H. Loughborough, 2d artillery, 20th July, 1836.

Declined.—(4.)

Captain John Dougherty, 2d dragoons.

1st lieutenant Thornton Grimsley, 2d dragoons.

1st lieutenant Horatio Grooms, 2d dragoons.

Brevet 2d lieutenant John W. Judson, 2d artillery.

2—The officers promoted will report accordingly, and join their proper stations and companies without delay—those on detached service, or acting under special orders and instructions, will report by letter to their respective colonels.

"III—Rule to be observed in ordinary cases of promotion."

3—"If a field officer, the officer promoted will join the regiment and station of his predecessor; if a company officer, he will join the particular company where the vacancy to which he succeeds, may have occurred."

By order of ALEXANDER MACOMB, major general, commanding-in-chief.

R. JONES, adjutant general.

COTTON MANUFACTURES.

From the Lowell (Massachusetts) Journal.

The first cotton mill in Lowell was erected in 1822, and put in operation the next year; as late as 1826, there were but 2,500 spindles in operation there. The business, however, went on so successfully from that time, that on the first of January, 1836, there were 27 mills in that place containing 129,828 spindles. The water power in that place, is now all or nearly all occupied, and new sites must be sought in other places for the increasing capital flowing into this branch of business.

The progress of cotton manufactures will be further developed by some other facts. In 1790, there was but one cotton mill in the United States. This was erected by Slater and Brown, in Providence, and contained but 70 spindles. In 1805, there were but eight or ten mills containing 4,500 spindles; two of these mills were in Massachusetts, one in New Hampshire, one near Philadelphia, and the remainder in Rhode Island. In 1806 and 1807, and during the war of 1812, there was a rapid increase in manufacturing business, caused by restriction on imports. These commercial embarrassments gave the first decided determination to manufacturing in this country, and practically illustrated the prophetic wisdom of Jefferson and Hamilton, of the necessity of making the United States independent of all other nations for the supply of the immediate wants of her people. At the close of the war in 1815, the number of spindles was 130,000, and so great an impetus had now been given in this direction, that in 1825, 800,000 spindles had been put in operation, which were increased in the next ten years to 1,750,000, requiring about 54,000 looms.

Still these are not sufficient to supply the wants of the community; it is estimated that about 73,000 spindles should be annually added to meet the demand of the present yearly addition to our population. This is sufficiently shown by the state of the market; for notwithstanding the great increase in the number of spindles, the price of goods has not only been maintained but advanced, and the manufacturing establishments have made large dividends of profits. It has been said upon undoubted authority that capitalists in Boston have received in the last four years *sixty per cent.* in dividends on stock in some of the Lowell mills. This fact comes home at once to the understanding, and needs no comment.

We find a prejudice existing in some quarters, against manufacturing stock in consequence of a great depression and loss in that kind of property, which took place some years ago. But the principles upon which those losses are explained, give new confidence and support to the system on which the business is now conducted. In the early progress of our manufactures, the pioneers had to pass through difficulties and embarrassments hardly to be conceived of by people of the present day: with a jealousy natural to England, and not surprising in regard to an interest of such vast importance to her, the exportation of machinery, and the emigration of machinists were prohibited under very severe penalties; our own machinists were few and very unskilful, and labored under immense disadvantages, having to grope their way by such uncertain light as they could obtain by stealth, or their ingenuity strike out. The consequence was that the expense of putting a mill into operation at that

time was more than double its present cost, while, at the same time, the machinery was much inferior to that now in use. This difference has alone produced much loss; we could not come in competition with the British manufacturers in an open contest, and at the close of the war our market was flooded with every species of British goods which severely pressed upon the American manufacturer and produced disastrous results.

But how are the tables now reversed? At this time American machinery is actually superior to the British, and some of our improvements as well as our goods, have been introduced into England. The American throstle spindle, for instance, in 1833, revolved 7,500 times in a minute, and the British but 4,500, which was afterwards increased to 5,400. But to show still further the progress of improvement, we may observe that the spindle which formerly revolved but 50 times in a minute, now moves with the amazing velocity of 8,000 revolutions in a minute. The result of these various improvements is, that the spinning of No. 100 thread, for example, which cost in 1786 \$2 40 a pound, now costs but 16 cents. The cost of making species of yarn has been reduced since 1812 about one half, and that of weaving by power loom still more; and threads that formerly broke at the rate of thirteen per cent. now break only three per cent. Besides all these advantages, machinery can be erected and put in operation at an expense not exceeding one half the amount it cost in 1820.

MR. RATHBUN TO HIS CREDITORS.

The annex letter from Benj. Rathbun to his creditors, is taken the Buffalo Commercial Advertiser of the 1st inst. That paper says that if the creditors in schedule C. will accept the real estate in payment of their demands, they will be amply secured and have the certainty of ultimately realizing a handsome advance.

The Buffalo Journal regrets to say that some of the mortgage creditors manifest a disposition to press their claims most inconveniently upon the assignees, and urges forbearance. The assignees have published a card to the same effect.

TO MY CREDITORS.

You have already been apprized, through the medium of the public prints, that owing to circumstances beyond my control, and to which it is not necessary now to allude, I have been compelled to suspend for the present, the payment of my debts. To close my estate in a manner that would render justice to every creditor—and secure to his benefit all the property which I possessed—I executed an assignment of my effects, real and personal, to Messrs. Pratt, Allen, Clary, Love and Fillmore of the city of Buffalo. By that assignment my creditors were divided into two classes—to the first a preference was given, in the payment of their demands—a preference called for—by feelings of gratitude toward some of that class, from whom I had received much friendly assistance in the transaction of my business; and by a sense of the obligation which was imposed on me, to protect the mechanics, laborers and clerks in my employment.

The real and personal estate inventoried by me amounted at the valuation which I made of the property, to two millions six hundred and eighty-one thousand dollars—and this valuation subsequent reflection has convinced me, was not exaggerated. The whole of my debts of every kind and nature, will not exceed one million eight hundred thousand dollars. It is obvious, therefore, that unless my estate is improvidently managed, it will furnish ample means for the extinguishment of every debt and demand against me. And it is my earnest wish that in the settlement of this estate, such measures may be adopted, as will save the property from loss or sacrifice, and insure to every creditor the full amount of his claims.

Unfortunately the assignment was not sufficiently considered, previously to its being signed, and its defects and want of particularity in its details are now discovered and felt by the assignees in the execution of their trust. Many powers essential to the due and proper management of the estate—powers which were intended to be conferred—and without which serious losses must and will accrue, have been omitted in the instrument conveying my estate to the assignees; and those gentlemen now find exigencies daily arising, calling for the exercise of such powers; while the instrument under which they act, and by which they are circumscribed, does not confer them.

For instance: on several parcels of the real estate, mortgages have been given, which are existing liens. Many of these mortgages have yet a considerable time to run—provided the interest, and some small payments mentioned, are punctually met.—But in case of failure to meet such payments, then the condition is—that the entire sum secured by the

mortgage shall be due immediately, and the mortgagees have a right to foreclosure for the whole amount. Now the assignees find that they have no power, under the assignment, to make such payments—no discretion is allowed them in this particular—consequently, they cannot avoid the failure of the condition of the mortgage.

In some instances, the mortgagees have already instituted proceedings to foreclose—and if permitted to proceed, and the property be forced off—it cannot fail to be attended with ruinous sacrifices. Again, there are contracts for lands, to a large amount, from which great profits may be confidently anticipated; and on these, advances to the amount of \$100,000 have already been made. Unless such contracts are fulfilled, the estate will not only be deprived of the profits which can be realized, but the payments already made will be forfeited. Yet in these, and in like cases, the assignees have no power to act.

When the assignment was executed, I supposed that it conferred ample powers on the assignees—it was my intention that such powers should be conferred—and their omission is attributable to the haste with which the instrument was drawn, and not to design. To indulge in regrets for this omission, would be idle—it only remains to apply a remedy, if one can be suggested. Such a remedy the creditors themselves can furnish; and as matters are now situated, they alone possess the power to close the estate in a manner to secure themselves from loss. If the second class of creditors would assume the payment of the first, and take the entire property into their own hands and under their own control—or, if both classes would, by mutual arrangements among themselves, receive property in payment of their demands, all the claims against me could be discharged.

To such arrangement, the assignees, I am justified in saying, would cheerfully accede, and I beg leave to add, that I would with pleasure release my residuary interest, and join in any conveyance to accomplish the ends proposed. Although I believe that my property is more than sufficient to satisfy my creditors, I yet have no wish to reserve any share for myself. All that I now desire, so far as property is concerned, is, that every creditor of mine should be paid the utmost cent to which he is entitled. Whatever may be my fate or future condition in life—whether I be convicted or acquitted of the charges preferred against me—to know that by me, no one has been injured—that all my liabilities have been faithfully discharged—will, in every situation, furnish me with infinite comfort and consolation.

With a view, therefore, of ascertaining the wishes and feelings of my creditors, and of effecting an united and vigorous action on their part, I respectfully request them, wheresoever they may reside—to meet in person, or by agents fully empowered to act in the premises, at the Eagle tavern in the city of Buffalo, on Monday the twelfth day of September next, at ten o'clock in the forenoon. On that day the sale of the personal property is advertised to take place, and if any course be adopted by the creditors, different from the one now pursued—to be effectual it must be prompt and decisive.

BENJAMIN RATHBUN.

Buffalo, August 31, 1836.

THE LATE BISHOP CHEVERUS.

From the Salem Gazette.

The last arrivals from Europe bring intelligence of the death of John Cheverus, formerly Roman Catholic bishop of Boston, and at the time of his decease, a cardinal of the Romish church. M. Cheverus was born at Mayence, in the province of the same name, on the 23rd of January, 1768. His family were highly respectable. At an early age he entered into the ecclesiastical state, and in two or three years afterwards, when thirteen or fourteen years of age, was preferred to a benefice, by Louis XVIII, then Monsieur.

M. Cheverus was ordained December 18th, 1790, at the last public ordination in Paris, before the revolution. Soon after entering into priest's orders, he was appointed pastor of the church in his native parish, and vicar-general of the diocese. These early distinctions gave him a celebrity not acquired by many, venerable for their age and virtues, among the ecclesiastics at that time. He had not long resided at Mayence, when the persecutions of the clergy commenced, and M. Cheverus repaired to Paris, where he was concealed on the second and third of September, the memorable days of the massacre of the clergy. In a few days after this bloody scene he left Paris, disguised in a military dress, and succeeded in escaping to England. On his arrival at Dover he could not speak a word of English, but, in January 1793, he took up his residence in the house of a Protestant clergyman, who,

in addition to his pastoral duties, had five or six young men with him, preparing for the university. M. Cheverus was employed in giving these scholars lessons in the languages and mathematics, and found the conversation of these youths the best instructor in the English language.

In 1795 he was invited by Dr. Matignon, with whom he had been slightly acquainted in Paris, to join him in Boston, where he arrived October 3d, 1796. The Catholics were increasing at this time in Boston, and many gentlemen subscribed liberally, to assist in erecting a church for them, which was consecrated on the 29th of September, 1803. In the year 1810 he was appointed the first Roman Catholic bishop for the New England states, and was consecrated at Baltimore.

The literary and scientific acquirements of bishop Cheverus were of a high order. He read Greek and Hebrew with great readiness; he spoke and wrote Latin as a vernacular tongue, and repeatedly declared, that if he were to make an argument for his life, he should prefer, before competent judges, to use the Latin, believing that his thoughts would flow more readily in that language than in French or English. He was a good citizen of his adopted country, and never lost an opportunity of teaching his flock the blessings flowing from the government under which they lived, and kept alive in their breasts a warm and constant patriotism. In the last war with England, when Boston was threatened with an attack from the enemy, and voluntary contributions of labor became necessary for making arrangements for a proper defence, bishop Cheverus several times went out to work at the head of his flock, to assist in building ramparts and breastworks for defence. He was a minister of peace, but instructed his followers that self defence was not only a law of nature but a principle of religion.

After the death of Dr. Matignon, the duties of bishop Cheverus increased, and he labored indefatigably, until his health sank under his exertions. In 1822, on the return of baron de Neuville to France, who had been residing in this country, as minister from the court of France, the state of the bishop's health was represented to Louis 18th, and his talents being well known, he was nominated by an ordinance, dated January, 13, 1823, to the bishopric of Montauban. He left Boston in September, 1823, for New York, whence he embarked for Havre, on board the Paris, and on the 21st of October suffered shipwreck in a violent tempest on the coast of France. Thus, after an absence of more than thirty years, he was thrown upon his native shores, where the highest honors awaited him. He was soon raised to the dignity of archbishop of Bordeaux, and a few months since was appointed a cardinal. It is not improbable that he would have been called to fill the pontifical chair, if he had survived the present incumbent.

COAL TRADE.

From the New York Journal of Commerce.

We often hear of the progress of steam, the progress of improvement, the progress of the age, &c. but the progress of coal in this country is scarcely less remarkable, as will be seen from the annexed schedule, derived from a more particular statement in the Philadelphia Commercial List and Price Current. The first column of tons shows the whole quantity in the Philadelphia market from year to year, the quantity remaining on hand at the close of each year being included in the stock of the year next succeeding.

Year.	Tons in market.	Sold.	Remaining.
1820	364	364	none.
1821	1,073	1,073	none.
1822	2,440	-	little.
1823	5,823	-	do.
1824	9,541	-	do.
1825	85,536	85,536	none.
1826	47,515	42,546	5,000
1827	68,365	60,365	8,000
1828	90,302	72,302	12,000
1829	125,815	107,815	18,000
1830	192,934	192,934	40,000
1831	214,971	214,971	none.
1832	364,051	294,051	70,000
1833	560,000	425,000	135,000
1834	514,936	394,936	120,000
1835	680,750	677,435	none.

Some attempt has been made lately to get up a panic in regard to the supplies of the present year; but the writer in the Commercial List assures us that it is without foundation. To the same effect is the testimony of the Minor's Journal at Pottsville, which states that a greater quantity, by at least 75,000 tons, has been or will be forwarded from that vicinity to Philadelphia this year than last. Nevertheless the price of the article is uncommonly high, resulting partly from the increased

price of labor, and partly perhaps from other circumstances. It is, however, some consolation to know that we are not likely to be frozen out, as well as starved out, the coming winter, though, in truth, at the prices which almost all articles relating to the sustenance and comfort of the body command, we do not well see how people in moderate circumstances will be able to make the two ends of the year meet.

An English writer, after speaking of the great manufacturing advantages of America and the rapid progress of our manufactures and commerce, which he thinks may endanger the prosperity of England, says:—

"The writer has been surprised at the little knowledge that exists here with respect to the mineral resources of America. In nothing does that country surpass Europe so much as in its rich beds of coal. By a government survey of the state of Pennsylvania, it appears that it contains twenty thousand square miles of coal, with iron in proportion. This is one state only!—while the whole of the Mississippi valley is more or less enriched with this valuable combustible. Several of his neighbors have been astonished by the inspection of a specimen of bituminous coal which the writer procured from a pit at Brownsville, on the Monongahela river, above Pittsburgh, and which is pronounced equal to the very best qualities produced from the mines in Yorkshire. The mode of working the pits is to drive an adit into the sloping banks of the navigable rivers, and at a few yards distance the coal stratum is usually found, six feet in thickness; and as the miner is always able to work in an upright posture, one man will frequently produce as much as 100 loads a day.

The steamboat in which the author went from Brownsville to Pittsburgh, stopped at one of these pits' mouths, and took in a supply of fuel, which was charged at the rate of about 3 farthings a bushel. These are facts which bear more directly upon the future destinies of this country than the marriages of crowned heads in Portugal, the movements of savage forces in Russia, and similar proceedings to which we attach so much importance."

TRADE WITH TUSCANY.

OFFICIAL.

By the president of the United States.

A PROCLAMATION.

Whereas, by an act of congress of the United States, of the twenty-fourth of May, one thousand eight hundred and twenty-eight, entitled "an act in addition to an act entitled 'an act concerning discriminating duties of tonnage and impost,' and to equalize the duties on Prussian vessels and their cargoes," it is provided that, upon satisfactory evidence being given to the president of the United States, by the government of any foreign nation, no discriminating duties of tonnage or impost are imposed or levied, in the ports of the said nation, upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures or merchandise, imported in the same, from the United States, or from any foreign country, the president is thereby authorized to issue his proclamation, declaring that the foreign discriminating duties of tonnage and impost, within the United States, are, and shall be, suspended and discontinued, so far as respects the vessels of the said foreign nation, and the produce, manufactures or merchandise, imported into the United States, in the same, from the said foreign nation, or from any other foreign country; the said suspension to take effect from the time of such notification being given to the president of the United States, and to continue so long as the reciprocal exemption of vessels belonging to citizens of the United States, and their cargoes, as aforesaid, shall be continued, and no longer:

And whereas satisfactory evidence has lately been received by me from the government of his imperial and royal highness the grand duke of Tuscany, through an official communication of baron LEDERER, the consul general of his imperial and royal highness in the United States, under date of the 6th day of August, 1836, that no discriminating duties of tonnage or impost are imposed or levied in the ports of Tuscany upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures or merchandise, imported in the same, from the United States, or from any foreign country:

NOW, THEREFORE, I, ANDREW JACKSON, president of the United States of America, do hereby declare and proclaim that the foreign discriminating duties of tonnage and impost, within the United States, are, and shall be, suspended and discontinued, so far as respects the vessels of the grand dukedom of TUSCANY, and the produce, manufactures or merchandise, imported into the United

States, in the same, from the said grand dukedom, or from any other foreign country; the said suspension to take effect from the sixth day of August, 1836, above mentioned, and to continue so long as the reciprocal exemption of vessels belonging to citizens of the United States, and their cargoes, as aforesaid, shall be continued, and no longer.

Given under my hand, at the city of Washington, the first day of September, in the year of our Lord one thousand eight hundred and thirty-six, and of the independence of the United States the sixty-first.

ANDREW JACKSON.

By the president:

JOHN FORSYTH, *secretary of state.*

GEN. HARRISON'S OPINIONS.

Washington, April 7, 1836.

To Gen. William H. Harrison:

SIR: I consider it the right of every citizen of the United States to ask and demand, and to be fully informed of the political principles and opinions of those who are candidates for the various offices in the gift of the people, and the imperious duty of the candidate to frankly and fully avow and declare the opinions which he entertains. I, therefore, as a voter, a citizen and an individual, feeling a deep and abiding interest in the welfare and prosperity of our common country, and an ardent desire to see the perpetuity of our free and happy form of government, take the liberty of asking you to give me your opinion and views on the following subjects:

1st. Will you (if elected president of the United States) sign and approve a bill distributing the surplus revenue of the United States to each state, according to the federal population of each, for internal improvements, education and to such other objects as the legislatures of the several states may see fit to apply the same?

2d. Will you sign and approve a bill distributing the proceeds of the sales of the public lands to each state, according to the federal population of each, for the purposes above specified?

3d. Will you sign and approve bills making appropriations to improve navigable streams above ports of entry?

4th. Will you sign and approve (if it becomes necessary to secure and save from depreciation the revenue and finances of the nation, and to afford a uniform sound currency to the people of the United States) a bill (with proper modifications and restrictions) chartering a bank of the United States?

5th. What is your opinion as to the constitutional power of the senate or the house of representatives of the congress of the United States, to expunge or obliterate from the journals the records and proceedings of a previous session?

A frank, plain and full answer to the foregoing inquiries is respectfully and earnestly solicited.—Your answer is desired as soon as possible. I intend this and your answer for publication.

I have the honor to be your humble and obedient servant,
SHERROD WILLIAMS.

GEN. HARRISON'S LETTER.

North Bend, May 1, 1836.

SIR: I have the honor to acknowledge the receipt of your letter of the 7th ultimo, in which you request me to answer the following questions:

1st. "Will you, if elected president of the United States, sign and approve a bill distributing the surplus revenue of the United States to each state, according to the federal population of each, for internal improvement, education, and to such other objects as the legislatures of the several states may see fit to apply the same?"

2d. "Will you sign and approve a bill distributing the proceeds of the sales of the public lands to each state, according to the federal population of each, for the purposes above specified?"

3d. "Will you sign and approve bills making appropriations to improve navigable streams above ports of entry?"

4th. "Will you sign and approve (if it becomes necessary to secure and save from depreciation the revenue and finances of the nation, and to afford a uniform sound currency to the people of the United States) a bill, (with proper modifications and restrictions,) chartering a bank of the United States?"

5th. "What is your opinion as to the constitutional power of the senate or house of representatives of the congress of the United States, to expunge or obliterate from the journals the records and proceedings of a previous session?"

From the manner in which the four first questions are stated, it appears that you do not ask my opinion as to the policy or propriety of the measures to which they respectively refer; but what would be my course, if they were presented to me (being in the presidential chair of the United States) in the shape of bills, that had been duly passed by the senate and house of representatives.

From the opinions which I have formed of the intention of the constitution, as to the cases in which the veto power should be exercised by the president, I would have contented myself with giving an affirmative answer to the four first questions; but, from the deep interest which has been, and indeed is now, felt in relation to all these subjects, I think it proper to express my views upon each one separately.

I answer, then, 1st. That the immediate return of all the surplus money which is or ought to be in the treasury of the United States, to the possession of the people, from whom it was taken, is called for by every principle of policy and indeed of safety to our institutions and I know of no mode of doing it better than that recommended by the present chief magistrate, in his first annual message to congress, in the following words: "*To avoid these evils, it appears to me that the most safe, just and federal disposition which could be made of the surplus revenue, would be its apportionment among the several states, according to the ratio of representation.*"

This proposition has reference to a state of things which now actually exists, with the exception of the amount of money thus to be disposed of—for it could not have been anticipated by the president that the surplus above the real wants or convenient expenditures of the government would become so large, as that retaining it in the treasury would so much diminish the circulating medium as greatly to embarrass the business of the country.

What other disposition can be made of it with a view to get it into immediate circulation, but to place it in the hands of the state authorities? So great is the amount, and so rapidly is it increasing, that it could not be expended for a very considerable time on the comparatively few objects to which it could be appropriated by the general government; but the desired distribution amongst the people could be immediately effected by the states, from the infinite variety of ways in which it might be employed by them. By them it might be loaned to their own banking institutions, or even to individuals—a mode of distribution by the general government which, I sincerely hope, is in the contemplation of no friend to his country.

2d. Whilst I have always broadly admitted that the public lands were the common property of all the states, I have been the advocate of that mode of disposing of them which would create the greatest number of freeholders, and I conceived that in this way the interest of all would be as well secured as by any other disposition; but since, by the small size of the tracts in which the lands are laid out, and the reduction of the price, this desirable situation is easily attainable by any person of tolerable industry, I am perfectly reconciled to the distribution of the proceeds of the sales as provided for by the bill introduced into the senate by Mr. Clay; the interest of all seems to be well provided for by this bill; and as from the opposition which has hitherto been made to the disposition of the lands heretofore contemplated by the representatives of the new states, there is no probability of its being adopted, I think it ought no longer to be insisted on.

3d. As I believe that no money should be taken from the treasury of the United States to be expended on internal improvements but for those which are strictly national, the answer to this question would be easy but from the difficulty of determining which of those that are from time to time proposed would be of this description. This circumstance, the excitement which has already been produced by appropriations of this kind, and the jealousies which it will no doubt continue to produce if persisted in, give additional claims to the mode of appropriating all the surplus revenue of the United States in the manner above suggested. Each state will then have the means of accomplishing its own schemes of internal improvement. Still there will be particular cases when a contemplated improvement will be of greater advantage to the union generally, and some particular states, than to that in which it is to be made. In such cases, as well as those in the new states, where the value of the public domain will be greatly enhanced by an improvement in the means of communication, the general government should certainly largely contribute. To appropriations of the latter character there has never been any very warm opposition. Upon the whole, the distribution of the surplus revenue amongst the states seems likely to remove most if not all, the causes of dissension of which the internal improvement system has been the fruitful source. There is nothing, in my opinion, more sacredly incumbent upon those who are concerned in the administration of our government than that of preserving harmony between the states. From the construction of our system there has

been, and probably ever will be, more or less jealousy between the general and state governments; but there is nothing in the constitution—nothing in the character of the relation which the states bear to each other—which can create any unfriendly feeling, if the common guardian administers its favors with an even and impartial hand. That this may be the case, all those to whom any portion of this delicate power is entrusted should always act upon the principles of forbearance and conciliation; ever more ready to sacrifice the interest of their immediate constituents rather than violate the rights of the other members of the family. Those who pursue a different course, whose rule is never to stop short of the attainment of all which they may consider their due, will often be found to have trespassed upon the boundary they had themselves established. The observations with which I shall conclude this letter on the subject of the veto power by the president will apply to this as well as your other questions.

4th. I have before me a newspaper, in which I am designated by its distinguished editor "*the bank and federal candidate.*" I think it would puzzle the writer to adduce any act of my life which warrants him in identifying me with the interest of the first, or the politics of the latter. Having no means of ascertaining the sentiments of the directors and stockholders of the bank of the United States (which is the one, I presume, with which it was intended to associate me) I cannot say what their course is likely to be in relation to the ensuing election for president. Should they, however, give me their support, it will be evidence at least that the opposition which I gave to their institution in my capacity of representative from Ohio in congress proceeded, in their opinion, from a sense of duty which I could not disregard.

The journals of the second session of the thirteenth, and those of the fourteenth congress, will show that my votes are recorded against them upon every question in which their interests were involved. I did, indeed, exert myself in the senate of Ohio to procure a repeal of the law which had imposed an enormous tax upon the branches which had been located in its boundaries at the request of the citizens. The ground of those exertions was not the interest of the bank; but to save what I considered the honor of the state, and to prevent a controversy between the state officers and those of the United States.

In the spring of 1834, I had also the honor to preside at a meeting of the citizens of Hamilton county called for the purpose of expressing their sentiments in relation to the removal of the public money from the custody of the bank by the sole authority of the executive. As president of the meeting, I explained at some length the object for which it was convened; but I advanced no opinion in relation to the recharter of the bank.

A most respectful memorial to the president in relation to the removal of the deposits was adopted, as were also resolutions in favor of rechartering the bank; but, as I have already said, this was not the purpose for which the meeting was called, and not one upon which, as presiding officer, I was called upon to give an opinion, but in the event of an equal division of the votes.

As a private citizen, no man can be more entirely clear of any motive, either for the rechartering the old institution, or creating a new one, under the authority of the United States. I never had a single share in the former, nor indeed in any bank, with one exception; and that many years ago failed, with the loss of the entire stock. I have no inclination again to venture in that way, even if I should ever possess the means. With the exception above mentioned, of stock in a bank long since broken, I never put out a dollar at interest in my life. My interest being entirely identified with the cultivation of the soil, I am immediately and personally connected with none other.

I have made this statement to show you that I am not committed to any course in relation to the chartering of a bank of the United States; and that I might, if so disposed, join in the popular cry of denunciation against the old institution, and upon its misconduct predicate an opposition to the chartering of another.

I shall not, however, take this course so opposite to that which I hope I have followed through life, but will give you my sentiments clearly and fully, not only with regard to the future conduct of the government on the subject of a national bank, but in relation to the operations of that which is now defunct.

I was not in congress when the late bank was chartered, but was a member of the thirteenth congress, after its first session, when the conduct of the bank in its incipient measures, was examined into; and believing from the result of the investigation

that the charter had been violated, I voted for the judicial investigation; with a view of annulling its charter. The resolution for that purpose, however, failed; and shortly after, the management of its affairs was committed to the talents and integrity of Mr. Cheves. From that period to its final dissolution, (although I must confess I am not a very competent judge of such matters), I have no idea that an institution could have been conducted with more ability, integrity and public advantage, than it has been.

Under these impressions, I agree with gen. Jackson in the opinion expressed in one of his messages to congress, from which I make the following extract: "*that a bank of the United States, competent to all the duties which may be required by the government, might be so organized as not to infringe on our delegated powers, or the reserved rights of the states, I do not entertain a doubt.*" But the period for rechartering the old institution has passed, as Pennsylvania has wisely taken care to appropriate to herself the benefits of its large capital. The question then, for me to answer, is, whether, under the circumstances you state, if elected to the office of president, I would, sign an act to charter another bank, to answer, I would, if it were clearly ascertained that the public interest, in relation to the collection and disbursement of the revenue would materially suffer without one, and there were unequivocal manifestations of public opinion in its favor. I think, however, the experiment should be fairly tried, to ascertain whether the financial operations of the government cannot be as well carried on without the aid of a national bank. If it is not necessary for that purpose, it does not appear to me that one can be constitutionally chartered. There is no construction which I can give the constitution which would authorize it, on the ground of affording facilities to commerce. The measure, if adopted, must have for its object the carrying into effect (facilitating at least the exercise of) some one of the powers positively granted to the general government. If others flow from it, producing equal advantages to the nation, so much the better; but these cannot be made the ground for justifying a recourse to it.

The excitement which has been produced by the bank question, the number and respectability of those who deny the right to congress to charter one, strongly recommend the course above suggested.

5th. I distinctly answer to this question, that, in my opinion, neither house of congress can constitutionally expunge the record of the proceedings of their predecessors. The power to rescind certainly belongs to them; and is, for every public legitimate purpose, all that is necessary. The attempt to expunge a part of their journal, now making in the senate of the United States, I am satisfied could never have been made but in a period of the highest party excitement, when the voice of reason and generous feeling is stifled by long protracted and bitter controversy.

In relation to the exercise of the veto power by the president, there is, I think, an important difference in opinion between the present chief magistrate and myself. I express this opinion with less diffidence, because I believe mine is in strict accordance with those of all the previous presidents to gen. Jackson.

The veto power, or the control of the executive over the enactment of laws by the legislative body, was not unknown in the United States previously to the formation of the present federal constitution. It does not appear, however, to have been in much favor. The principle was to be found in but three of the state constitutions; and in but one of them (Massachusetts) was the executive power lodged in the hands of a single chief magistrate. One other state (South Carolina) had, indeed, not only adopted this principle, but had given its single executive magistrate an absolute negative upon the acts of the legislature. In all other instances it has been a qualified negative, like that of the U. States. The people of South Carolina seem, however, not to have been long pleased with this investment of power in their governor, as it lasted but two years; having been adopted in 1776 and repealed in 1778; from which time the acts of the legislature of that state have been entirely freed from executive control. Since the adoption of the constitution of the United States, the veto principle has been adopted by several states, and, until very lately, it seemed to be rapidly growing into favor.

Before we can form a correct opinion of the manner in which this power should be exercised, it is proper to understand the reasons which have induced its adoption. In its theory, it is manifestly an innovation upon the first principle of republican government—that the majority should rule. Why

should a single individual control the will of that majority? It will not be said that there is more probability of finding greater wisdom in the executive chair than in the halls of the legislature. Nor can it possibly be supposed that an individual residing in the centre of an extensive country, can be as well acquainted with the wants and wishes of a numerous people, as those who come immediately from amongst them—the partakers, for a portion of the year, in their various labors and employments, and the witnesses of the effects of the laws in their more minute as well as general operations. As far, then, as it regards a knowledge of the wants and wishes of the people, wisdom to discover remedies for existing evils, and devising schemes for increasing the public prosperity, it would seem that the legislative bodies did not require the aid of an executive magistrate. But there is a principle, recognized by all the American constitutions, which was unknown to the ancient republics. They all acknowledge rights in the minority, which cannot rightfully be taken from them. Experience had shewn, that in large assemblies, these rights were not always respected. It would be in vain that they should be enumerated, and respect for them enjoined in the constitution. A popular assembly, under the influence of that spirit of party which is always discoverable in a greater or less degree in all republics, might, and would, as it was believed sometimes disregard them. To guard against this danger, and to secure the rights of each individual, the expedient of creating a department independent of the others, and amenable only to the laws, was adopted. Security was thus given against any palpable violation of the constitution, to the injury of individuals, or of a minority party. But it was still possible for a wilful and excited majority to enact laws of the greatest injustice and tyranny, without violating the letter of their charter.

And this I take to be the origin of the veto power, as well in the state governments as that of the United States. It appears to have been the intention to create an umpire between the contending factions which had existed, it was believed, and would continue to exist. If there was any propriety in adopting this principle in the government of a state, all the reasons in favor of it existed in a tenfold degree for incorporating it in that of the United States. The operations of the latter, extending over an immense tract of country, embracing the products of almost every clime, and that country divided too, into a number of separate governments, in many respects independent of each other, and of the common federal head, left but little hope that they could always be carried on in harmony. It could not be doubted that sectional interests would at times predominate in the bosoms of the immediate representatives of the people and the states, and combinations formed destructive of the public good, or unjust or oppressive to a minority. Where could a power to check these local feelings, and to destroy the effects of unjust combinations, be better placed than in the hands of that department whose authority, being derived from the same common sovereign, is co-ordinate with the rest, and which enjoys the great distinction of being at once the immediate representative of the whole people, as well as of each particular state?

In the former character, the interests of the whole community would be rigidly supported, and, in the latter, the rights of each member steadfastly maintained. The representation from the state authorities in the electoral colleges, I consider one of the most felicitous features in the constitution. It serves as an eternal memento to the chief magistrate that it is his duty to guard the interest of the weak against the unjust aggressions of the strong and powerful. From these premises, you will conclude that I consider the qualified veto upon the acts of the legislature, conferred by the constitution upon the president, as a *conservative* power, intended only to be used to secure the instrument itself from violation, or, in times of high party excitement, to protect the rights of the minority, and the interests of the weaker members of the union. Such, indeed, is my opinion, and such we must believe to be the opinion of nearly all the distinguished men who have filled the executive chair. If I were president of the United States, an act which did not involve either of the principles above enumerated, must have been passed under very peculiar circumstances of precipitancy for opposition to the known public will, to induce me to refuse to it my sanction.

If the opinion I have given of the motives of the framers of the constitution, in giving the veto power to the president, is correct, it follows that they never could have expected that he who was constituted the umpire between contending parties should ever identify himself with the interest of one of them, and voluntarily *raise* himself from the

proud eminence of leader of a nation to that of chief of a party. I can easily conceive the existence of a state of things by which the chief magistrate of a state may be forced to act upon party principles; but such a course is entirely opposed to all the obligations which the constitution imposes on a president of the United States. The immense influence he possesses will always give to his party the preponderance, and the very circumstance of its being an executive party will be the cause of infusing more bitterness and vindictive feeling in these domestic contests. Under these circumstances, the qualified veto given by the constitution, may, if the president should think proper to change its character, become as absolute in practice as that possessed by the kings of England and France. From the great variety of local interests acting upon the members of the two houses of congress, and from the difficulty of keeping all the individuals of a large party under the control of party discipline, laws will often be passed by small majorities adverse to the interests of the dominant party; but if the president should think proper to use the veto power for the purpose of promoting the interests of his party, it will be in vain to expect that a majority so large as two-thirds in both houses would be found in opposition to his wishes. In the hands of such a president the qualified veto of the constitution would in practice become absolute.

I have, upon another occasion, expressed my views upon the danger of a dominant executive party. It may perhaps be said that the chief magistrate will find it impossible to avoid the influence of party spirit. Several of our chief magistrates, however, have been able to escape its influence; or what is the same thing, to act as if they did not feel it. As one mode of avoiding it, it would be my aim to interfere with the legislation of congress as little as possible. The clause in the constitution which makes it the duty of the president to give congress information of the state of the union, and to recommend to their consideration such measures as he shall judge necessary and expedient, could never be intended to make him the source of legislation. Information should always be frankly given, and recommendations upon such matters as come more immediately under his cognizance than theirs. But there it should end. If he should undertake to prepare the business of legislation for the action of congress, or to assume the character of code maker for the nation, the personal interest which he will take in the success of his measures will necessarily convert him into a partizan, and will totally incapacitate him from performing the part of that impartial umpire, which is the character that I have supposed the constitution intends him to assume when the acts passed by the legislature are submitted to his decision. I do not think it by any means necessary that he should take the lead as a reformer, even when reformation is, in his opinion, necessary. Reformers will never be wanting when it is well understood that the power which wields the whole patronage of the nation will not oppose the reformation.

I have the honor to be, with great consideration, sir, your humble servant, W. H. HARRISON.

To the hon. Sherrod Williams.

MR. VAN BUREN'S OPINIONS.

CORRESPONDENCE.

Washington city, April 7, 1836.

Hon. Martin Van Buren, vice president:

SIR: I consider it the right of every citizen of the United States to ask and demand and to be fully informed of the political principles and opinions of those who are candidates for the various offices in the gift of the people, and the imperious duty of the candidate to frankly and fully avow and disclose the opinions which he entertains. I therefore, (as a voter, a citizen and an individual feeling a deep and abiding interest in the welfare and prosperity of our common country, and an ardent desire to see the perpetuity of our free and happy form of government), take the liberty of asking your views on the following subjects:

1st. Will you, (if elected president of the United States), sign and approve a bill distributing the surplus revenue of the United States to each state, according to the federal population of each, for internal improvements, education and to such other objects as the legislatures of the several states may think fit to apply the same?

2d. Will you sign and approve a bill distributing the proceeds of the sales of the public lands to each state according to the federal population of each, for the purposes above specified?

3d. Will you sign and approve bills making appropriations to improve navigable streams above ports of entry?

4th. Will you sign and approve, (if it becomes necessary to secure and save from depreciation the

revenue and finances of the nation, and to afford a uniform sound currency to the people of the United States), a bill (with proper modifications and restrictions), chartering a bank of the United States?

5th. What is your opinion as to the constitutional power of the senate or house of representatives of the congress of the United States, to expunge or obliterate from the journals the records and proceedings of a previous session?

A frank, plain and full answer to the foregoing inquiries is respectfully and earnestly solicited. Your answer is desired as soon as possible. I intend this and your answer for publication.

I have the honor to be, your humble and obedient servant,
SHERROD WILLIAMS.

Washington, April 20th, 1836.

SIR: I have the honor to acknowledge the receipt of a letter from you, asking my opinions and views upon a series of public questions. You have accompanied the submission of your interrogatories with a reference to the existing relations between us of voter and candidate, and a declaration of your sense of the rights and duties growing out of the same.

Concurring, as I do, in the principle which inculcates and secures the most liberal interchange of sentiments between the elector and the candidate, I think it nevertheless, just and reasonable to protect myself against the inference of having assented, without limitation, to the general proposition you have advanced. The duty of a candidate for the suffrages of the people to answer fully all inquiries made by an elector undetermined as to his course, and seeking, in good faith, information as to the opinions of the candidate, touching the appropriate duties of the office to be filled, is one which I cheerfully acknowledge, and will, upon all proper occasions, faithfully discharge.

The rights of an elector on the other hand, who has already determined to oppose the individual to whom his inquiries are addressed, and who makes them with the sole view of exposing, at his own time, and the mode he may select, the opinions of the candidate to unfriendly criticism, and the candidate himself to prejudice in the estimation of portions of his fellow citizens, stand, in my judgment, upon a different footing. To such inquiries I hold the candidate to be at liberty to reply or not, as justice to the country, and to his own character may, in his opinion, dictate.

My personal acquaintance with you is, as you know, very limited, and without stopping to inquire as to your objects in this particular, I cheerfully assume them to be such as I have first described. I do this the more readily, as your character and situation assure me that if this impression is erroneous—if your course in regard to the presidential election, so far as I am concerned, is settled, and the information you seek is not asked with a view to your own conduct, you will say so frankly.

Acting upon this assumption and belief, I will cheerfully give you my "opinions and views" upon the subjects which you have submitted to my consideration. In your lists of questions, I find several which are now under discussion in congress, and upon which it may become my duty to vote, as president of the senate, before the termination of the present session. My reply to your letter will, therefore, be delayed for a short time; but I will embrace an early moment after congress rises, and in abundant season for the purposes of your inquiry, to send it to you.

I have the honor to be, very respectfully, your obedient servant,
M. VAN BUREN.

The hon. Sherrod Williams.

Washington, June 9, 1836.

Hon. Martin Van Buren:

SIR: I addressed you a letter on the 7th of April last, asking your opinions in relation to the several subjects therein specified. I done so in good faith for the purpose of knowing your opinions on those points, and for the purpose of determining upon the course that I would take in the coming contest for the presidency. I had the honor, on the 20th of the same month, to receive a letter from you acknowledging the receipt of mine, and in which you say you will answer the questions propounded in my letter, but that that answer would be deferred until after the adjournment of the present session of congress, because some of the subjects upon which I asked your opinion were pending before the senate, and perhaps you might have, (in the event the senate was equally divided), to give the casting vote. I must be permitted to say that the reason given by you for not answering my questions is wholly and entirely unsatisfactory. I have always considered it the duty of a candidate for office, in the gift of the people, to inform those whose suffrages he seeks,

of his views and opinions as to the constitutionality and policy of those measures in which they may be interested, and particularly when the candidate shall be called upon, by those who have the right to ask his opinion, and not to decline giving his opinion before his election, because, perhaps and perchance, he might have to vote upon those subjects or some one of them. If the people knew in advance the opinion of the candidate, they might not place him in a condition to vote.

If the reason you assign, for not answering my questions until the adjournment of the present session of congress, be a good one, the same reason will continue to exist and apply with equal force until the fourth of March next; for at the next session of congress, (whether you shall be elected president of the United States or not), you may be called upon as president of the senate to vote upon all or some one of the subjects mentioned in my letter. I am in good faith anxious to obtain your opinion upon the points submitted in my letter, and therefore again most earnestly and respectfully solicit your answer as soon as practicable.

I have the honor to be your obedient and humble servant,
SHERROD WILLIAMS.

—
Washington June 14, 1836.

SIR: I find nothing in your last letter to change my decision in respect to the time at which I proposed to reply to your first. It is however due to both of us that I should correct an error into which you have fallen.

I have already informed you that I would embrace an early moment after congress rises and in abundant season for the purposes of your inquiry, to send you my answer. That determination remains not only unchanged, but is confirmed by the statements you have now made. You may therefore dismiss from your mind all apprehensions of not receiving it in full time for the object you have in view. I am, sir, your obedient humble servant,
M. VAN BUREN.

—
Albany, August 8, 1836.

To the hon. Sherrod Williams, representative in congress from the state of Kentucky:

SIR: I embrace the earliest convenient moments, after the adjournment of congress, to give you "my opinions and views" on the various subjects to which my attention was called by your letter of the 7th of April last.

The first of these subjects relates to the propriety of a law for the distribution of the surplus revenue of the United States among the states, according to their federal population, for internal improvements, education and such other objects as the legislatures of the states may see fit to apply the same.

In my opinion, congress does not possess the power, under the constitution, to raise money for distribution among the states; and if a distinction can be maintained between raising money for such purpose, and the distribution of an unexpected surplus, (of which I am not satisfied), I think it ought not to be attempted without a previous amendment of the constitution, defining the authority and regulating its exercise. Apprehending danger to the union from the course of federal legislation upon the subject of internal improvements, and fearing that it could not otherwise be arrested, I was inclined, at the commencement of president Jackson's administration, to favor the idea of a distribution annually among the states, of the surplus revenue, and an amendment of the constitution conferring on congress authority to make it. President Jackson, entertaining similar apprehensions, submitted suggestions to this effect to the consideration of congress. They met with approbation in some quarters, but were denounced in others, with extraordinary severity, as encouraging a policy particularly unjust and ruinous to a part of the union, and subversive of the principles upon which it was founded.

Time and circumstances have worked changes of opinion on the subject, from which my own mind has not been exempted. The intelligence and patriotism of the people proved adequate to the desired reform, in the legislation of congress upon the subject of internal improvements, without resorting to the proposed distribution: and the experience of the last session has fully satisfied me of the impropriety of any such measure. "The support of the state governments in all their rights, as the most competent administration of our domestic concerns, and the surest bulwarks against anti-republican tendencies;" and "the preservation of the general government, in its whole constitutional vigor, as the sheet anchor of our peace at home and safety abroad," were described by Mr. Jefferson as among the essential principles of our government, which ought always to shape its administration. The ex-

perience of more than thirty years has attested the wisdom and justice of these sentiments—and it behooves those who are entrusted with the management of public affairs, to beware how they disregard the admonition. They who can yet allow themselves to hope that these great principles can be maintained under the operation of any of the proposed systems of distribution, have looked upon the signs of the times in a different light from myself. It is my firm conviction, that any system by which a distribution is made among the states, of moneys collected by the federal government, would introduce vices into the legislation of both governments, productive of the most injurious effects, as well upon the best interests of the country, as upon the perpetuity of our political institutions. I sincerely hope, therefore, that the good sense and patriotism of the American people, will prevent the adoption of any such plan.

The deposit bill (recently passed) will remove any pretence of a speedy necessity for such a step, and give time to provide against the recurrence of a redundancy of revenue. It would, indeed, be a great misfortune, if that law were regarded by the country as pledging the future course of its legislation to the policy to which you refer. The circumstances under which it was passed, were of an extraordinary character, and cannot well again occur. To give a legislative organization to the fiscal agency for the collection and disbursement of the public revenue, which had been established through the treasury department by executive authority, as a substitute for that of the bank of the United States, was an object of the very highest importance. It was the successful winding up of one the most arduous conflicts between the well understood will of the people on the one side, and the moneyed power of the nation acting in concert with a formidable portion of its political power on the other, that has ever taken place, certainly that has ever resulted in the triumph of the popular will in any country. To accomplish this by the assent of all parties, to make all responsible for the future working of the system, by consulting liberally their opinions and wishes in its formation, and to put an end to those fierce and incessant assaults upon the management of the fiscal affairs of the government, by means of which every interest was disturbed, was a result which could not be too ardently desired. The president had for several sessions called the attention of congress to this subject without effect, and the opposition party in congress, by availing itself of partial diversities of opinion among the friends of the administration, acquired the power to prescribe conditions to its final settlement. That to which their demands were ultimately reduced, was a distribution of the deposits of a portion of the public moneys among the states.

After ineffectual efforts in both houses, on the part of the great mass of the supporters of the government in each, to separate that part of the bill which provided for the regulation of the deposit banks from the sections which made a different disposition of the surplus revenue, the friends of the administration, differing among themselves in regard to details and construction, but with the same general object in view, yielded their support, by large majorities, to the bill, in the modified form in which it came from the house of representatives. The amendment of the house, although it did not strip the bill of all its dangerous tendencies, made an essential change in its character in respect to the question of constitutionality. In its previous form, it took the money by appropriation out of the treasury, and thereby necessarily raised the question whether the use which was proposed to be made of it, was amongst the "expenditures" authorised by the federal constitution. By the bill, as amended, no money is drawn from the treasury, but the state treasuries, like the state banks, are, to a limited extent, made places of deposit; of the constitutional power to do which, with the consent of the states, there can be no question. The president, assuming, as he was bound by a proper respect for the institutions of the country to do, that good faith would be kept in the dealings which it authorised between the federal and state governments, gave his assent to the measure. I would have given to the bill a similar direction, if it had become my duty to decide on the question of its passage or rejection.

It now remains for public opinion, to the efficacy of which we all have so much reason to look with confidence and hope, to determine the character of the ultimate results to be expected from it. That the subject is of the first importance, all must admit; and I participate fully in the apprehensions so extensively entertained and so freely expressed as to its effects. But I do not despair. Often as we have seen our political horizon overcast with portentous clouds, and the safe conduct of public af-

fairs beset by combinations which, to all appearance, could not be overcome, we have never yet seen the time when those doubts and difficulties were not finally and satisfactorily cleared away by the operation of this powerful corrector. Such, I doubt not, will be the result now; and such, in the nature of things, must it always be, as long as the people are uncorrupted and our institutions free. Prejudice, passion and selfishness, may rule the hour, and give a direction to public questions, when the controlling power rests in a single head, or in a few individuals whose position exempts them from the injurious effects of official errors; but this can seldom happen, when that power exists only, as is the case with us, in the great body of well informed and virtuous communities, who are to bear the consequences, whether for good or for evil, of public measures.

It is now for the majority of the people to decide whether the measure referred to shall only be tolerated as a temporary expedient, forced upon the country by a conjunction of extraordinary circumstances; and rendered less objectionable in consequence of its effect in removing beyond the reach of party contention and factious misrepresentations, disturbing questions in relation to the public moneys, at a moment when the public mind is, from other causes, peculiarly liable to be unduly influenced by sinister and unfounded imputations, or whether the distribution of the public deposits shall be the parent and forerunner of future distributions of the public revenue. That the decision of this interesting question will be honestly made, we all know, and I do not doubt that it will also be wisely made.

I hope and believe, that the public voice, will demand, that this species of legislation shall terminate with the emergency that produced it—that early and efficient steps will be taken to prevent the recurrence of a state of things calculated to furnish an excuse for any measure of distribution, by the adoption of the only natural, safe and just remedy for an excess of revenue, a reduction of the taxes, effectual in its results, equitable in its details, and wisely adapted to the circumstances of the country—that we shall be content to continue the action of our complicated but admirable system of government, state and federal, in the course that has conducted our country to its present palmy state of prosperity and renown—and shall eschew in future those schemes of improvement in their administration, with which the country is from time to time inundated, the results of which, to say the best of them, are extremely hazardous, and which too often have quite as much in view the individual advantage of the projector as the good of the nation.

The next subject embraced in your inquiries, is the distribution of the proceeds of the sales of the public lands amongst the states according to the federal population of each, for similar purposes.

My views in regard to several public questions, and amongst them the proper distribution of the public lands, were asked by a portion of the citizens of my own state shortly after my nomination for the presidency. They were given in August, 1835, and upon the latter subject expressed in the following words: "In respect to the public lands, I need only observe, that I regard the public domain as a trust fund belonging to all the states, to be disposed of for their common benefit. Ample authority is for that purpose conferred on congress by an express provision of the constitution. In making such disposition, that body should in my opinion act upon the principle, that the people of the United States have a greater interest in an early settlement and substantial improvement of the public lands, than in the amount of revenue which may be derived from them. To accomplish this object, the accumulation of large tracts in few hands should be discountenanced, and liberal facilities afforded to the acquisition of small portions by such of our citizens, wherever residing, as are in good faith desirous of possessing them as homes for themselves and families."

"The particular measures by which these results are to be secured, is matter of detail to be settled by congress, in the exercise of a sound discretion, aided by the lights of experience, and having reference to the general interests of the country. The disposition of the public lands proposed by the bill to which president Jackson refused his assent, was, in my opinion, highly objectionable. I therefore approved of its rejection by him at the time, and all my subsequent reflection has confirmed me in that opinion." I have watched the discussions which this subject has since undergone, with all the attention which its importance demands and with an earnest desire to arrive at conclusions in regard to it which shall best answer the requirements of justice, and promote the interests of all the states, I have seen no cause to doubt the correctness of the

views. I am of opinion that the avails of the public lands will be more equitably and faithfully applied "to the common benefit of the United States," by their continued application to the general wants of the treasury, than by any other mode that has yet been suggested; and that such an appropriation is in every respect preferable to the distribution thereof among the states, in the manner your question proposes. Entertaining these views, I cannot give you any encouragement that I will, in the event of my election to the presidency, favor that policy.

You next ask me whether I will approve bills making appropriations to improve navigable rivers above ports of entry.

I am not aware that there is any question in reference to the subject of internal improvements by the federal government, upon which my opinions have not been fully expressed in a letter written by me in October, 1832, when a candidate for the vice presidency, to the Shocco Springs committee of N. Carolina, and in a letter from the attorney general of the United States to Mr. Garland of Mechlenburgh, in 1835, in which he was authorised to speak my sentiments in the matter. These documents have been frequently and extensively published.—Upon referring to them, you will find that from the first action of president Jackson upon this particular portion of his official duties, which happened while I was a member of his cabinet, until the time when those letters were written, there has been co-operation in action and a general correspondence in opinion between him and myself upon the whole subject. In the views expressed by him upon the particular question to which your inquiry extends, in his annual message to congress in December, 1834, I fully concur. They were as follows:

"There is another class of appropriations for what may be called, without impropriety, internal improvements, which have always been regarded as standing upon different grounds from those to which I have referred. I allude to such as have for their object the improvement of our harbors, and the removal of partial and temporary obstructions in our navigable rivers, for the facility and security of our foreign commerce. The grounds upon which I distinguished appropriations of this kind from others, have already been stated to congress. I will only now add that at the first session of congress under the new constitution, it was provided by law, that all expenses which should accrue from and after the 15th day of August, 1789, in the necessary support and maintenance and repairs of all light houses, beacons, buoys and public piers, erected, placed or sunk before the passage of the act, within any bay, inlet, harbor, or port of the United States, for rendering the navigation thereof easy and safe, should be defrayed out of the treasury of the United States; and further, that it should be the duty of the secretary of the treasury to provide by contracts, with the approbation of the president, for rebuilding when necessary, and keeping in good repair, the light houses, beacons, buoys and public piers in the several states, and for furnishing them with supplies. Appropriations for similar objects have been continued from time to time to the present without interruption or dispute. As a natural consequence of the increase and extension of our foreign commerce, ports of entry and delivery have been multiplied and established, not only upon our seaboard, but in the interior of the country, upon our lakes and navigable rivers. The convenience and safety of this commerce have led to the gradual extension of these expenditures; to the erection of light houses, the placing, planting and sinking of buoys, beacons and piers, and to the removal of partial and temporary obstructions in our navigable rivers, and in the harbors upon our great lakes, as well as on the seaboard.

"Although I have expressed to congress my apprehension that these expenditures have sometimes been extravagant and disproportionate to the advantages to be derived from them, I have not felt it to be my duty to refuse my assent to bills containing them, and have contented myself to follow in this respect in the footsteps of all my predecessors.—Sensible, however, from experience and observation, of the great abuses to which the unrestricted exercise of this authority by congress was exposed, I have prescribed a limitation for the government of my own conduct, by which expenditures of this character are confined to places below the ports of entry or delivery established by law. I am very sensible that this restriction is not as satisfactory as could be desired, and that much embarrassment may be caused to the executive department in its execution, by appropriations for remote and not well understood objects. But as neither my own reflections, nor the lights which I may properly derive from other sources, have supplied me with a better, I shall continue to apply my best exertions

to a faithful application of the rule upon which it is founded. I sincerely regret that I could not give my assent to the bill entitled 'an act to improve the navigation of the Wabash river;' but I could not have done so without receding from the ground which I have, upon the fullest consideration, taken upon this subject, and of which congress has been heretofore apprized, and without throwing the subject again open to abuses which no good citizen, entertaining my opinions, could desire."

President Jackson has no where given us his views as to the particular provisions of the federal constitution, by which he conceives expenditures of this character to be authorised. Upon referring to the early proceedings of the government, we find that general Hamilton, while secretary of the treasury, contended that they were warranted by the authority given to congress to regulate commerce. Mr. Jefferson, on the other hand, whilst he deprecated their liability to extravagance and abuse, assumed that they could be justified under the power to maintain a navy. President Jackson has left the question of constitutionality in the state in which it was left by his predecessors.—But having had actual proof of the tendency of these appropriations to the abuses which Mr. Jefferson apprehended, he has endeavored to apply to the subject a practical remedy. With this view, he refused his assent to all appropriations above ports of entry or delivery—not that he held the mere fact of the establishment of such ports by congress, decisive of the question of constitutionality, but because the constitution, under the general discretion it confers in regard to the approval or disapproval of bills, gives him the right to do so without reference to the constitutional question, and because he thought its exercise would be highly conducive to the public good.—No one, I believe, contends that the president ought, so far as it depended upon him, to have arrested all appropriations of this character, nor could it with any show of propriety be insisted that he should have given his consent to the extension of them to objects of a character altogether different from those which have been promoted by grants from the federal treasury, since the commencement of the federal government. That the rule he adopted for the regulation of his conduct in the matter, is free from objection, is not contended. I am, however, satisfied that it has been productive of much good, and will, until a more satisfactory one is suggested, give it my support.

You next ask whether I will sign and approve (if it becomes necessary to secure and save from depreciation, the revenue and finances of the nation, and to afford a sound uniform currency to the people of the United States,) a bill (with proper modifications and restrictions) chartering a bank of the United States.

In the published letter of Mr. Butler to Mr. Garland, which has already been referred to, he thus states my opinions upon the subject of the bank: "Mr. Van Buren's opinions in regard to the bank of the U. States, were expressed in the senate of the U. States in 1828; repeated in his letter to the Shocco Springs committee, whilst a candidate for the vice presidency, and have been so freely uttered by him, that there cannot, I think, be occasion to say much upon that subject. But to close the door to cavil, I state, 1st. That he holds that congress does not possess the power to establish a national bank in any of the states of the union, nor to establish, in any such states, the branch of any bank located in the District of Columbia; and 2d. That he is, therefore, decidedly opposed to the establishment of a national bank in any of the states; and is also opposed to the establishment of any such bank in the District of Columbia, as unnecessary and inexpedient, and as liable to a great proportion of the abuses which have in his opinion, been practised by the existing bank."

This declaration, with other uniform, repeated and published avowals of my sentiments, in regard to a United States bank, would, I had supposed, be sufficient to save me from further interrogation on that subject; but as you have thought proper to push the inquiry further, and to that end, to place the matter before me in a form studiously adapted to present the question in its most favorable contingent aspect, you will, I am sure, be neither surprised nor dissatisfied, if I deem it due to myself as well as to the subject, to give it more particular and enlarged consideration than I have heretofore felt it necessary or proper to do.

I am induced to embrace for this purpose the opportunity you have presented to me the more readily, from a deep conviction for the incalculable importance to the people of the United States, that this long agitated and distracting subject should be finally settled, and from a hope that what I have to say upon it may, from the situation in which the

partiality of my fellow citizens has placed me, to contribute in some degree to so desirable a result.

I greatly fear, that whilst there is in any quarter reason to hope that a charter for a new bank can in any condition of the country be obtained from the federal government, there will be neither order nor stability in the pecuniary operations of the country. If it can be ascertained that a discredited currency and pecuniary embarrassments will bring a charter, what security have we that such a state of things will not be produced? Is it doing violence to truth and justice to attribute to expectations of this character, the crusade which we have witnessed for the last two years against the deposit banks, against the efforts of the administration to restore a specie currency, and against all the fiscal arrangements of the treasury? Will any candid and well informed man pretend that such things would have been, if it had been considered as settled that the bank of the United States is not to be revived? I think not. The settlement of the deposit question, by the bill of the last session, will, doubtless, cause a suspension of this destructive career—but is there not reason to apprehend that it will recommence with the first appearance of any thing like a reasonable chance for the re-establishment of a national bank? Every thing therefore, which may serve to arrest or prevent the agitation of this subject, if only for a season, is of great value. In the published opinions to which I have already referred, my opposition to the establishment of a United States bank, in any of the states, is placed on the want of constitutional power in congress to establish one. Those who concur in denying this power, nevertheless differ among themselves in regard to the particular views by which their respective opinions are sustained. Some admit that congress has a right to create such an institution, whenever its establishment becomes necessary to the collection, disbursement and preservation of the revenue; but insist that no such necessity existed when the charter of the old bank expired, or has arisen since. With this class, the considerations to which you allude would be essential, and might have a controlling effect; for such persons make the power to establish a bank dependent upon them. My objection, on the contrary, is that the constitution does not give congress power to erect corporations within the states.

This was the main point of Mr. Jefferson's celebrated opinion against the establishment of the first national bank. It is an objection which nothing short of an amendment of the constitution can remove. We know it to be an historical fact, that the convention refused to confer that power on congress, and I am opposed to its assumption by it upon any pretence whatever. If its possession shall at any time become necessary, the only just way to obtain it to ask it at the hands of the people, in the form prescribed by the constitution. Holding this opinion, and sworn to support that instrument as it is, I could not find in the circumstances to which you refer, either warrant or excuse for the exercise of the authority in question; and I am not only willing, but desirous that the people of the U. States should be fully informed of the precise ground I occupy upon this subject. I desire more especially that they should know it now, when an opportunity, the best our form of government affords, will soon be presented, to express their opinion of its propriety. If they are in favor of a national bank as a permanent branch of their institutions, or if they desire a chief magistrate who will consider it his duty to watch the course of events, and give or withhold his assent to such an institution according to the degree of necessity for it that may in his opinion arise from the considerations to which your question refers, they will see that my co-operation in the promotion of either of these views cannot be expected. If, on the other hand, with this seasonable, explicit and published avowal before them, a majority of the people of the United States shall nevertheless bestow upon me their suffrages for the office of president, scepticism itself must cease to doubt, and admit their will to be, that there shall not be any bank of the United States, until the people, in the exercise of their sovereign authority, see fit to give to congress the right to establish one.

It is because I cannot doubt that the expression of the popular will, made under such circumstances, must have a tendency to arrest further agitation of this disturbing subject, for four years at least, and most probably, from the great moral influence which the often expressed opinion of the majority of the people in a republican government is entitled to, for a much longer period, that I am thus full and explicit upon the point to which you have called my attention. However much we may differ upon the abstract question involved in this controversy, no reflecting man can doubt the healthful and invigorating effects which any thing that looks like a settlement of this question must have upon all the

business, as well as political relations of the country. The public mind has been long and painfully agitated by it, and needs repose. The fruits of this agitation have been bitter and abundant. Men of business require to be put in a situation that they may adapt their affairs to a state of things which promises permanency. That character is alone necessary to give success to the present system. No rational plan for the regulation of the fiscal affairs of the country, can fail to succeed, if the mass of our industrious and enterprising population, without regard to local, sectional or political distinctions, are only sincerely desirous for its success.—Once satisfy them that things are in this respect to remain stable, and it is not, in the nature of things, possible that they can refuse their aid and support to that which concerns them so nearly, and upon which their prosperity, private as well as public, is so essentially dependant. If our correspondence shall have the effect to contribute in any degree to bring about a state of things in which we all have so deep an interest, and which should be desired by all, I will rejoice that it has taken place.

But whilst I so confidently entertain and so readily promulgate these sentiments in regard to the want of power to establish in any of the states a national bank, I am, at the same time, equally desirous that it should be fully understood that I am decidedly opposed to the creation of any such institution in the District of Columbia. I do not believe that any national bank there, or elsewhere, is necessary to secure either of the advantages to which your question has reference. The principal grounds relied upon by the advocates for a bank, to establish its utility and necessity, as I understand them, are,

1st. That such an institution is necessary for the transmission and safe keeping of the public moneys.

2d. To secure a safe, cheap and convenient system of domestic exchange; and

3d. To make and preserve a sound currency.

The limits of this letter will not admit of a full discussion of these points, but I cannot refrain from referring to a few of the facts which belong to them. I say facts, for after the many speculations and anticipations in regard to the currency, the public revenue and the public prosperity, with which the country has been surfeited for the last two years, to which thousands have trusted, and by which thousands have been deceived, I may say, I think, without offence, that it would be the surest, because the only safe course, to regulate our opinions in future, somewhat more than heretofore, by ascertained facts. How, then, do the facts stand upon the first point, viz: the necessity of the bank, as a place of safe keeping for the public moneys, and as an agent for their transmission, to answer the wants of the government?

The official reports of the secretary of the treasury show first, that the average amount of money annually transferred by the bank of the United States, from 1820 to 1823, was from ten to fifteen millions of dollars; and the amount transferred by the deposit banks, from June 1835 to April 1836, or about ten months, over seventeen millions of dollars. In both cases the operation has been without loss, failure or expense. And it further appears, from the same source, that at no previous period has the safety of the public moneys been more carefully or securely provided for. An examination of the official documents will, I am well satisfied, fully sustain these positions. What foundation, then, was there for the assumptions, upon this part of the subject, which were put forth with so much solemnity, and insisted upon with so much earnestness, in the early discussions upon the subject of the bank? If so much has been done in this respect, whilst the substituted agency has had to contend with the most powerful opposition that was ever made upon any branch of the public service, what may we not expect from it now, when it has received the legislative sanction—and if there be not gross dereliction of faith and duty—when it must also receive the support of all parties?

In regard to domestic exchanges, the following facts are also established by the same authentic source, viz: that the amount of domestic exchanges performed at the last returns by the deposit banks, exceeded thirty-five millions of dollars, and at no return for months has it been less than twenty-five millions—which, at an average of thirty millions at each return, would be in a year one hundred and eighty millions, if each bill of exchange run on an average sixty days. On the contrary, the amount of domestic exchanges performed by the United States bank, did not for many years equal twenty millions at any one return, and seldom exceeded it, being quite one third less than what is now done by the deposit banks. It further appears, that these exchanges have in many cases been effected at lower rates by the deposit banks than by the United

States bank. Indeed, can it be doubted, that even if there was not a single bank, state or national, in the country, it would nevertheless be quite easy to place its domestic exchanges upon an advantageous and safe footing, so long as there is a sufficiency of solid capital to be employed in the business? From the nature of the thing itself, and from the experience of Europe, we may be assured that the profits and necessities of trade would invite and obtain ample facilities for the business of exchange from other sources, so long as the commercial community with one accord desire to see it successfully carried on, and assist in good faith in effecting it.

Lastly, the currency. The proportion of our whole circulating medium that was composed of the notes of the bank of the United States, during the existence of that institution, was much smaller than was generally supposed. The circulation of the United States bank, as I am informed, ranged, for some years before it expired, at about twenty millions, often below that amount, which was not over one-fourth of the paper circulation of the United States. Some think it has been less than one fifth. The great mass of the business of the country was, therefore, even then carried on, so far as money was employed in it, by means of the notes of state banks and specie. The beneficial effects that were claimed to be rendered by that institution in respect to the currency, consisted—

1st. In supplying bills that were current throughout the union, and

2d. The salutary effects of its supervision over the state banks, in preventing over issues and compelling them to keep on hand larger supplies of specie for the redemption of their notes.

The transactions in which it became necessary, or was usual to carry bank notes from one state to another, were very limited in their amounts; large sums being then, as they are now, and ever will be, transmitted through the medium of bills of exchange. It will not even now, I think, be seriously denied, that the increase of the gold coinage, and the facilities of getting that species of coin, together with the large denomination of notes issued by the leading state banks, are abundantly sufficient for those purposes, and that they can be quite as conveniently employed in them.

As to the benefits alleged to have been rendered by the bank of the United States, in checking excessive issues by the state banks, and in compelling them to maintain an adequate supply of specie, whilst by no means disposed to undervalue them, I yet think the same objects can be accomplished, not only without the agency of any such institution, but to a much greater and more useful extent without than with it; provided a proper policy be pursued by the federal and state governments; by the former, through the mint and the treasury department; by the latter, by suppressing small bills, by discouraging the extension of the paper system, and by subjecting existing banks to wholesome restraints and to a rigid supervision.

That gold and silver should constitute a much greater proportion of the circulating medium of the country than they now do, is a position which few are disposed to deny. How great the increase, and how rapidly it ought to be effected—are questions in regard to which a difference of opinion may from time to time arise amongst men having the same general object in view. No beneficial reform in the affairs of the world was ever accomplished, in which similar diversities of opinion were not found among its advocates. But it is a consolation to know that embarrassments arising from that source have been overcome, and may be again. To protect the working classes, (who generally speaking, have no control over a paper currency, and derive no profit from bank stock) against losses arising from depreciation by securing a metallic currency sufficient at least for all minor dealings—including the payment of labor, the most important as well as the most pressing use there is for money—to furnish a more substantial specie basis for that part of the currency which consists of paper, and thereby save the whole community from loss in consequence of any sudden withdrawal of confidence—should be our first object, as it is our imperative duty. Other countries are wiser than we are in this respect. England prohibits the circulation of all bank notes under £5, equal to about \$25; and France, all under 500 francs, equal to about \$90; and there is scarcely a village or even an inn, in England, in which you cannot, without the slightest inconvenience, change a five or ten pound note, and even those of a higher denomination, into gold and silver; and in France there are like facilities.

Our situation has for a long time past been widely different; a fact easily to be accounted for when we reflect upon the past course of the federal government. The constitution gave to congress ex-

press power "to coin money and regulate the value thereof and of foreign coin," and it as expressly prohibits the exercise of a similar power by the states. It was to the federal government therefore, and to that only, that the framers of the constitution looked for whatever of a domestic metallic currency the interests of the people of the United States, and the security of property within the same, should be found to require; and as they also refused to congress the power to create corporations, and expressly prohibited the states from emitting bills of credit, and from making any thing but gold and silver coin a tender in payment of debts, it is equally obvious that they intended as a general rule, that the currency of the country should be a metallic and not a paper currency. Whether they also designed to divest the states of their antecedent right to incorporate banks, it would now be more curious than useful to inquire. That matter, so far as it relates to the mere question of power, must be regarded as settled in favor of the continued authority of the states. Assuming that this was contemplated by the framers of the federal constitution, it is then most evident that their hopes of a sound currency must have been based upon their expectation that the respective governments would faithfully discharge their peculiar duties, and as faithfully confine themselves to their respective spheres: that the federal government would exert all its constitutional powers, not only by creating and diffusing a metallic currency, but by protecting it against a paper circulation of the same nominal value, whilst the states supplied such emissions of paper as might be actually demanded by the necessities of commerce, and not at variance either in denomination or amount with the existence of an adequate specie currency.

Had such a policy been pursued, there is the best reason for believing that a just proportion between paper and specie might have been preserved, and a sound currency uniformly maintained. But instead of pursuing this course, the federal government at an early period authorised the issuing of paper money, and with the intermission of a very few years, continued to do so until the expiration of the charter of the late United States bank, and as if anxious to contribute their share to this inroad upon the policy of the federal constitution, the state governments have not only created swarms of banking institutions, but, until recently, most of those institutions were authorised to issue notes of as low a denomination as a single dollar. The consequences of this departure from the wise policy of the framers of the constitution, and from the appropriate functions of the federal and state governments, have been extensively injurious. We have seen them in the almost total exclusion of gold, and to a great extent of silver also, from the circulation of the country; in the enormous issues of paper which have been made whenever business was inviting and public confidence strong; the contractions which have followed an adverse state of things, and the mischiefs which these fluctuations have occasioned, in the frequent depreciation, and in numerous instances, the utter worthlessness of bank paper; in the temptations held out to the crime of forgery and the general prevalence of that crime; in the injurious collisions which have occurred between the state banks and the bank established by federal authority; and above all, in the daring attempt of the latter, first to control the public will through the medium of elections, and after this effort had been rebuked by the intelligence and virtue of the people, to extort a reversal of that decision by a reckless warfare on the business of the country.

It is time, high time, that we should return to the constitutional policy, and the first step in the way of reform, is that the federal government confine itself to the creation of coin, and that the states afford it a fair chance for circulation. Can any one assign even a plausible reason why the United States cannot maintain as stable a currency as either France or Great Britain? None, I imagine, other than that it has not been the policy of the government that it should be so. In all material respects, so far as I can judge, we are in an equally favorable, if not a superior condition. Whilst both those countries must rely on importations from abroad for gold for their mints, we derive three-fourths of a million annually from our mines, and are besides nearer the great supplies of it in South America. Nothing, therefore, but a faithful prosecution by the general government and the states, of the policy of the present administration in regard to a specie circulation, is necessary to place us on a footing of equality in this respect with other nations. Such a result once accomplished, it will require no labored argument to prove that more will have been done for the permanent interests and improvement of the currency, than was ever accomplished by

the bank of the United States, or than ever could, in the nature of things, be accomplished by such an institution. We may find in what has already been done, the greatest encouragement to a vigorous prosecution of this policy.

In the years 1826, 1827 and 1828, the gold coinage amounted to only \$154,655 annually. Since that period it has been as follows: in 1829, \$295,717; in 1830, \$643,105; in 1831, \$714,270; in 1832, 798,435 dollars; in 1833, \$978,550; in 1834, \$3,954,270; in 1835, \$2,186,175; and for the first six months of 1836, \$1,006,575; and in the remaining six months of the present year, it is expected to be much larger, there having been coined in the month of June alone, over one million of dollars. The next year our means to coin will be greatly increased, by the completion of three branch mints. And under what circumstances has this extraordinary and regular increase of the gold coinage been accomplished? In the midst of an incessant and unprecedented violent struggle on the part of the bank of the United States for a recharter; that institution and its advocates correctly regarding the free circulation of every piece of gold coin as an argument against the alleged necessity of a national bank.

I do not now allude to what has been done with any view to crimination; but the argument requires us to deal with facts as we find them. It is well known that in addition to the difficulties that arose from the immense means of the bank to obstruct the circulation of the gold coin by collecting and hoarding it, the question whether we should have a gold currency or not became involved in the fierce political contentions of the day, and all the efforts of a well organized and powerful party, were applied to enforce the negative of the question. If, under adverse circumstances like these, so much has been done, what may we not accomplish in the new state of things now opening to the country? When all hopes of the establishment of a national bank are given up, the principal obstruction to the circulation of the gold coins will cease to operate—the leading motive for discrediting this species of currency will have been done away—politicians will no longer find an inducement to engage in such efforts; nor will the people allow a matter in which their welfare is so vitally concerned to be any longer mingled up with party strife. The slightest reflection must convince them that they have no interest in the party conflicts of the day, which can justify so suicidal a course. The passage of the deposit bill will also be regarded by the people as a pledge from all parties to give to the existing system, which excludes the idea of a national bank, a fair trial. The country moreover desires repose, and we may reasonably hope that the whole community will be disposed to encourage rather than to discourage a specie currency. This object will also, as before observed, be greatly promoted by the new stimulus which it will receive from the recent legislation of congress. Three additional mints have been established, and the president is authorized by the deposit bill to keep them amply supplied with bullion, and the secretary of the treasury is empowered to require an increase of specie in any deposit bank, and is restricted from employing as an agent for the government any state bank which issues bills under the denomination of five dollars.

By another general law the notes of such banks are prohibited from being received for debts due to the United States of any description; and it has also been provided by law, that no note shall hereafter be offered in payment by the United States or post office department of a less denomination than ten dollars, and after the third day of March next of a less denomination than twenty dollars, nor any note, of any denomination, which is not payable and paid on demand in gold and silver at the place where issued, and which should not be equivalent to specie at the place where offered, and convertible upon the spot into gold or silver, at the will of the holder, and without loss or delay to him. Nor have the states lagged behind in their efforts to improve the currency by infusing into it a greater portion of the precious metals. Already are the issuing of bills under the denomination of five dollars prohibited by the states of Pennsylvania, Maryland, Virginia, Georgia, Tennessee, Louisiana, North Carolina, Indiana, Kentucky, Maine, New York, New Jersey and Alabama—and of one and two dollars by Connecticut. That this policy will become general and gradually extended, cannot be doubted. To what precise extent it may be carried with advantage to the country, it will be decided by time, experience and judicious observation. Evasions of it may for a season take place, and some slight inconveniences arise from the change, but they will both be temporary. The Union committee of the city of New York, confessedly combining some of the best business talents of our great commercial emporium, regarded

it as an improvement of the currency of great importance to all classes of the people; legislative bodies have shown great unanimity in its favor; it is approved by the people, and must prevail.

The banks can neither be so blind to their interest or disloyal to their duty, as to seek to defeat directly or indirectly a policy, by the success of which their own security and permanent interests will be promoted, and the failure of which, through their fault, would certainly excite, deeply, the prejudice of the community against them. But even if it were otherwise, the legislatures have the power to compel them to do their duty, and with the possession of the power will be also the obligation to exercise it. The single consideration that it is the denomination of money in respect to amount in which the labor of the country is paid for, and most of the laborer's dealing transacted, will be sufficient of itself to consecrate what has been done to exempt that portion of the currency from the possibility of depreciation. The administration of the general government confiding in the stability of a measure so extensively adopted by the states, and with such unanimity in the respective legislatures, has based its own measures in relation to the currency on its supposed continuance. The general government will not assuredly be abandoned by those states in the prosecution of a wise policy, the adoption of which they have themselves invited. It is not to be apprehended that a course of legislation so vacillating and unnecessary, will become the reproach of any of them.

That the result of all these measures must be a large and healthful infusion of gold and silver into the circulating medium of the country, doing more good to the currency than was done by the old, or than can be expected from a new bank, no one can doubt. Independent of all this, the treasury has it in its power to exert a salutary influence, first over the deposit banks, which will always be selected from the principal banks in the states, and through them over the residue. Whatever check was exercised by the United States bank on the issues of the state banks, was done by either refusing to take their notes in deposit, or if taken, by returning them quickly for specie; if it believed their issues to be excessive. The deposit banks have a right to do the same thing, and are in the habit of exercising it, when in their opinions an occasion for its exercise exists. Over the deposit banks themselves, the secretary of the treasury has liberal supervisory powers. He may in his discretion direct, as before remarked, an increase of their specie, when it appears by the returns which they are obliged to make to him at short intervals, that their issues are large and disproportionate to their specie on hand; and a constant and great check is exercised over them by the actual public knowledge of their condition obtained through their reports, and the regular publication of them.

I am for exercising this supervision in a just, but at the same time in an inflexible spirit. If the supervision of the treasury prove inadequate to their due restraint, I have an abiding reliance on the intelligence and virtue of the people. Temporary inconvenience may result from the folly or fraud of these institutions, but the remedy will soon be applied. A people like those of the states composing this confederacy will not long stand by and see the currency of their respective states corrupted, the value of property unsettled, and all their interests deranged, by the imprudence or cupidity of these incorporations, without finding and enforcing an effectual, and at the same time a constitutional remedy. These observations do not proceed from a de-

*Few public men occupy a position in regard to their less likely to be a temptation to a course of conduct savoring either of undue partiality on the one hand, or unjustifiable severity on the other. In the course of my eight years service in the senate of this state, a very large proportion of its banking capital was incorporated, and the journals of that body will show that I took an active part in all the questions which arose upon the subject. Most of the applications for banks that were rejected, will be found to have been so disposed of on my motion; and every application, save one, will be found to have my vote recorded against it. The exception was that of a bank established at Buffalo at the close of the war. It was established with the avowed design of enabling the inhabitants the more speedily to rebuild the town after it had been burnt by the enemy. That my vote in that particular case would be governed by that consideration and should not be construed into a departure from the course which I had prescribed to myself, was stated in my place. The motive proved in that instance as delusive as usual. Finding it impossible to prevent the undue increase of banks, I introduced a proposition to repeal the restraining law, and re-

sire to deal harshly with the state banks.* Al though I have always been opposed to the increase of banks, I would nevertheless pursue towards the existing institutions a just and liberal course—protecting them in the rightful enjoyment of the privileges which have been granted to them, and extending to them the good will of the community so long as they discharge with fidelity the delicate and important public trusts with which they have been invested. But all experience having shown that there is no delegated power more liable to abuse than that which consists in chartered privileges of this description, I would be astute in watching the course of the banks, and vigilant and prompt in arresting the slightest aspiration on their part to follow a bad example, by seeking to become the masters, when they were designed to be the servants of the people.

Sincerely believing, for the reasons which have just been stated, that the public funds may be as safely and conveniently transmitted from one portion of the union to another, that domestic exchange can be as successfully and as cheaply effected, and the currency be rendered at least as sound, under the existing system, as those objects could be accomplished by means of a national bank, I would not seek a remedy for the evils to which you allude, should they unfortunately occur, through such a medium, even if the constitutional objection were not in the way.

But, sir, there are, in my opinion, objections to the re-establishment of a national bank, of a character not inferior to any that I have stated. The supremacy of the popular will is the foundation of our government. If we allow it to be prostrated, either by corruption or fraud, the republican principle, which gives life and character to our system, will be broken down. It is only by rigidly and manfully upholding that supremacy on all occasions, that we can hope to resist the perpetual efforts of a spirit which is inherent in all societies; which has never ceased to maintain a powerful foothold in these states, and which is ever at work to subvert those features of our system which place the political rights of the people upon an equal footing. I hold it to be sufficiently certain that a vast majority of the people of the U. States were opposed to the late bank, and are equally opposed to a new one. They have had fearful proofs by overt acts of the correctness of Mr. Jefferson's opinion, that "this institution is one of the most deadly hostility existing against the principles and form of our constitution;" and of the reasonableness of his apprehensions, that "penetrating by its branches every part of the union, acting by command, and in phalanx, it might, in a critical moment, upset the government." To suppose that the people of this country can ever again consent to place so great a power as that recently wielded by the bank of the United States—a power which could agitate at pleasure the elements of society, and carry terror and embarrassment to every corner of the land—in the hands of any body of men, is to suppose them alike indifferent to the lessons of experience, the calls of interest, and the principles of freedom; to have neither the capacity to understand their duty, nor the firmness to carry out their own determinations.

The re-establishment of the United States bank would therefore, under whatever plausible pretences effected, be an infraction of the well understood will of the people, and a fatal blow to the cause of self-government. So strong are my convictions upon this subject, and so imperative my sense of duty in regard to it, that I cannot conceal from you my surprise, as well as regret, that the idea of accomplishing that object is still, as would seem from your letter, kept on foot in any quarter.

Your last question seeks to know "my opinion as to the constitutional power of the senate and house of representatives to expunge or obliterate

gulate private banking; and, in co-operation with Mr. Van Vechten, a distinguished citizen of this state, and others, succeeded in getting it through the senate, but was lost in the house. Believing the system of incorporated banking to have acquired too deep a hold upon the public mind, and to be too extensively entwined with the business affairs of the state, to be overthrown, I availed myself of my brief administration of the government of this state, to invite attention of the legislature to a consideration of the proper means of securing the community against the frauds and failures of those institutions. Our present safety fund system is the result of the wise labors of that and succeeding legislatures. For myself, I am not now, nor have I been for nearly twenty years, the owner of any stock in any bank, or, within my recollection, in any incorporated company whatever, though often invited to become so, under circumstances which promised and ultimately yielded great profits.

from the journals the records or proceedings of a previous session."

You will, I am sure, be satisfied upon further consideration, that there are but few questions of a political character less connected with the duties of the office of president of the United States, or that might not with equal propriety be put by an elector to a candidate for that station, than this. With the journals of neither house of congress can he properly have any thing to do. But, as your question has doubtless been induced by the pendency of colonel Benton's resolutions to expunge from the journals of the senate certain other resolutions, touching the official conduct of president Jackson, I prefer to say, that I regard the passage of col. Benton's preamble and resolutions to be an act of justice to a faithful and greatly injured public servant, not only constitutional in itself, but imperiously demanded by a proper respect for the well known will of the people.

This reply to your numerous questions, has unavoidably extended to a much greater length than I could have wished. I have given you, without reserve, my "opinions and views" upon the various subjects which you have presented to my consideration; but you can hardly intend, as your questions would seem to imply that I should enter into any engagements with you as to what particular bills relating to these subjects I would or would not approve in the event of my election to the presidency. In the cases where I have avowed constitutional objections to the measures alluded to, any thing further would be superfluous; for can I think it consistent with the respect due from me to the people of the United States, and especially to that portion of them who have made me a candidate for the chief magistracy, to tender to you on the present occasion any other pledge than such as is necessarily implied in the foregoing avowal of my sentiments, and as you may find in the history of my public life.

I am, sir, your obedient humble servant,

M. VAN BUREN.

SHIP BYRON—THE ICEBERGS.

A perilous encounter with an iceberg near the banks of Newfoundland. On the 30th June last the ship Byron left Liverpool for New York heavily laden with iron, salt, &c. and having on board, in passengers and crew, 119 or 120 souls. On the morning of the 3d of August, 34 days out, in lat. 44 22, lon. 48 50, a scene occurred which can never be effaced from memory. It was the watch of the first mate, a man of great fidelity; but being indisposed his place was taken by another. An unusual degree of levity and thoughtless security among the passengers, had just taken place to sleep. And now all was still, save the tread of the watch on deck, or the occasional toll of the bell to warn fishing crafts, if near, of our approach: but we had more need to be warned ourselves than to give warning to others of approaching danger. About 2 o'clock, A. M. a hurried step awoke the writer of this sketch; and the rapid whispering of some created the suspicion that all was not right. Springing from his berth, he asked one of the men near the cabin door, what was the matter. "We are in the midst of ice," said he: "Will you inform the captain and mate?" The captain was instantly on deck; he ran forward to look out. In a moment the vessel, going at the rate of five knots, struck as against a solid rock. It was an island of ice! It lifted its head above the water more than one hundred feet, and leaned over, as if ready to fall down upon us. The word was given to put up helm and back the sails. As the sailors were hastening to obey the latter order—as the terrified passengers were rushing on deck and looking up at the immense, overhanging, freezing mass, the ship struck again with increased force. O what a shock! Crash! crash! it seemed as if the masts were falling one after another on the deck. The second mate entered the cabin and clapping violently his hands together exclaimed, "my God! our bows are stove in—we're all gone." An awful death appeared now inevitable. In this movement of general panic, the commanding officer gave orders to "clear away the boat." Then, while the knife was being applied to the cordage fastening her alongside the ship, a rush was made to her by men and women. That small boat was in a moment filled with thirty or forty persons. It seems utterly marvellous that she did not break down, precipitating every soul into the deep. Had this taken place, our commanding officer must have shared the same fate; for, from a desire to gain possession of her for himself and crew, or to save the miserable crowd that had got into her from destruction—it may be from both motives—he entered the boat and stood in her until he drove out every one at the point of the sword. Then was a scene of terror! In front of the cabin the passengers were collected, half naked—some on their knees calling

for mercy—some clapping their hands, and uttering the most appalling shrieks. Nothing distinctly could be heard. All was confusion and horror. It was enough to penetrate a heart of stone. Some more collected, were dressing themselves preparing to resist the cold, if perchance they should survive on the wreck. Others were looking for something to which they could lash themselves for support for a time in the water. Here, you might see one with a safety-belt slung over his shirt, endeavoring to fill it with air; there, another, pale and agitated, inquiring, "is there any hope?" And there, one standing as if in sullen despair, saying, "it is no use to do any thing. We must die." "Are we sinking, uncle!" cries a dear boy. A child running to a brave sailor, says, "won't you save me?" And the loud wailing and lamentation from the crowd rose higher and higher. Then, as if to close the painful scene, the ship struck again on her quarter. The shock reverberated like thunder, making every joint of the vessel shake as if coming apart. Hope now fully fled; all hearts were dismayed; the despairing cry was renewed, and the most calm braced themselves in preparation for immediate death. Even the dogs cowered down on the deck in silence.

It appeared that at the first shock against the mountain, the jib-boom was broken and thrown over the bows into the vessel. The second shock carried away the bowsprit, head and cutwater, lodging the timbers across the bows. Had it struck us on either side, or had it struck the hull, we must have perished, but by the mercy of God, the hull was uninjured. After the bowsprit was carried away, the stem of the ship must have been held down for an instant by the overhanging column; and her not immediately rising in front, gave the idea to the most experienced that she was stove in, and was filling with water. This created the panic. But the sails being backed, the helm put hard up, she turned off from her enemy, and swinging clear, received the last shock on her larboard quarter, which, though its sound was terrible, did no injury. *That instant she was free.* And now was the contest between despair and hope. The carpenter reported that the hull was sound and the bowsprit could be repaired; but then she may have sprung a leak, and the foremost is in danger of falling! The word was "to the pump." The pump was rigged and wrought. It was a moment of painful suspense, until the pump sucked showing that all was tight. Then hope gilded the countenance of our captain, and all hearts began to live in its radiance. Still we waited to hear the crash of the foremost as the vessel was rolling in the sea, but it stood firm. Daylight, ever delightful to those on the deep, and peculiarly grateful to us, soon appeared. We found ourselves going on our way, alive, and with every reasonable confidence of future life.

We stood amazed at our deliverance. The most careless among us were constrained to attribute our preservation to a kind and merciful Providence; while the multitude cried out unhesitatingly, "it is the Lord who hath saved us; thanks and praises to his holy name." Then every countenance was lighted up with joy; every heart was full of gratitude to God, and love to one another, and many purposes were formed of reformation in future. The next day we saw three mountains of ice. We passed near to one of them. We gazed with the deepest interest on the fellow of that which had so greatly endangered our lives. Before the close of the second day, a new bowsprit was fitted up, which stood the trial of winds and waves the remainder of the voyage. In all this business the officers and crew showed great skill and energy.

[Observer.]

SCENE IN THE HOUSE OF COMMONS.

Reduction of the tax upon newspapers.

Mr. Roebuck addressed the house amidst loud and prolonged cries of *question, divide*, and general interruption, jeering, cheers and buzzing from both sides of the house, which rendered him almost inaudible. We understood him to say that the question was made one of party, not of justice. (*Divide, divide.*) The gentlemen opposite wished to prevent the people from the opportunity of acquiring knowledge. If they could get newspapers to give them sound knowledge, the system of the gentleman opposite would soon be abolished. (*Oh! Oh! laughter and general confusion.*) The pretence set up for opposition to the reduction of this newspaper duty, was a paltry one. It was the pretence of consulting the interests of the agriculturists that made the hypocrisy more glaring. Talk of tallow. (*A laugh.*) If it was proposed that the reduction of this duty could be a benefit to the agricultural interest, it was a gross delusion. It was idle and futile to say so. The agriculturists were only put in the van to screen the objects of the opposition.

Neither farmers nor landlords can be benefitted, by the repeal of the soap tax, to any extent. The farmers could have no benefit; but the landlords might be in a condition of putting some five pounds in their pocket by increasing the sale of tallow. But look to the benefit of having a free press. (*General bursts of laughter and ironical cheers.*) He would maintain that more sound information, more morality, was conveyed by the unstamped press, than could be found in the stamped. (*Reserved laughter.*) The unstamped papers did not contain one-tenth of the obscenity, and immorality, and profligacy of manners that the licensed papers did. (*Laughter and jeering acclamation for some minutes.*) He could prove it. In one of the Dublin stamped papers, it had been gravely debated, whether the honorable member might or might not be shot. (*Oh! Oh!*) Yes; it had been gravely debated, whether it were not lawful to kill a fellow citizen. Look at the *Times* paper, for instance; it had the baseness to say, that Mr. O'Connell, the big beggarman, ought to be exhibited as a show. (*Laughter.*) Was that to be borne? The higher classes delighted in, and their tastes were familiar to, obscenity, immorality and profligacy of phrase and sentiment, that were to be found in the stamp papers. (*Oh! Oh! and laughter.*) What could be more filthy and impure, than the paper generally disseminated as the parson's paper? (*Laughter and cheers, which resembled a prolonged huzza.*) Why, no man would retain a servant, if he uttered half the foulness contained in that paper. The freedom of the press would put down aristocratic dominion, as it would teach the people the full extent of their rights, and the proper mode of exerting them. He thought his opinions, though true, might not prevail. (*Laughter.*)

Mr. Kearsley rose and said that he did not rise to reply to the honorable member for Bath; for he would assure that honorable member that he would not condescend to reply to any thing that fell from him. But as the other honorable member opposite, who addressed the house on the same side of the question, has such a sweeping way with him of getting through the argument, (*cheers and laughter*), he would say a few words in reply, although he felt indignant when he heard the disgusting speech of the member for Bath. (*Loud cheers from the opposition, and cries of "chair, chair," "order, order!" for some minutes.*) [*Galignani's Messenger.*]

NORTH WEST PASSAGE.

We learn from the English newspapers that captain Back, already well known to the public for his expedition in search of captain Ross, will soon proceed on another expedition to the Arctic Seas. The ship selected is a bomb vessel, and therefore well fitted to navigate in icy seas, and her first lieutenant, Mr. Smyth, is well acquainted with the northern seas, having been with captain Beechy in the *Blossoms* in Behring's straits, a few years since. Proceeding to Wager bay, captain Back will lay up his ship, and from thence will proceed in boats, constructed for the purpose, to complete the survey of the coast, from Cape Turnagain to Victoria Headland, the point which he reached in his last expedition, and where he discovered the open sea. It is supposed that this expedition will occupy about two years, and may probably result in the discovery of the long sought north west passage.

But admitting this passage to be discovered, and we have very little doubts of its existence, what benefit is to result to the world from the discovery? It would only be used for a brief season of the year, and even then, it would be very uncertain. It is not probably open for more than one or two months in the year, of every year for that period. This would confine the sailing of all vessels from Europe and the United States for China and India, to certain seasons of the year, to the great embarrassment and interruption of commerce. Besides this, the chances of finding the passage open at all are not always certain, and the danger to vessels of being icebound, and consequently lost, always is great. If a vessel from either side of the Atlantic should attempt to reach China by the north west, and find the passage impracticable from the ice, as would be the case if they came a fortnight too early or too late, and as might be the case through the whole summer, what would it gain? It would be obliged to return and make the usual passage, by either of the capes, with the loss of all the time expended in the north western attempt. For nearly two hundred years, have navigators sought this in both the Atlantic and Pacific oceans, and have hitherto been invariably arrested by the ice. This fact is sufficient to show that if a passage from one ocean to the other be discovered, the use of it, on account of the ice, must be extremely precarious. If the ice has so invariably presented an obstacle to the discovery, it will continue to present the same to its use, after the discovery shall be made.

The navigation to the Pacific round the capes is by no means dangerous. India and China vessels are rarely lost, and never, we believe, near either of these points. Therefore if a longer time be required for a voyage, than would be by a north west passage, admitting it to be successful, yet nothing is lost, but much gained, when we consider certainty and safety.

Hereafter, probably, all voyages to the Indian or Pacific oceans, from either side of the Atlantic, will be across the Isthmus of Darien: If all the time and money that have been expended in vain attempts to find a north west passage, had been applied to cutting a canal across the Isthmus, the two oceans would have long since been united, by a canal large enough for first-rate line of battle ships.

[*Pennsylvania Sentinel.*]

THE EUPHRATES EXPEDITION.

From a supplement of the *London Gazette* of Friday, July 29, 1836.

India Board, July 28, 1836.

A despatch has been received at this office from col. Chesney, R. A. in command of the Euphrates expedition, dated Euphrates steamer, Anna, May 28, 1836, of which the following, with its enclosure, are copies:—

Euphrates steamer, Anna, May 28, 1836.

SIR: It is with feelings of the deepest regret, that I do myself the honor of informing you that the Tigris steamer was totally lost during a hurricane of indescribable violence, which, after the short struggle of about eight minutes, sent a fine vessel to the bottom in five fathoms water, and deprived his majesty of fifteen valuable men, with five natives in addition.

My reports up to the 17th instant, at Deir, will have informed you that all was going on as successfully as the most sanguine could possibly desire.—We found the Arabs well disposed, and quite ready to form depots for us of wood, charcoal, bitumen and lignite coal, all met in abundance, and tried with complete success. In addition to these marked advantages, the survey has been carried 509 miles down the Great River, which seemed in all respects favorable; in short, all was continued prosperity up to the afternoon of the 21st instant, when it pleased God to send the calamitous event of which it is my duty to give a feeble sketch.

A little after one P. M. on that melancholy day, the flat boats being a little ahead, and the Tigris leading the Euphrates, a storm appeared, bringing with it, high in the air, clouds of sand from the west north west quarter. At this moment we were passing over the rocks of Is Geria (deeply covered,) and immediately after we made a signal for the Euphrates to choose a berth, and make fast; which was done more as a matter of precaution, on account of the difficulty of seeing our way through the sand than from apprehension that the squall would be so terrific. The Tigris was immediately directed toward the bank, against which she struck without injury, but with so much violence as to recoil a distance of about eight yards, leaving two men on the bank, who had jumped out to make fast. The wind then suddenly veered round, drove her bow off, and thus rendered it quite impossible to secure the vessel to the bank, along which she was blown rapidly by the heavy gusts, her head falling off into the stream as she passed close by the Euphrates, which vessel had been backed opportunely to avoid the concussion.

The engines were working with full power, and every endeavor made to turn the vessel's bow to the bank. One anchor was let go, but the heel of the vessel made it impossible to get the other out, and she was then nearly broadside to the wind, with the engines almost powerless, and the waves, rising to four or five feet, forcing their way in at the windows. Lieutenant Cockburn, the Messrs. Staunton, and some of the men made ineffectual attempts to keep out the water, for the fate of the vessel was already decided; and the fore part of the deck being under water, lieutenant Lynch came to report that the Tigris was sinking, and the word was immediately passed for all to save themselves. At this very instant a momentary gleam of light faintly showed the bank at the apparent distance of eight or ten yards; and, as there seemed every probability that the stern would touch it before she went down, lieutenant Lynch encouraged the people to remain steady until they reached the land. All were on deck at this critical moment, some clinging to the ropes of the awning, the paddle boards and funnel; but the majority were close to the tiller, and all behaving with the most exemplary obedience, until the vessel went down all at once, and probably within half a minute, after we had seen the bank for an instant.

Lieutenant Lynch, who was at my elbow, dived out underneath the starboard ridge rope, at the moment when there was about four feet water on the dock, and I had the good fortune to get clear, in the same way, through the larboard side, and also to take a direction which brought me to the land, without having seen any thing whatever to guide me through darkness worse than that of night. When it cleared a little, I found around me lieutenant Lynch and Mr. Eden, (both greatly exhausted), Mr. Thompson, the Messrs. Staunton and several of the men. The hurricane was already abating rapidly, and as the distance from the vessel to the shore was very short, we indulged the hope that the rest of our brave companions had reached the bank lower down. For an instant I saw the keel of the Tigris uppermost, near the stern. She went down bow foremost, and, having struck the bottom in that position, she probably turned round on the bow as a pivot, and thus showed part of her keel for an instant at the other extremity; but her paddle beams, floats and parts of the sides were already broken up, and actually floated ashore, so speedy and terrific had been the work of destruction.

From the moment of striking the bank until the Tigris went down it scarcely exceeded eight minutes; while the operation of sinking itself did not consume more than three; indeed, the gale was so very violent that I doubt whether the most powerful vessel, such as a frigate, could have resisted it, unless she were already secured to the bank; and, for this there was, in our case, little or no time, as it was barely possible, in the position of our consort, to make fast and save the vessel.

I had little, or rather no hope, that the Euphrates could have escaped, but the intrepid skill of lieutenant Cleaveland and Mr. Charlewood enabled them to get out two anchors in the very nick of time; and by the united means of two hawsers, and the engines working at full power, the vessel maintained her position at the bank, until the storm abated, as the inclosed letter* from capt. Estcourt will explain more fully; and as it required all the powers of a fifty horse engine in the case of the Euphrates, to keep her hawser from snapping, I infer, that the twenty horses of the Tigris would not have been sufficient to enable her to keep the position at the bank, even if the officers had succeeded in securing her along side of it.

Lieutenant Lynch and Mr. Eden continued cool and collected until the last moment, nor were any efforts wanting that skill or presence of mind could suggest to save the vessel in the first instance, and the lives in the second, when the former had failed; nor could any thing be more exemplary than their conduct, and that of all on board: scarcely a word was spoken, not a murmur was heard, and death was met with that exemplary degree of intrepidity and resignation which have been displayed by every individual throughout the arduous and trying service in which we have been engaged since January, 1835.

Having already given a faithful account of the short, but eventful period of about twelve minutes occupied by the beginning, the progress and termination of the hurricane, I will conclude the painful part of my task, by referring you to the inclosed return of the names of the valuable men who have been lost to his majesty and their country for ever.

Very different was the result when a similar, but less violent gale, sent my little vessel to the bottom of this river in 1831; for I had not then the misery of deploring the loss of a single life, and my little schooner was afloat and continuing the descent in less than twelve hours; whereas, all our efforts, as yet, have failed even to find the remains of the vessel; not a ripple, or the slightest trace of the unfortunate Tigris, marks the spot where she went down; but our search has not yet terminated, and if she should be found without having been dashed to pieces, I shall take measures to recover her with the assistance of the diving bell, and other means; especially as there are many valuable instruments on board, in addition to the hull and machinery, and particularly as the Arabs here are well disposed.

I am happy to say that the survivors of the expedition remain as much unshaken as ever in their confidence regarding the final success of this undertaking, as well as the manifest advantages, facilities and cheapness of this line of communication. The hurricane has been, it is true, a most trying and calamitous event; but I believe it is regarded by all, even at this early day, as having no more to do with the navigation of the Euphrates in other respects, than the loss of a packet in the Irish channel, which

might retard, but could not put an end to, the intercourse between England and Ireland.

We are therefore continuing our descent and survey to Bussora, hoping not only to bring up the mail from India, within the specified time, but also, if it please God to spare us, to demonstrate the speed, economy and commercial advantages of the river Euphrates, provided the decision of ministers shall be in the true spirit of Englishmen, to give it a fair trial, rather than abandon the original purpose in consequence of an unforeseen, and, as it proved, an unavoidable calamity. I have the honor to be, &c.

(Signed)

F. R. CHESNEY,

Colonel, commanding the expedition.

The right hon. sir John Cam Hobhouse, bart. president of the board of control.

Euphrates steamer, Anna, May 26, 1836.

SIR: The very unexpected nature of the hurricane in which this vessel was taken on Saturday last, the 21st inst. and the extreme violence with which it was accompanied, render it necessary that I should acquaint you with the circumstances as they affected this vessel, and that I should lay before you the conduct of lieutenant Cleaveland and Mr. Charlewood, to whose united exertions and skill, supported by the active exertions of a most willing crew, added to the great power of the engines with which this vessel is propelled, her safety is to be attributed.

Scarcely had we cast off from the bank, when at mid day on Saturday last, we in company with the Tigris, had stopped to take in wood, when a dense cloud of dust was seen to rise high into the air, on the right bank. For some minutes it was doubtful whether it would not pass off to our right, but soon it was apparent that it would be otherwise. Preparation was made to meet the squall by furling the awnings, &c.

As soon as the Tigris, which was leading, as usual, had cleared a reef of rocks, at this season far under water, she made a signal to choose a berth, and make fast. Hardly was the signal answered, when the gale began. The Tigris was rounding to bring up to the left bank; the Euphrates followed; but, as we neared the bank, I saw that the Tigris could not stem the gale and the current. She had failed to make the bank, and now was falling off with her head outward. The Euphrates was compelled to back her paddles to give room. Our operation, as you will at once see, was full of danger; for it could scarcely be expected that she would afterward be able to gather way upon herself against the violence of the elements and current. However, the Tigris having passed across her bows, we worked the engines with all power. The vessel took the bank with some violence, but did not recoil off. Instantly, Mr. Charlewood was ashore, followed by many men, bearing a hawser and light anchor. Within a few seconds a second anchor and chain cable had been got ashore, and these were followed rapidly by a second chain cable and anchor. Lieutenant Cleaveland kept the engines working the whole time; notwithstanding which, and the anchors and cables fixed ashore, the vessel still drove. However, the gale was soon over, and the vessel was safe.

The density of the cloud of dust excluded from my view the Tigris from the moment she crossed our bows; Mr. Fitz James, in the midst of the storm, reported to me, first that she was upset, that then she had gone down. As soon, therefore, as our danger had ceased, and that the Euphrates was secured, I sent off a party ashore, under lieutenant Murphy, to render what assistance he might be able, to the crew of our consort, while Mr. Charlewood pressed me to allow him to go by boat; this I did as soon as it was safe.

Of the remainder of this melancholy tale, of the total loss of the Tigris, and the few who escaped to find a shelter on board the Euphrates, you are yourself well acquainted.

I have only to repeat, that to lieutenant Cleaveland and Mr. Charlewood, and indeed to the whole crew of the Euphrates, the highest praise is due.

I have the honor to be, &c.

(Signed) J. W. BUCKNALL ESTCOURT,
Captain 43d light infantry.

Colonel Chesney.

Return of officers and men who were lost:—Lieutenant R. B. Lynch, 26th regiment; Ben, native infantry, passenger; Ensaff Sadee, carpenter; John Strathers, engineer.

Royal artillery—Lieutenant R. Cockburn; acting sergeant R. Clark; T. Jones, gunner; Robert Turner, James Moore, James Hay, do.

Sappers and Miners—Achibald McDonald, private; seamen, Benjamin Gibson, John Hunter, Thomas Booth, Thomas Batty, George Liddell; natives, Abou, Wasoo, Jacob, John, Manuel, Pedro.

*The last depth sounded; and we have since found three and a half fathoms on one side of the spot, and five on the other.

*26th May.

FOREIGN CHRONICLE.

Professor Klipstein has found, near Eppelchium, the head of that wonderful fossil animal, the *dinothorium gigantum*, probably the largest antediluvian species whose remains have hitherto been found. The head is 6 feet long and weighs 500 lbs. The upper part of the fore leg was 6 feet.

In Switzerland there is a law for indemnifying those who have been acquitted of crimes for which they were indicted. A man named Caples accused, at Berne, of being an incendiary, lately received 229 francs for 78 days imprisonment.

The manufacture of beet root sugar is making considerable progress in Belgium.

There are 50 rail roads in France; in England 300 miles completed, and 513 in progress; in America about 3,000 miles completed or in progress. It is stated that 63,000 francs were collected from the Brussels and Antwerp rail road in 20 days.

Unaccountable fact. It has been ascertained that most of the suicides among military men at Paris, have taken place among those whose pecuniary circumstances were easy.

The widow of the immortal astronomer, La Place, has founded in the academy of arts and sciences, a perpetual prize of 215 francs to the first student leaving the Ecole Polytechnique.

Mad. Sebastiani, the mother of Napoleon's favorite, the count who is French ambassador at London, died recently at Cappellini, near Corsica, her residence.

Speed of pigeons. A society of amateurs at Anvers, in France, lately despatched 35 of these birds from that place for Paris. Several prizes were to be awarded to the fleetest of the number. The first was won by the pigeon general Chasse, which accomplished the distance, 190 miles, in 4 hours and 35 minutes. The second by the prince Talleyrand, time 4 h. 35 m. The third by marshal Gerard, 4 h. 40 m. The fourth by Roi-de-Reme, 4 h. 41 m. The fifth by general Mina, 4 h. 50 m. The sixth by Tiger-cat, 4 h. 51 m. The seventh by Willem, 4 h. 52 m.

Rail roads in Belgium. A letter from Antwerp, dated June 24, gives the following favorable description of the rail road system in Belgium:

"Yesterday the last train of carriages that left Brussels by the iron rail road, consisted of 35 carriages, drawn by two steam carriages; with at least 1,000 passengers. This immense train performed the journey in less than an hour and a half. It is estimated on a calculation, which cannot be far from the truth, that the number of persons who left Brussels by the iron rail road on Sunday and Monday last, was 17,000; supposing that the number of persons who returned was equal, we have 34,000 passengers in two days. The conveyance of 17,000 persons by the ordinary means would require above 1,000 diligences."

Americans abroad. The Boston Post states that the two most distinguished lawyers in London were born in Boston, viz: Lord Lyndhurst and Sargent Talfourd, (author of the new popular tragedy of Ion). The latter, we believe, has two sisters in that city now, while the former has a sister, the widow of the late Gardiner Green, esq.

Expeditious travelling. People now go from Paris to Brussels in nineteen hours. Estafette carriages of extremely light construction, carrying the mail and two passengers, commenced running between these cities about the middle of July.

The Allgemeine Zeitung. The Allgemeine Zeitung or the Universal Gazette, is one of the ablest daily prints in Europe, and probably contains the fullest and most accurate summary of political intelligence of any newspaper in the world. It is published daily, and printed by a steam press. It was first established at Ulm, in Bavaria, but was subsequently removed to Augsburg. It employs four or five persons in the work of translating from the French and English journals.

Mad dogs. There is an act of parliament said to be still in force in England, which has the following provision: "If any person shall keep at large any dog, mastiff or bull dog, within fifty yards of any public road or street, without a log of wood of the weight of five pounds attached to his neck, such person for every such offence shall forfeit the sum of 10s. and every constable may kill such dog."

Steam navigation across the Atlantic. A Liverpool paper announces the fact that a steam vessel of 1,200 tons, with engines of 400 horse power, is building in that city for the "American and Colonial Steam Navigation company," with the express design of being a pioneer in this new undertaking. By the help of steam, N. York and Liverpool may easily be brought within 12 days distance from each other.

A curious circumstance is mentioned in the accounts from Hamburg. The captain of the Liverpool, while on her voyage from Bahia to Hamburg, amused himself with fishing, and succeeded in capturing a large shark. Upon cutting it open, the greater part of the body of a man was discovered in the belly of the fish.

The account states that the captain had in his possession the head of the body at Hamburg.

Utility of an English colony. No person looking at the situation of Gibraltar would suppose it to be the seat of so great a trade as it is. An immense quantity of English goods is landed here. They are purchased by Spanish or other dealers, of whom the seller asks no questions; they soon disappear from the town, and are secretly conveyed through various channels, not only to every part of Spain, but across the Atlantic to the Spanish colonies of the new world.

Salt. A foreign paper says—The whole of the salt used throughout the world is equal to about six millions of tons and one quarter. The commercial navies of America, England and France, (60,000 vessels), could not convey a single year's consumption of salt at £2 a ton. The yearly outlay for salt is £30,000,000.

Mexican mint. A gentleman of Massachusetts, Dr. Jennison, of Northampton, has been appointed chief director of the Mexican mint, and is about to return to the United States, for the purpose of procuring the necessary machinery for coining.

The king of Sardinia has ordered the frigate Eurydica on a cruise on the coast of America; and has directed that the royal academy of sciences shall have every opportunity for the improvement of science.

Messrs. Schafhaentel and Boehm, iron founders of Munich, have discovered a process by which the very worst descriptions of iron can be made equal to the best Swedish. The discovery is in the process of puddling. The inventors have taken out patents in England, France and other kingdoms.

DOMESTIC CHRONICLE.

Health of New Orleans. The True American of the 27th ult. presents a detail of the weekly reports of interments, at the different burying grounds of that city, from the 1st of May until the 20th of August. From this report, as compared with that of last year, it appears that the number of interments have considerably decreased this year. The whole number for the period mentioned (being nearly four months) we find to have been in 1835, 1,016,—and in 1836, 765. Showing a decrease of 251, for the four months of the present year.

Corn from the northern part of New Hampshire, where the summers are about the shortest of any part of our country, was planted on the 1st day of June last, near Germantown, Pa. and on the 1st inst. it was harvested—eight acres having produced nearly 400 bushels!

Anthracite coal trade. From a statement in the Philadelphia Price Current, we learn that, from the opening of the navigation this season, up to the 15th of August, 55 brigs, 1,095 schooners, 14 barges and 281 sloops cleared from the Schuylkill, laden with anthracite coal, making a total of *fourteen hundred and sixty vessels*, carrying an average of upwards of one hundred tons coal each.

From the opening of the navigation to the 1st inst. the quantity of anthracite coal that passed Fairmount locks, at Philadelphia, amounted to 252,461 tons, brought to market from the mines in 4,969 boats.

A writer in the same paper states that the canals which have been constructed for the purpose of reaching the great anthracite coal fields of Pennsylvania, have cost upwards of twelve millions of dollars.

Naval. Pensacola, August 20. The U. States sloop of war Concord sailed on Monday last on a cruise, it is said, off the Balize and the Texian and Mexican coasts. The sloop of war St. Louis sailed on a cruise yesterday. The United States cutter Jefferson, captain Jackson, sailed hence for Tampa Bay on Thursday last. Passengers, majors Wilson and Zantinger, of the army. The United States cutter Washington, Day, commander, arrived here yesterday from Indian Key.

The president of the United States left Nashville on the 22d August, for Florence, Alabama.

The president who has been in this city since Saturday, among his friends and relations, leaves to-day for Florence, Alabama, by way of Franklin and Columbia, on a visit of business, and to the family of his friend and kinsman, the late gen. Coffee.

Nashville Union.

A large brig called the Manhattan has been launched at Detroit, from the yard of O. Newberry. Her keel is 93 feet in length, her depth of hold is 12 feet, and her breadth of beam is 28 feet. All the inhabitants of the place were present to witness the beautiful sight, which was unattended by any accident calculated to mar the pleasures created by the excitement of a launch.

New York post office. Mr. Barnabas Bates has resigned his situation as deputy post master of the city of New York. He retires "because the compensation is inadequate to the duties and responsibilities," and

in perfect friendship with the postmaster and the department.

Dreadful accident. The Salem Landmark adds one more to the long list of dreadful deaths which have occurred by incautious approach to the rapidly gyrating wheels of manufactories. We learn from that paper that an accident of the most distressing nature occurred a short time ago, at Putnam's machine shop, in Mill street in that city. Mr. Jewett Maxfield, while engaged in turning a drum, upon the shaft of a steam engine, was killed instantaneously. He was at work near the balance wheel, which was situated very close to a square post or standard. It is supposed that he made some misstep, by which his head was thrown between the balance wheel and the post. His head was mangled in the most shocking manner, one side of his face and the top of his head being almost severed from his body. He left a wife and two children.

Execution at sea. A sailor was hung on board the U. S. sloop of war John Adams, at sea, near Naples, July 3d. He murdered one of his fellow seamen in a drunken frolic at Mahon, as he afterwards confessed. He was tried by a court martial. The event produced a melancholy sensation on board the ship.

Mob law at Troy. We understand (says the Albany Evening Journal of Saturday) that a number of citizens of Troy, becoming indignant at the universal destruction of the dogs in that city, assembled together on Thursday evening, went in search of and found the persons to whom the corporation had delegated that duty, seized them and took them to a place agreed upon, and there furnished them with an entire suit of tar and feathers! Some of the persons were arrested, but they were immediately bailed.

In respect to the indictment, which it was stated had been found against the captain and pilot of the steamboat Boston, which run down the ferry boat in the harbor of New York, the New York Courier and Enquirer says—No such proceeding has taken place, and could not have taken place, as there has been no grand jury in session since the event. Those individuals have been held to bail at the police, to appear before the court of sessions.

Public lands. P. T. Crutchfield, the receiver of public lands, at Little Rock, Arkansas, in a note to the editor of the Arkansas Gazette, gives the following statement of the sums received at his office for lands sold during the present year to the 1st of August last.

In January,	\$10,116 46
February,	8,656 13
March,	32,725 03
April,	38,593 23
May,	118,152 38
June,	83,217 83
July,	11,481 33
	<hr/> \$302,943 38

Coal. The Miner's Journal, of Pottsville, Pa. says that the whole supply of coal will probably amount to 700,000 tons; being an increase of 170,000 over last year's supply. It also says that the apprehension of a scarcity of this article is without foundation.

The corn crop. The Williamsport Banner, published in Washington county, Md. states that the prospect of the corn crop in that region is highly favorable, and gives it as the prevailing opinion of intelligent farmers of the neighborhood, that a couple of weeks of moderately warm weather will place the corn out of danger.

The Maryland Republican says, "The appearances of corn and tobacco, in the lower district of Anne Arundel, are very promising."

Mineral wealth of Virginia. Every day affords additional evidence of the great mineral wealth of the Old Dominion. There are several rich gold mines in successful operation, and within a short time past, several rich veins of copper ore have been discovered, and the brightest prospect held out to the enterprising proprietors of valuable results. The books of subscription for the sale of 2,500 shares in the Phoenix copper mine in the county of Fauquier, were opened on Tuesday last, and the whole amount taken in one day by twenty-two subscribers.

[Richmond Whig.]

Growth of New Orleans. It is said that Madame Pontalba, a wealthy lady of New Orleans, but now residing in France, is about to construct on some lots on the public square, a building in the style of the *Palais Royal* in Paris, with an arcade, galleries, open space, &c. She has asked permission of the corporation to occupy the side walks for the colonnade, not having sufficient depth without.

A lunar rainbow was witnessed at Princeton, Mass. about half past 9 on the evening of August 19th. It had been raining moderately, and the moon was about 4 hours past its first quadrature, and nearly 15 deg. from the western horizon. The highest point of the arch was between 25 and 28 degrees above the horizon.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED, BY WILLIAM OGDEN NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

Our pages contain a great variety of useful and interesting papers, for present use and future reference.

We this week publish a letter from Geo. M. Dallas, esq. of Pennsylvania, formerly a senator in congress from that state, "to the democratic corresponding committee of Smithfield, Bradford county, Pa." who inquired his views upon the question and the mode of annulling the charter recently granted to the bank of the United States. The letter assumes the ground, that this can be done by a convention of the people of Pennsylvania, which, Mr. Dallas says, may "reorganize an entire system of social intercourse, terminating and proscribing what is deemed injurious and establishing what is preferred—restore the institution of slavery among us—make our penal code as bloody as that of Draco—withdraw the charters of the cities—supervene a standing judiciary by a scheme of occasional arbitration and umpirage—prohibit particular professions or trades—permanently suspend the privileges of the writ of habeas corpus and deprive the people of the right of trial by jury—and therefore, recommends the subject to the convention to be elected in November next to revise the constitution of Pennsylvania.

Many reflecting persons ridiculed the doctrines of nullification and secession, notwithstanding the ability and plausibility of the arguments by which they were maintained. Thus, too, did they treat the new doctrine of a popular interpretation of the constitution of the United States. But how will they regard the ultra ground assumed by Mr. Dallas, that there is power in a convention of the people of a single state to nullify the constitution and trample upon its most sacred privileges? The subject is not worthy of grave discussion, unless in distrust of the public virtue and intelligence; for Mr. Dallas' propositions are diametrically opposed to those opinions of the powers of the constitution, entertained and acted upon by the people from its formation to the present time,—and, indeed, to the very causes which brought it into being. The letter will, however, elicit many answers—one of the most able of which we will place on record.

COL. AARON BURR, died at Staten Island, on Tuesday afternoon the 13th inst. in the 81st year of his age. Few men in this country have excited more of the public attention than the deceased, in despite of the dark cloud which shrouded his once fair fame; for all admired the bravery and talents which rendered him such an important auxiliary in the early struggles of our country, and lamented that they were perverted by unhallowed ambition. His fate is not without its moral, and may accomplish benefits which his talents could not. For the last three years he has been engaged in preparing his papers for the press. They are said to contain some new and important facts in relation to our early history—but especially in reference to his Mexican expedition, which may lessen the odium which has so long been associated with his name. These papers are in the possession of Matthew L. Davis, esq. of New York, under whose direction they will be published. They could not have been confided to better hands, and are looked for with anxiety.

The following brief sketch of colonel Burr's life, is copied from the New York Daily Advertiser—"He was born 6th February, 1756, joined the American army under general Washington, then before Cambridge, as a volunteer, in August 1775. He marched from Penobscot with gen. Arnold, through the wilderness to Quebec, one of the most fatiguing marches ever recorded. The sufferings endured by this band of American troops has hardly a parallel. He was aid to general Montgomery, on the ever memorable night of the 31st December, 1775, when the assault was made on the city of Quebec, and at which that distinguished officer fell. After serving with fidelity and honor in the campaign of Canada, he returned to New York and entered the family of general Washington, at his (general Washington's) request. He was soon appointed aid to general Putnam, and fought bravely in the battle of Long Island, after which he was made colonel in 1777 and remained in the army, and was a conspicuous officer in the battles of New Jersey. In 1780 he retired in consequence of ill health, arising out of his fatigues at the battle of Monmouth. As soon as peace was declared he was appointed a judge of the

supreme court of this state, which honor he declined. He served as attorney general until he was chosen United States senator, which he held from 1793 to 1799. In 1801 he was chosen vice president, which office expired in 1805. The 4th of July 1804, he killed general Hamilton in a duel, which put an end to his political career, and in fact drove him from his country. He then engaged in the celebrated Burr's expedition destined to Mexico—was taken, tried and acquitted at Richmond in 1807. He soon left the country, and returned in about 1811, and commenced his profession as counsellor at law. He has been engaged in a number of important causes which have reached our highest courts.

"Within the last few years he has enjoyed an annuity of about fourteen hundred dollars and a pension of six hundred, in all about two thousand, so that he has been comfortable in his circumstances."

A SECRET ORDER. The New York Journal of Commerce, stated a short time since, that a secret order had been addressed by the treasury department to the western deposit banks, requiring them to hold the specie they receive for public lands, subject to the orders of the government. In other words, that the specie paid for lands is to be accumulated in the form of special deposits, so that the government may have at its disposal the identical specie paid in, or at any rate an amount of specie equal to all which has been paid in—and asked the "Globe" to state the facts. In reply it says that, the whole story is a gross fabrication—that no order of the above character, either secret or public, has been issued, and none whatever on the subject of money, except what has been officially published in that paper.

MEXICO AND THE UNITED STATES. The report of the debate in the British parliament, published in the present sheet, shows how closely the movements of the citizens of this country in the affairs of Texas are watched by foreign nations—and that notwithstanding the aid they have afforded to the Texans, the British government has full faith in the respect of this nation for treaty obligations and the assurances of gen. Jackson in his last message to congress! The following from the New Orleans "Courier" of the 25th of August, is an excellent appendix to the debate, for it admits the inference that, notwithstanding the apprehensions of foreigners, there are at least two parties in this country on this question—one that would aid Texas, another that would assist Mexico; and both, doubtless, formed with a view to "uphold the interests of trade!" in land and by water.

The Warren and Mexican vessels. Some of the friends of Texas complain of the part which commodore Dallas takes in relation to Mexico. It is alleged, as a charge against him, that he has given convoy to the Venus and other Mexican vessels which lately sailed from this port; that, for the part which he has heretofore taken, he has incurred the censure of the executive, and that his conduct throughout the struggle of the infant republic is highly reprehensible, inasmuch as protection has been afforded to vessels carrying munitions of war and provisions to her enemies; thus aiding in the subjugation of a power, which, although not officially recognized, is virtually so; and instructions to that effect have been received by the collector of our customs, of which fact commodore Dallas is well aware.

If the circumstances here narrated be true, and that the commodore has had instructions to give convoy only to vessels wholly American, it would seem to give color to the accusation that his conduct has been strange and unnatural, and he may involve himself in serious difficulties.

As far, however, as we are enabled to form an opinion, our impression is, that the American commodore knows full well the duty he owes to his country and to himself, and that upon an investigation of his actions, it would be found he has not deviated from either, but pursued the course pointed out by his government. Abiding by this rule, it is not surprising he should, in observing a strict neutrality, have a watchful eye over the commercial intercourse between the United States and Mexico, and that he should sternly uphold the interests of trade.

Upon inquiry, we have been informed that, at the request of the master of the Venus, com. Dallas

consented to convoy that vessel as far as the jurisdiction of the United States extended, but would not be responsible beyond those limits. In so doing, so far from transcending the line of duty, he performed the part demanded by his station, and instead of censure, is entitled to the thanks of his country, whose greatness and prosperity essentially depend upon free and unobstructed maritime trade. Our citizens, and all merchants, should rejoice at the spectacle presented by our government, in upholding the laws and facilitating the business operations of nations.

TEXIAN COMMISSIONER. Henry M. Morfit, of Washington city, is the commissioner, appointed by the president, to gather information respecting the present state and prospects of Texas. He was, by the last advices, at Brazoria. We have never seen his appointment announced in any of the Washington papers.

Though not announced in the papers, and intended probably to be secret, we have no doubt, from uncontradicted rumor, that Mr. Morfit, who has been for some weeks absent from the city, has gone into Texas, under authority from the executive of the United States, to examine and report, &c.

[Nat. Intel.

CHOLERA IN CHARLESTON. On the 4th inst. 10 cases of cholera were reported—2 whites and 8 blacks—one dead. Of the 17 cases reported on the day before, 4 more had died. On the 5th 27 cases were reported—6 dead, 21 under treatment—5 whites 22 blacks. Of those previously reported 2 had died. On the 6th 23 cases were reported—3 whites, 20 blacks, 3 dead. Of the cases reported on the day before, 3 had died. On the 7th 15 cases were reported—4 whites, 11 blacks, 5 dead—of the cases reported on the day before 3 had died. On the 8th 22 cases were reported—5 whites, 17 blacks, 3 dead. Of the cases reported on the day before 3 had died. On the 9th 10 cases were reported—3 whites, 7 blacks, 3 dead. Of the cases reported on the former day 3 had died. On the 10th 30 new cases were reported, 9 whites, 21 blacks, 5 dead; of the cases reported on the former day 3 had died.

EXPRESS MAILS. We are requested to state, that the new post office act of 2d July last requires, "that every proposal for the transportation of the mail shall be accompanied with a written guaranty, signed by one or more responsible persons, to the effect that he or they undertake that the bidder or bidders will, if his or their bid be accepted, enter into an obligation in such time as may be prescribed by the postmaster general, with good and sufficient sureties, to perform the service proposed. No proposal shall be considered, unless accompanied by such guaranty." Notice of this requirement, and the form of the guaranty, are given in the postmaster general's advertisement for proposals. There is no exception in favor of old contractors or rail road companies, as some erroneously suppose. The guaranty, as well as the bid, must be handed in before the expiration of the time set for their reception—to wit 12 o'clock, noon, this day. Where bids have already been put in, the guaranties may be handed in separately.

[Globe.

AN EDITORIAL SPEECH. At a literary party in Philadelphia, given on the occasion of the annual trade sale of the booksellers of the United States, Joseph R. Chandler, esq. editor of the United States Gazette, being called up by a toast in compliment to the newspaper press of the country, made a very neat and handsome address, from which we make the following extract:

"On such a subject, so productive of matter for thought, and so calculated to draw out an expression of that thought, it was impossible for him to refrain from a few observations—especially when he remembered that from the 'Gaceta of Italy,' that primary penny paper, through succeeding generations down to the new penny prints of the present day, the freedom of the press had been progressive; and he was proud to add, that the American press, both hebdomadal and diurnal, proclaimed its liberty by the size and contents of its sheets; and American citizens their intelligence by the liberality which they supported them. (Cheers.)

"Whenever the political or religious institutions of America were attacked, the public press stood forth as their defender; whenever public liberty and

the constitution were attacked, the press was their champion. And the newspaper press, expanded as it was, presented itself not only as the ægis of the republic, but almost as a cover for the people; indeed, such was the size of some of the journals, that a whole family could sit down simultaneously at the same newspaper sheet. And if that were not a sufficiently cheap mode of communicating knowledge to all the domestic circle, why, they could resort to that by far too common plan, of 'borrowing' from their neighbors. But he was rejoiced to have lived to a period when he might truly say that the black crape and riband hung on the outside of a door was no surer sign of mourning, than was the newspaper, when seen twisted every morning round the knob of the knocker, a proof of the intelligence, taste and refinement of the dwellers in the house." (Much cheering.)

Richard Peters, esq. having been called on for a toast, pronounced a short and most eloquent eulogium upon the character and worth of *Mathew Carey*, esq. who was not present, and proposed a toast complimentary to that distinguished philanthropist and estimable citizen. The remarks were warmly applauded, and the toast received with enthusiasm.

A REVOLUTIONARY VETERAN. We had a conversation yesterday, at the Planters' and Mechanics' bank, with one of the heroes of the revolution, Mr. *Thomas Garrett*, of Sumpter district, aged one hundred and five years and eight months, who came to this city on horseback, alone, for the purpose of receiving his pension. The old gentleman appears to be in the perfect possession of all his faculties, answers questions readily, and is quite humorous in his conversation. He served for a considerable period under Gen. *Sumter*, the "game cock of the south," as he termed him, and was profuse in his praise of that brave and chivalrous commander. He was also at the battle of Fort Moultrie and at the siege of Savannah; at the storming of the latter place, he stated that while viewing a wounded fellow soldier, who lay among heaps of slain, the gallant *Pulaski* rode up, and remarked, "my brave fellow take care, you are in a dangerous position," to which *Garrett* made answer "general, if you intend to be in a place of safety, I'll keep near you." *Pulaski*, put spurs to his horse and rushed into the thickest of the fight; but a few moments only intervened, when *Garrett* saw the noble foreigner fall from his horse, mortally wounded. Mr. *Garrett* informed us that his mother attained the extraordinary age of 120 years, and his grandmother 115.

[*Charleston Courier.*]

ELECTIONS.

MARYLAND.

The following completes our return of the counties, in the late election for electors of state senate.

Cecil county.

Whig.	Van Buren.
Stites, 550	Evans, 896
Nowland, 549	Thomas, 894

Prince George's county.

Whig.	Van Buren.
Duval, 720	Somerville, 589
Pratt, 716	Keech, 567

We have not seen the return from Queen Ann's. The Van Buren majority is, however, stated at 60 votes.

VERMONT.

We have not received full returns of the election in this state. One hundred and thirteen towns had been heard from which give the following vote for governor:

Silas N. Jennings, (anti-Van Buren)	12,114
Wm. C. Bradley, (Van Buren)	9,681

There are more than two hundred and thirty organized towns in the state: Returns received from 177 gives for representatives in the legislature:

Anti-Van Buren	102
Van Buren	55

William Slade, Horace Everett and Hiland Hall (all anti-Van Buren) have been re-elected representatives to congress. Gen. Fletcher, (Van Buren) has been chosen in place of Mr. Janes, the present anti-Van Buren representative.

FOREIGN NEWS.

There have been several arrivals at New York and Boston, but the news brought by them chiefly relates to the affairs of Spain, and is given below.

The house of commons, by a majority of 29, have resolved not to consent to the alterations made in the Irish church bill by the house of lords. The bill therefore is lost—and hence the Irish Episcopal clergy will be left for another year without any support.

SPAIN.

Capt. Farran, of the brig *Monte Video*, which arrived at New York on Saturday last, in a very

short passage from Cadiz, having sailed on the 6th of August, has informed the editors of the New York Courier and Enquirer, that on or about the 28th of July, a rising of the whole population of Cadiz took place, who loudly demanded the proclamation of the constitution of 1812, and being joined by a newly raised regiment of 1,200 men strong, they went in search of the colonel in command of it, who had secreted himself; but being discovered, and seeing the military had made common cause with the populace, he consented to comply with their demands, and with all the public functionaries took the oaths required of them. The population of Port St. Mary's and Xerres were preparing to follow the example of that of Cadiz.

It will be remembered that to overthrow the constitution of 1812 was the object of the duke D'Angouleme's march to Cadiz, several years ago.

The queen's government, we are told, has become extremely unpopular, and to such a height has the dissatisfaction at her course of policy arisen, that no concession she can now make will restore her to public confidence. Isturitz, the new prime minister, is loudly denounced by the public voice. General Cordova is styled a traitor; and it is said his object is to deliver the English auxiliaries, under general Evans, into the hands of Don Carlos. The movement above mentioned took place under cries of "death to the ministers" and "death to Cordova."

By an arrival at Boston, bringing Lisbon papers to the 13th ult. We learn that disturbances continue to arise throughout the kingdom—and that the constitution of 1812 had also been proclaimed at Seville, Badajoz and Malaga. In Seville, on the receipt of a despatch sent to the authorities by the civil government of Cadiz, they called together the superior officers of the national guard, and made them acquainted with what had occurred in that city. It was then agreed that all the corps in Seville should be drawn up, in order to ascertain the spirit they were animated with. The result was, that commissioners were appointed by them, who expressed the following wishes as those of their constituents, viz:

1st. That the ministers should be dismissed, as well as general Cordova, and a commander-in-chief appointed, worthy the confidence of the nation.

2d. That a constituent cortes be convened, upon the principles laid down in the constitution of 1812.

And 3dly, That obedience no longer be paid to the existing government.

As far as related to the two first articles, the civil government had given way. And as to the third, the open rupture with the existing government, it was still under consideration.

We gather from these papers that Madrid is in a state of revolution. The *Revista*, a Lisbon paper, of August 9th says, that intelligence had been received that a revolution had taken place which caused considerable bloodshed, the result of which was the dismissal of Isturitz and the appointment of Mendizabal as prime minister; the queen promising to give to Spain a constitution with two chambers. This, however, is denied by the Lisbon journal of the 13th, which says, "we regret to find that M. Mendizabal is not in office, and on the contrary that the present ministry are continuing their career of mischief and anarchy, and have now declared Madrid in a state of siege." One cause of the tumult in Madrid is said to have been the postponement of the meeting of the cortes from the 11th to the 15th of August.

Madrid, Aug. 5. We are assured that the French ambassador at this court has declared, that if, in consequence of the insurrectionary movements which have already commenced, the existing fundamental laws should be supplanted by the constitution of 1812, all diplomatic relations will immediately be stopped with the government thus established, and passports demanded.

Isturitz, the president of the Spanish ministry, is confined to his bed with a violent inflammatory fever.

These papers contain intelligence of the death of lieut. gen. Evans, the commander of the English division in the north of Spain. He died from a sickness under which he had been a long time lingering. Every thing was quiet in Portugal.

TEXAS.

The latest intelligence from Texas is contained in New Orleans papers of the 31st ult. but the items are unimportant. The blockade of Matamoras has been abandoned, and the Mexican troops were still lying quietly there. The Texans were getting in their crops in the eastern department of that country, which, it is said, will exceed those of any previous year. The season throughout the country had been unusually favorable, and could the citizens have cultivated their lands the crops, in all parts, would have been abundant.

Mr. H. M. Morfit, who was sent by the president of the United States to ascertain the political situation of Texas, and who had just returned from the Sabine, took passage in the *Julius Cæsar* from the Balize, on her trip to Brazoria. He has had an interview with the president of Texas.

Summerville, the secretary of war, has resigned in consequence of pecuniary embarrassments.

A corps of between two and three hundred cavalry is now being raised in Texas, to act as independent rangers in the west. They are to receive an additional compensation of one dollar per day when on active duty.

The town of Bostrap, on the Colorado river, was burnt by the Indians, and 200 government troops had been despatched to prevent further depredation.

Several persons had been arrested on suspicion of being engaged in a plot for the liberation of Santa Anna, in consequence of which he had been put in irons; the crew of the schooner *Passaic*, F. C. Gray, formerly publisher of the *Texas Republican*, and his wife, and a Frenchman by the name of Bartholomew, are among the number arrested; they were to have been examined on the 20th.

Mr. Peter Suzeman, who had arrived at New Orleans from Matamoras, says that the Mexican army has, by desertion, been reduced to about 2,200 men; that they are in a miserable situation. Urrea was still in command. Andrade had left for the south. He confirms the report of a revolution having broken out in the interior, and says that general Valencia had been proclaimed dictator by the military. He also states that generals Sesma and Filasola had been arrested and tried by a court martial, for cowardice and mismanagement in the Texas campaign, and that the latter had been condemned to be shot.

MEXICO.

The editor of the New Orleans Bee has been favored with the sight of a letter from the interior of Mexico, in which it is said that a project is on foot to unite the northern states of the republic of Mexico with the republic of Texas under one independent government. The letter is dated Zacatecas, July 28th, 1836, and states that the disaffection through the northern provinces of Mexico is great and still increasing, and speaks of the advantages of an independent state like that of Texas. The states said to "appear" to be in favor of an alliance with Texas, are Tamaulipas, San Luis, Zacatecas, a part of Jalisco, Nuevo Leon, Coahuila, Durango, Sinaloa, Chihuahua, Sonora, the territory of California and New Mexico.

REMOVAL OF THE CREEKS—OFFICIAL.

Erwin's settlements, Aug. 14, 1836.

GENTLEMEN: I take pleasure in informing you of our arrival so far, with comparatively few losses by death among the Indians, although we laid eight days at Racrot, waiting until the wagons could be collected, where they obtained a great deal of green fruit and corn, which I could not prevent their purchasing, and which occasioned much dysentery and cholera amongst them. I have had only between forty and fifty deaths since we left Fort Mitchell, and those among the very young and very old. The proportion is thirty-five children; the balance old people and a few men. Much sickness still prevails from their eating every thing green they can find on the road, but, fortunately, it is not of a very fatal character, and yields to remedial means.

I can but ascribe the success of our remedies to the dietetic means furnished by the agents of the contractors; the sick being supplied with rice through the entire course of the disease, if necessary, and by my preventing that any thing injurious should be given them, in which I encountered much opposition and difficulty, I had the satisfaction of seeing many bad cases recover.

The transportation for the sick has been satisfactory to me; and the size of the party, as well as the time of the year being taken in consideration, we have been much favored in having so few deaths.

Doubtless lieutenant Barry has informed you that an assistant has been furnished me at Montgomery, which was then very necessary, two boats being required to carry the party to New Orleans. He has been continued in the service from the many sick and the great labor attending our attendance upon them, the camp being extensive, and the necessity we are under of visiting every tent to find the sick.

Early this morning we broke up our camp, with the hope of experiencing no more delays. If so, the party will enjoy good health from the constant excitement of motion, and from their inability of obtaining articles of food that may be hurtful to them.

I have the honor to be, with great respect, your obedient servant,

(Signed) E. H. ABADIE, M. D.
To gen. Gibson, com'y gen. of subsistence.

THE INDIAN WAR.

From the *Columbia (Geo.) Sentinel*, of the 1st inst.
ORDER } Head quarters, army of the south,
NO. 50. } Fort Mitchell, July 25, 1836.

Par. 1. A band of friendly Indian warriors will be immediately raised and organized for special service under instructions from the commanding general. They will be mustered into service, mounted, equipped, supplied and paid as "mounted volunteers" for twelve months, unless sooner discharged. Captain J. F. Lane is appointed to raise, organize and command them. He will be mustered in for the same period as colonel, subject to the approval of the president of the United States.

Par. 2. Six companies of mounted men are required to act in concert with the Indian force. As the proposed service is both honorable and arduous, the commanding general prefers that the force required to be formed of volunteers from the troops already in service, rather than of new levies.

He relies with confidence upon the known and prompt gallantry of the Tennessee troops, for the greater portion proposed to be raised. Brigadier general Armstrong is requested to ascertain the number in his command willing to enter upon the service indicated, and to give the necessary directions for detaching them (should they volunteer) in such manner as not to affect the organization of his brigade.

The thanks of the country will be merited, and received by those who advance fearlessly to the post of danger and honor.

Par. 3. When the detachment shall be formed, brig. gen. Armstrong will direct it to report to captain J. F. Lane, who in consequence of the capacity, military skill and energy, which he has displayed during the present campaign, has been selected to command and conduct the enterprise. He has received detailed instructions from the commanding general and will carry them into full effect. He is authorized to make all necessary arrangements, and the officers of the several staff departments will furnish on his requisitions whatsoever may be necessary to prepare the corps for the most efficient service.

By order of major general JESUP.

HENRY STANTON,

Lieut. col. and adj. gen. army of the south.

Extract of a letter to the editor of the *Alexandria Gazette*, dated

Gary's Ferry, (E. F.) Sept. 2, 1836.

DEAR SIR: In order to do justice to those officers and men of the regular army who have shed their blood, broken their constitutions, and many who have laid their cold bodies under this barren sand, I take up my feeble pen. I intend asking, through your paper, a few questions of those having authority, and to show to the public what arduous and unnecessary duties have been imposed on a devoted portion of the sick officers and men of this part of the army. I, myself, thank God, although I have been seven months in Florida, constantly, I may say, on the most arduous duties of the interior, (for I have been but three weeks on the seaboard during the whole time), and for the last five weeks have been almost daily in the saddle, and have ridden 350 miles through the country, have kept my health, and therefore, of course, do not intend these remarks to apply to myself. But it is to defend those of my brother soldiers who have been compelled by the absence of company officers, who have been for years from their companies, and on duties wholly civil, to perform arduous duties while laboring under the burning fevers of this deadly climate.

A short time since, at Micanopy, there were ten companies. These ten companies are entitled to a captain, two 1st lieutenants, two 2d lieutenants, and one brevet 2d lieutenant, each, making, in all, sixty officers. The complement of men to each company, is fifty-five, making, in all, five hundred and fifty men, if they were full. Now, Mr. Editor, what was the actual state of the case? It was this: there were but seven out of sixty officers, present, and but one of them able to do duty, the rest were down with fever. Of the rank and file of the companies, seven men to a company was a large average, and some of the companies could not muster three!—the rest were either down with fever or with wounds. Some have been discharged and no recruits sent to fill their places.

Now, Mr. Editor, where are these officers?—The echo from the Florida pines answers *where*? Where is the effect of that sweeping general order, No. 43, of the 28th of June, sending officers, "without favor or affection," to their companies and regiments? The same reverberation answers, *where*?

But, sir, examine the file of special orders in the department, and the mystery is solved. The return of the same breath which poured forth that order to the winds, has silently and quietly counter-

manded the whole, almost, by a series of the small "specials." Now, sir, with regard to these poor fellows, "the spring of hope is broken"—"the last glimmering has passed from the vista of the imagination" which has so long cheered them in their difficulties, with the hope of relief. Is it a wonder that they resign? When the government, to save a few dollars, which would be expended by employing citizens on the civil duties now performed by officers, absent from their companies, thus devote to certain ruin, of the constitution at least, a large portion of the elite of the army. Many have already fallen victims to the fever and now lay cold in their graves. And as to the poor common soldier, his fate is worse; he has fewer comforts than the officers, and frequently, while the ague is on him, the scarcity of men has rendered it necessary for him to shoulder his musket and take up the line of march. I witnessed many cases of this kind, coming down with the train from Micanopy, every trip of which diminished our force about thirty men by fever. Thank God, the troops have fallen back, where they can be supplied with provisions with less destruction of the regular force. I estimated, in my last letter to you, the regular force, for field service, too largely; for there are not more than two hundred men, north of Tampa Bay, fit for garrison duty; and two-thirds of them is a large estimate of those fit for active field service. With the earnest hope that these facts may be attended to, I remain, your very obdt. servant,

H.

P. S. With eleven companies that are at this post now, there are but four officers for duty—the rest are down with fever. This is the case to-day, at the healthiest post of the interior. What it will yet be, the last of this month must show. We leave here to-morrow with 160 men, part militia, to go in pursuit of a large party of Indians, said to be in the vicinity of Newnansville.

Letters from Florida, published in the *Richmond Enquirer*, represent the situation of the whole territory as terrible in the extreme—they state that large parties of Creeks have joined the Seminoles—that Oseola is perfectly acquainted with all the movements of the whites—that he receives and reads regularly the Florida newspapers—that the courage of the Indians is daily increasing, and that help must be sent or the whole country will fall into the hands of the red men again. There has been some difficulty about the Tennessee volunteers, who, if they would now march into the territory would be of most essential service.

POSTSCRIPT. Yesterday's southern mail removes all doubt upon the subject. The Tennessee volunteers are about to carry relief to our suffering brethren in Florida. We have before us, the "Montgomery (Geo.) Advertiser" of the 3d inst. It lets us into all the movements of the Tennessee troops, and gives us copies of general Armstrong's first letter to general Call—the correspondence between Jesup and Armstrong—and the last general order of the 30th August, calling upon the volunteers to march! It appears at first, that Armstrong's corps of 1,500 men, was directed by an order from the secretary of war, to be divided into two detachments; 1,000 to march to Florida, forthwith, while the other 500 were to be stationed in the Creek country, under Armstrong himself. Armstrong objected to this separation of his command—and, besides, preferred to postpone the Florida campaign till October or November. In the meantime, he despatched a special messenger to the president, expressing his own views, and consulting his. A few days after, and before the messenger's return, some difficulty arose on another point. Jesup was raising a band of friendly Indian warriors, to be equipped as mounted volunteers, and to be commanded by captain Lane, as colonel—and Jesup applied to Armstrong for six companies out of twenty of his mounted men, to accompany and be commanded by Lane. Armstrong appealed to his men. Not a man in his whole brigade volunteered. They would not be separated either from each other, or from Armstrong. On the 30th August, the general order appears, from head quarters, Camp Jordan, Alabama. This is decisive of their movement. It tells them, that

"The time has at length arrived when it is necessary and proper that the Tennessee brigade should march to Florida. A savage foe, emboldened by his former success, has approached within twenty miles of Tallahassee, the seat of government of that territory, burning and murdering as he went. To stay his further progress, and to punish him for the depredations he has committed, is a duty to which the Tennessee brigade will advance with alacrity. Public expectation demands the performance of this duty, and the character of Tennessee requires that we should not shrink from it.

"The detachment commanded by colonel Trousdale, now at Fort Mitchell, will take up the line of

march, at as early a day as practicable. The specific time is left to the judgment of colonel Trousdale himself. He will proceed by Fort Gaines, along what is termed the upper road, across Flint river, to Tallahassee."

It then details the routes of the other corps of the army, and concludes as follows:

"The commanding general is much gratified at the unanimity which prevails in the brigade on the subject of the Florida service. This service is alike arduous and honorable, and requires both stout and willing hearts. The foe we have to contend with is resolute and daring—skilful beyond the usual Indian character, and, if possible, more savage. To subdue such a foe, who has heretofore bid defiance to, and foiled large forces of brave men, commanded by skilful officers, will be no ordinary glory. Prove but true to yourselves, to the character of your sires, and of the state to which you belong, and that glory will be yours."

A communication from "An officer in the Tennessee brigade," appears in the *Montgomery Advertiser* of the 3d, detailing the above particulars, and adding as follows:

"In obedience to this order major Meador's detachment took up the line of march for Tallahassee on Thursday last, and col. Bradford's will follow on to-morrow. Col. Trousdale is probably under way by this time, and the whole brigade will, it is expected, reach Tallahassee by the 17th inst.

"It is due to gen. Armstrong to state, that this movement is more speedy than was anticipated a week or two since, or than was expected by the president. But intelligence had been received of constant and almost unchecked aggressions on the part of the Seminole Indians, and, well knowing the character of his brigade, and their readiness to render aid where it was needed, gen. Armstrong applied some days since to gen. Jesup for permission to march to Florida. This permission was granted, and the Tennessee brigade, it is hoped, will be on the banks of the Wythlacoochee by the time it was first expected they would leave the vicinity of the Creek country."

Glory go with them! They carry, if not peace, at least safety to Florida.

An express arrived at St. Augustine on the night of the 30th ult. from fort Gilleland (Newnansville) and reported that the Indians had invested that post, and it was badly supplied with provisions. Colonel Crane with commendable promptness ordered to that point, all the mounted troops that could be spared, both regulars and militia and a supply of provisions to last them until the 1st of Nov.

Major Pierce also left St. Augustine on the 31st with 100 mounted regulars for Newnansville, and capt. Curry's company of mounted volunteers had been ordered to the same spot. The force of the Indians is stated at from 3 to 400. Newnansville is the last remaining post now occupied by our troops in the territory of Florida between Black creek and the Suwanee river. It is distant about 80 miles from St. Augustine.

There are now about 300 men sick at St. Augustine, which were brought from the interior. Lieut. Dancy, who recently arrived at Charleston, from that place, states that of a company of 85 U. S. dragoons, who arrived in Florida in March last, there were but six reported capable of duty; and of his own company, consisting of between 60 and 70, there were only four who, when he left, were not on the sick list.

The same officer states that the troops have returned from Micanopy to Gary's Ferry.

Major Pierce had abandoned his intention of renewing the attack on the Indians at gen. Clinch's plantation, from the exhausted state of the troops, &c. and the superior force of the enemy.

Captain Ashby had entirely recovered from his wounds.

The Tennessee troops had marched for Florida, but the campaign would not be opened as early as was expected.

The Tallahassee Floridian of August 27 states that, from the information received at that place, it appears that the Creeks are dividing themselves into small parties of from ten to fifty in number, in order to elude the vigilance of the Georgia troops, and make good their escape to Florida, where they hope to battle to better advantage. Hundreds, the Floridian adds, have already made their way to the Seminoles, where, prompted by the almost universal success of that nation, and in conjunction with them, they will make a bold and daring stand. At present the Indians are divided into gangs of fifty or sixty, and are continually passing into the Seminole country; and when interrupted by the whites, they hastily collect together, fly to a hammock and dare them to come on.

From the Creek country we learn that a skirmish occasionally takes place between flying parties of

the Indians and the militia, and fear that the latter have causelessly shed much blood.

Error corrected. It appears that it was captain Dummet, not Dimmock, who behaved so gallantly in a skirmish with the Indians, near St. Augustine, a few months ago. Capt. Dummet was the only commissioned officer present, and modestly restrained him from speaking of himself. His conduct was, however, divulged by the sergeant of the company. Lieut. Dymock is a quarter master in Georgia, and has not been engaged in the Florida war.

REQUISITION OF GENERAL GAINES ON ARKANSAS.

From the Little Rock (Arkansas) Gazette.

We have been politely furnished, by gov. Fulton, with the following new orders, received by him, by the mails on Friday last:

War department, July 20, 1836.

SIR: In consequence of information received from the acting superintendent of the western territory, I have been instructed, by the president, to request that you will call into service, upon the requisition of brev. brig. gen. Arbuckle, such portion as he may deem necessary of the volunteers authorised to be raised by the letter from this department to you of May 25th.

This authority to gen. Arbuckle is not intended to revoke the power given to gen. Gaines, on the 11th inst. of which your excellency was advised on the 18th inst. But you will please to place them under the order of gen. Gaines or gen. Arbuckle, as either of these officers may be compelled by the state of affairs to make the first application for them. Gen. Arbuckle has been instructed to communicate with gen. Gaines in relation to this matter. Very respectfully;

C. A. HARRIS, acting sec'y of war.

His ex. W. S. Fulton, Little Rock, Arkansas.

Head quarters, detachment 3d infantry,

Fort Towson, 6th Aug. 1836.

SIR: I have received information from maj. gen. Gaines, that he had made requisition on the governor of Arkansas for a regiment of mounted gunmen, to be ordered to this post; and I have seen, by your proclamation, that the regiment required is now being raised, and may probably soon be expected here.

We shall be prepared to furnish the troops, on their arrival, with an ample supply of subsistence, stores and forage for their horses. A boat load of flour and pork is now on the way up, and may be expected in the course of a month. The quarters at this post are hardly sufficient for the infantry now stationed here, and we have but very few tents on hand, and those nearly worn out. There is fine timber in the vicinity of Fort Towson, which would enable the volunteers to hut themselves, in a very comfortable manner, in the course of 15 or 20 days. Tools we can supply. Gen. Arbuckle has informed me, that he shall order a quantity of arms and ammunition from Fort Coffee to this post, provided the volunteers are not otherwise furnished.

Your excellency may rest assured, that every thing will be done, in my power, to render the situation of the volunteers both comfortable and pleasant, while stationed in this vicinity.

Very respectfully, your obedient servant,

J. H. VOSE, lt. col. 3d inf. commanding.

His ex. Wm. S. Fulton, governor of Arkansas.

FOREIGN ARTICLES.

The pyramids of Egypt. It is mentioned in an extract of a letter from a French officer of the squadron at Alexandria that the pyramids of those gigantic monuments of a former age have been on the point of being demolished.

It was proposed to Mehemet Ali, that they should be taken down, and their materials used in forming the embankments of the Nile. But through the interference of the French consul, M. Mimaut, the gothic project has been abandoned.

State of Newgate. The select committee on prisons have reported as their opinion "that it is expedient to provide means for the separate confinement of prisoners committed for trial before the central criminal court. That, for this purpose, it is advisable either to reconstruct Newgate, or build a new prison adjoining the place of trial." Government have adopted the plan of reconstruction, at an expense of £80,000, only one-half to be borne by the city.

Smithfield market, London. Curious statistics.—The number of cattle sold in this celebrated mart in 1830, was 150,907; of sheep 1,287,070. A century ago, the numbers were, cattle 76,210, sheep 514,700. Subjoined is a statement of the amount, &c. for 1830, as per returns:

		Average weight.	No. of lbs. consumed.
Cattle,	150,907	656	90,994,992
Sheep and lambs,	1,287,070	90	115,836,400
Pigs,	254,672	96	24,448,512
Calves,	22,500	144	3,240,000

Number of lbs. consumed 242,519,904

The above estimated at 6d. per lb. would

amount to £6,210,595 2 0

At 8d. per lb. to 8,268,293 9 4

This calculation is exclusive of bacons, hams and salted provisions, which from Ireland alone was 500,000 cwt. in 1830. The average consumption of each individual in London, 170 pounds per annum, or nearly half a pound per day, about double that of Paris or Brussels. It should also be remembered that there are other markets in the metropolis, and private sales, which have nothing whatever to do with Smithfield.

The Chinese. Notwithstanding the singular qualities which distinguish the physical geography of China, the chief object of interest is the remarkable people by whom that country is possessed. They have, indeed, labored to overcome, and, as it were, to obliterate nature; to bring its boldest scenes under the control of industry and art. Not only has the indigenous vegetation been every where suspended by culture, but the highest mountains have been levelled and terraced almost to their tops; cities have been built upon them, and extensive ranges of wall erected along their summits. They practise upon a vast scale all the industrial arts, whether rural or manufacturing, and maintain a population the most numerous that is any where united under one system of rule. Five hundred years ago, they were undoubtedly the most civilized nation on earth, with the doubtful exception of the Hindoos; and if the latter display intellectual powers of a higher order, the attainments of the Chinese appear to be more substantial and practical. Since that time, indeed, the Europeans, by their rapid advances in science and in the arts, both useful and ornamental, have far surpassed all the inhabitants of the east. Still the Chinese seem fully entitled to stand next in order, while they have the additional right to boast of a much more ancient improvement. Their civilization, too, has been developed under peculiar forms, altogether differing from those which are presented by the nations of the west. The dissimilarity is perhaps as wide as can possibly exist between two races of beings having the same common nature and wants. A people, among whom inventions which are esteemed the pride of modern Europe—the compass, gunpowder, printing—were known and practised many centuries earlier—who probably amount to more than two hundred millions, united in one system of manners, letters and polity—who in every province have towns that rival the greatest capitals in our part of the world—who have not only covered every spot of earth with inhabitants, but have streets and cities on the waters—such a nation must indeed occupy a conspicuous place in the history of mankind; and the study of their institutions cannot fail to throw an important light on the progress and arrangement of the social system.

[Edinburg Cabinet Library.

The population of Austria is at present 35,400,000, and the extent of Austrian territory is 12,153 square miles, which space is divided into 45 provinces.—Of these Hungary is the largest, and has a population of 11,223,587; the next largest province is that of Galicia, which has a population of 4,217,791 only, and then follows the various provinces of Bohemia, Lombardy, Moravia, Silesia of the Venitian states, Transylvania, Syria, Upper Austria, Tyrol, Carinthia, Littoral, Delematea, and a very inferior amount of population. The proportionate population of Austria as compared to Russia is as 173 to 101 and to that of France as 208. Vienna, as to population, is the 6th city in Europe.

Le Droit, a Parisian journal, in making some remarks in regard to the difference between the functions of English and French juries, relates a curious anecdote connected with an inquest over the body of an aged female who had come to a violent end. It appears that in the discharge of their duty eleven of the jurors had approached and examined the body, and, owing to the nature of the wound which was in the front of the throat, with the absence of any other appearance of violence, had come to the conclusion that the deceased had died by her own hands, particularly as a razor wet with blood was lying on the carpet, and seemed to have fallen from her right hand. In this opinion they were sustained by two surgeons who were in attendance.

The twelfth juryman, an honest farmer, who had shown great repugnance at approaching the body was at length compelled to make the examination, required by law. No sooner had he come near to the body than he exclaimed, to the surprise of all the by-standers, "murder, murder! this woman has been assassinated. She is a brunette, but do you not see these pieces of red hair in her nails? She has been assassinated, and has struggled with a person having red hair." In a moment all eyes were turned upon the son-in-law of the deceased, whose hair was red; his confusion was evident, and he was committed for trial at the next assizes. *Le Droit* remarks, in conclusion, what judge, what salaried commissary would have shown more observation, more sagacity, than this gratuitous judge? The above is an abstract made by us of an article selected from the journal above named, by the New York "Courier des Etats Unis." [Balt. Amer.

Singular custom. A letter from Moscow, published in a Paris paper, says: "On the 17th May was celebrated the holiday called the inspection of the betrothed." The young men who wish to marry are drawn up in a row on the sides of the public walk, and during the space of five or six hours, they behold the processional walk along their ranks, as at a review—the young women, decorated in their best attire, brilliant with their natural graces, and ornamented with diamonds mixed with flowers. On the following day proposals are made to the parents of those young women who have attracted the notice of the bystanders."

New scheme of emigration. The English speculators and philanthropists together have formed a plan, which, if carried into effect, will diminish in part the apprehension felt in this country of an excessive emigration from Great Britain. The project is to encourage emigration to the eastern coast of Central America. Twelve millions of acres have been secured to the new colonists by the government of Guatemala. Here, it is said, all the fruits of temperate and tropical climates may be cultivated together in a region so elevated as not to be exposed to extreme heat. The first settlement is to be made on a tract of fourteen thousand acres, on the south bank of the Cajabon, running through the lake Duce into the bay of Honduras. The land is to be sold at 10s. the 40 acre lot—uncleared land at half price.

Mail coaches in England. In England there are 56 four horse and 45 two horse mails. In the four horse mails the rate of travelling varies from 8 to 10 miles per hour. There is one exception, the Davenport and Falmouth mail, which goes only 7 miles 2 furlongs. The average is probably about 9 miles 3 furlongs. They all carry four inside passengers, and either 3 or 4 outside, except one which carries 6 outside and two which carry 8. In the two horse mails the rate varies from 6 miles to 9 miles two furlongs, and will probably average about 7 miles 6 furlongs. The passengers are almost invariably 4 inside and 4 outside. The average speed travelled by both classes is 8 miles 7 furlongs.—The average mileage for 4 horse mails is 17-8d. per mile, for 2 horse mails 13-4d. The rate of the London and Holyhead mail is 10 miles 1 furlong per hour; the London and Edinburg, 9 miles 6 furlongs. The difference of 3 furlongs per hour is equal to 1-26th part of the time.

Portuguese elections. In Portugal every person who receives 100 milreas, that is about eighty dollars per annum, whether he obtains it as income from his property, or as the gains of his industry, is an elector. These electors meet in their parishes, and elect delegates in the ratio of one to a thousand houses. The delegates so chosen must have an income from property or industry of 200 milreas; or about 160 dollars per annum. They assemble in the capital of their province and elect to the national legislature the number of members allotted to that province, which is in the proportion of one member to 25,000 inhabitants. Lisbon sends forty-six members, or deputies. The deputy must have an income of 400 milreas, or about 320 dollars.—An English writer, in remarking on this subject, says that the body of electors in Portugal is more democratic than that of the electors of members of parliament in England.

The season in Europe. It appears from notices in the English and French papers, that the season has been much more favorable for the purposes of agriculture, than in this country. We copy the following paragraph from a Paris paper, in which it is copied from a paper of Lyons:

It is, perhaps, late to notice the unusual state of prosperity which the agriculture of our department and the neighboring ones, this year presents. We hasten to break a silence on this subject which may be misinterpreted. In the first place, the harvest of silk, which offers elsewhere so favorable an as-

spect, has surpassed our most sanguine expectations. Letters from the places where it is produced, announce that the success has been the most complete in every branch, and if it is borne in mind, that since then, the cocoons have sold at nearly double the common prices (from 2 francs to 2 francs 50 centimes) it may be asserted that this year is the finest, and the most productive which we have enjoyed since the mulberry tree has been cultivated among us. It is calculated that Herault and Gard have produced silk to the amount of from 25 to 30 millions of francs. All this having been already sold for cash, it may be judged what an immense movement in the funds this single branch of agriculture has caused. On the other hand, wools have sold extremely well. Every one also extols the magnificent promise of the corn harvest, which has been so much benefitted by the late rains. The vines, however, which suffered from the severity of the last winter, promise but half a crop; but in return, as this effect has been general, (whatever may be said of some places in the interior), the wines are gradually rising, and go off rapidly. Soon all those which remain in the cellars of the producers will be disposed of, and the new wines will come in under the most favorable auspices. It may be said therefore, that agriculture among us has never presented itself under a more smiling and favorable aspect.

In consequence of the obstacles which the Bavarian government have thrown into the way of marriages among the Jews, by requiring the possession of a sum of money by the contracting parties, and a large fee for a license, not less than nine couple of that persuasion, the men all mechanics, have arrived here to be married under our laws, and to reside here in future. The confidence and constancy manifested by the young women, in venturing across the ocean to a new world with their lovers, where Hymen's torch burns bright and free, is worthy the best days of olden time, when seven years was deemed light servitude for a good wife. One of the females is a capital engraver of visiting cards.

Some of them were in the market on Friday, making their purchases of poultry, lamb, fruits, &c. for their wedding dinners yesterday.

Talking of these marriages reminds us of suing for a breach of promise, so familiarly known in our country and in Europe.

Such an event has never been heard of among the chosen people. Betrothing is deemed as sacred as marriages, and a man may as well run off with the wife of another, as to seek to win the affections of a maid betrothed. Hence the confidence between the affianced, who traverse oceans together with mutual respect and affection, until time and circumstances make it convenient for them to marry. The Mosaic law of divorces is known to have been loose and very unsafe for women, arising from the custom of the Orientals, and never could be adopted in *extenso* in other countries, but there is one branch of the law which is admirable, and is also but little known. He who seduces a woman and afterwards marries her, can never be divorced from her; likewise, the man who falsely accuses his wife of infidelity, can never claim the benefit of a divorce. These are points indicative of the philosophy and wisdom of the great legislator, and his entire love of justice. [N. Y. Star.]

TALK OF HO-POE-THLE YO-HO-LO,

CHIEF OF THE CREEK NATION.

The Mobile "Register" of the 26th ult. contains the following report of a talk of the chief of the Creek nation of Indians with governor Clay of Alabama, which is stated to have been faithfully made: Substance of a "talk" between his excellency Clement C. Clay, governor of the state of Alabama, and Ho-poe-thle Yo-ho-lo, chief of the Creek nation, in the presence of the following officers: Major general Patterson, colonels John B. Hogan, John A. Campbell, Albert J. Pickett and James A. Belser, judge Benson, majors T. J. Abbott and Donegan, and other gentlemen; together with the undermentioned chiefs of Tercharchie town, Young-king, Little Doctor, Yarla, Sich-e Colonels, Mad Blue, Mad Deer, Osoo-che Fixico and others, on the 30th May, 1836.

Ho-poe-thle Yo-ho-lo said, at the city of Washington in the winter of 1832, he saw and conversed with the president of the United States, gen. Andrew Jackson. The president there informed him after the making of their treaty, that by the terms of it, at the expiration of five years from the date of its conclusion—if his people, the Creeks continued to reside where they then were—they must necessarily become subject to the jurisdiction of the state of Alabama, and be governed by its laws, otherwise they must move beyond the bounds of the Mississippi, and settle themselves in a new

home—which course he thought, would be most beneficial for them. Before the expiration of this term of five years however, the whites had come in, in great numbers among them, and thenceforward there had been much trouble and confusion. In consequence of this state of things, he had in the mean time, in accordance with the counsel of friends, gone to look a home beyond the Mississippi: during his absence greater troubles had grown up, and more confusion among his people arisen, on account of the transfer and sale of their reservations, for, on his return, he found that the whites were swindling them out of them; on that account he had requested Dr. McHenry, at that time certifying agent, to forbear from certifying to contracts for the sale of them, for he had discovered that it was no uncommon thing for one Indian to be instigated to assume the name of, and personate another, and sometimes to sell and stand up to be certified to several tracts of land, of not one of which he was in reality the owner. He had written to the president on this subject: he had asked for an investigation and desired inquiry to be made into it; he had also, in order to prevent a repetition of such conduct, requested the president not to permit of certifying to contracts, except in the presence of discreet chiefs, and was much gratified to find that latterly that course had been adopted.

The land speculators, in order to get the Indians' reservations of land, would harden the people against the counsel of the chiefs, and sell to the Indians, pistols, powder, knives and lead, would give bad counsel to them, and say to them, "if the chiefs attempt to restrain or interfere with you, kill them;" and that in this way the late depredations and disturbances, that had so suddenly and in so unlooked for a manner broken out in the nation, had been created and produced.

At the time of the meeting that had been appointed to take place at Dr. McHenry's, for the holding of the investigation asked for, concerning the frauds that had been committed upon the Indians in the sale of their lands, he was himself sick and unable to attend, but sent word that the chiefs, generally, and for the most part were apprised of the affairs of their people, and therefore knowing who among them had actually sold, and who not, could assist in making a proper report of them. Tuskehenehaw of Tuckabatchee, was present at this meeting, hiding about in the bushes, and general Woodward and captain Walker were also there, putting it into Tuskehenehaw's head to make the Indians believe, that those among them who went before the agent to make complaint about the fraudulent sale of their lands, would be the very persons who would be taken, and sent immediately off to Arkansas.

Walker and Woodward were furthermore at the same time making papers also, out in the bushes for the Indians there, telling them that what the agent might do for them would be of no account, but that the papers they were making for them would secure them.

By their treaty made with the president it remained with their people, after the expiration of the five years, either to stay upon their lands under the law of the state, or remove westward to a new home: in either event he had been anxious for the people to be allowed the benefit of what was rightfully their own, and to this end, the investigation was desired by him, and it had been his earnest hope that it would have effected it. He had oftentimes attempted to procure a general meeting of the tribe of Tallassee, having a desire to talk with them, but was as often foiled, they appearing to have an idea of what he wished to converse about: and being also more immediately under the influence of Tuskehenehaw, anxious to avoid it. An opportunity being at length afforded, he appeared unexpectedly at their meeting, and finding Tuskehenehaw with them, remonstrated with him about the evil course he was pursuing, telling him that the pernicious talks he was making to the Indians, were not his own talks and did not originate with him, but were derived from others of whom he was the dupe, and that if he thus obstinately persevered in such course it must necessarily end in consequences that would be ruinous, and that all would be afflicted with sorrow for. Tuskehenehaw notwithstanding continued stubborn, and afterwards proceeded in the same way he had begun, disregarding his friendly remonstrance; and the events which he had so much feared on account of it, had unhappily of late become realized. Flying rumors of contemplated disturbances had occasionally passed amongst his people, but they were considered by them as unworthy of their belief: they did not open their ears to them—now, indeed, the astounding facts had broken out upon them. He had received information of a matter which he had been unable properly to comprehend: it was concerning a paper, or letter, said, or pretended to have

been sent from people beyond the seas; this it was said, had been circulated in some of the Indian towns; he had heard that it had been sent to Kunchar-te-Micco, to Enehah-Marthlooche, to Neah-Micco, and that Tuskehenehaw, had also received it: he was informed that runners had come from Nehar-Micco to Tuskehenehaw bringing four broken sticks to him, and word that "they were ready," and it appears that it was about the time of the last of these broken sticks that hostilities had commenced among them.*

The circumstance of the paper said to have been circulated he could not, as he has before said, well understand; it could not have been the work of Indians, for they cannot read or write—the only way in which he can account for it is, that white people must have been at the bottom of it. His people had agreed with colonel Hogan, the superintendent and agent, that they would emigrate with him during the present spring; some of them, however, had been desirous of making a crop first and putting off going until fall afterwards; this had been suggested to col. Hogan, but he would not listen to it, and said they must not defer the time of their removing beyond the spring, that the grass would be sufficiently grown then to feed their poney upon—they must prepare to start by that time; it would be the best season for them and they ought to avail themselves of the advantage of it and be off. That to facilitate their removal he had promised to interest himself in the procuring if possible, the payment of their annuity for the present year by that time, but although as they had been informed, he had endeavored to do so, he had not been successful—no law having then been passed authorising and appropriating it. The time contemplated for their removal had passed—the people in expectation of it had not planted and were already in a state of great want on account of it; they were generally both willing and desirous of emigrating, and would go into camp if the opportunity was afforded them: that owing to that diversity of sentiment ever entertained by men in regard to the propriety of particular measures, it was not to be expected that all would be unanimous in the matter, but he thought that those who had hitherto said they would not go, might by possibility be influenced by the example of the others going into camp, if camps were opened for them: and although some of this mind might be reluctant, yet, he did not think they were spoiled—that is, that their repugnance to emigrating was invincible, but might by such means be overcome.

He wished to make particular remarks on one subject which deeply affected their condition as a people, and interests; it was in regard to the quantity of ardent spirits that was continually introduced among them—beyond doubt it was one of the leading causes of their debasement and misery, and tended infinitely to the procreation of mischief and disturbance. He was desirous in the event of their going into camp that the dealers in the commodity might not be allowed to bring or sell it among them: in the absence of the cause they would of course be relieved from the baneful and destructive effect.

Another subject too, he would also invite attention towards. Claims were not unfrequently set up by their white brethren against the Indians: these too often were founded neither in truth nor justice; often where not a cent was due on account of them. To satisfy such demands, their horses were sometimes seized upon, sometimes their money; this too arbitrarily and without sanction of law; at other times they were threatened with the consequences of the law, or the confinement of a jail, and in such manner their substance was extorted out of them. Oak-fus-ke Yo-ho-lo the prisoner, lately killed in Tallassee while attempting to effect his escape, he had every reason to believe had been excited to anger and made mad by some circumstance of this kind.

To proceedings so arbitrary, and the introducing and selling such floods of liquor amongst them, he

*The paper alluded to by Ho-poe-thle Yo-ho-lo, was, after the talk, ascertained to be some old proclamation, issued during the last war with England, by sir George Cockburn, commanding the English fleet, and was highly inflammatory. It was addressed to the Creek Indians, and was no doubt the cause at that time of exciting them to make war on the whites. Where these old proclamations could have been lying all this time, is not yet discovered, but an Englishman, who is a silversmith, and resided for some time in Columbus, Geo. was the man who rode among the Indians, and read and explained these papers, but took care to conceal the date; he is now in prison in Montgomery jail. This man says he is the natural son of Francis the prophet, hung by order of gen. Jackson, and was born in London at the time Francis visited England.

thought a stop should be put; they could then in more order and quiet, complete their necessary arrangements for going away.

When the late hostilities broke out, his people were engaged in gathering up their cattle, that were dispersed in the woods, in order to dispose of them in expectation of their departure; they had not finished this gathering when news of the hostilities reached them, nevertheless they immediately quit hunting their cattle and hastened to the relief of their white friends; nor did they cease from aiding them until by their exertions, most of the deluded and guilty depredators upon the lives and property of the whites in that section of country, had been either made prisoners and turned over to the custody of the whites, or expelled the neighborhood through fear, to places remote and unknown to them, and where as was supposed the main body of their enemies had secreted themselves and absconded.

(Ho-poe-thle Yo-ho-lo being here asked by the governor whether he would be willing to continue to lend his useful aid to the commanding general Patterson, then present at the interview, answered) Neah-Micco and Tus-ke-he-ne-haw are responsible for the influence of the evil counsels they have been instrumental in disseminating among the red people; by their conduct they have become deeply involved in the creating of the present passing events, have been actors in them, and ought theretofore to be chargeable with some of the troubles and burdens of allaying them. He thought it was in the power of these by proper exertion to cause the apprehension and delivery of the murderers and other depredators who had been concerned in the late rash and lamentable outbreak upon their white brethren of the Creek nation; this exertion ought to be first required and demanded of them, after which, if they turned a deaf ear and refused, and the general called upon him, although the horses belonging to his people, were much worsted by the fatigues of their late service and enterprize, they would again nevertheless cheerfully turn out to his assistance, and help to subdue and take them.

(Reverting to the subject of their removal beyond the Mississippi, Ho-poe-thle Yo-ho-lo said) captain Walker, one of the company of contractors who had engaged with the government to emigrate them, had conversed some time back with him about their emigration, and had offered to open camps for them to assemble in, upon condition, that they should only remain in camp one week prior to the commencement of their journey, saying, that he could not keep them in camp and feed and furnish provisions for them longer than that space; that his people would not agree to go into camp upon such conditions, the time limited to them was too short to make their needful preparations in, therefore they were unwilling to agree to it: lately capt. Walker had again made his people similar proposals, but, as before, they could come to no understanding about it. On that occasion col. Hogan being absent they had obtained an interview with capt. Page; at this interview mention was made to him about the state of land matters, which, although investigations had already been had about them, it appeared by the order of the government were to be had over again: capt. Page on that occasion had said to him that there were so many agents sent by the government amongst them to hold investigations about the stolen lands they made complaint of, and for other purposes, that he did not think it was going to do them any good:—they would be kept by them until fall before their business would be settled; that his people therefore had better sell their claims to these controverted lands for whatever they were able: even though they might not be able to get the worth of them, they had best get something; something was better than nothing. Then a man with whom at that time he was unacquainted, middling height, and rather thick, came up and accosted him, saying, he had heard what had been said in the matter of their land claims by capt. Page, and if he liked the talk and would sell him the claims he would buy them, doubtful as might be the chance of their recovery; nevertheless he said in the event of their selling to him, that he would incur the risk of this. Here capt. Walker who was then present interfered and counselled his people to agree to this proposal, and sell their claims as was desired, and it was at this period that he made his second offer as last mentioned to open camps for emigration.

(Being asked what towns he thought were now willing to emigrate, he replied) the town of Tuck-a-bat-chee, for the most part—these were his people, they were in general willing, except those about Tus-ke-he-ne-haw, and under his influence—these objected. The other towns so far as he could learn were those of An-to-see, Cle-wal-la, Tuskegee, Coosawda, Ki-o-if-gee, Hatchee-chub-ba, Aufou-

ga, To-war-sa, part of U-fau-la, on Tallapoosa, Hickory Ground, Little Oak-choi, We-wu-ko, Woc-koy, Pok-en-tal-la-has-see, We-o-guf-ka, Hil-labee, part of Fish Pond and part of Taladega.

Ho-poe-thle Yo-ho-lo added in conclusion—that some of the Creeks had passed over among the Cherokees, they were composed principally of Sok-a-pa-toy, Kun-char-tee, Tallasse Hatchee and a portion of Talladega.

MILITARY VISIT.

On the 12th inst. the Baltimore light division, comprising eighteen companies of as well drilled and efficiently organized volunteers as are to be found in the union, visited Washington city, via the rail road, where they were cordially received and kindly entertained. In Baltimore their fine military appearance was greatly admired, and they also made a deep impression upon the citizens of Washington, as we learn by the following article

From the Intelligencer of Tuesday last.

A more brilliant spectacle never has been witnessed in the city of WASHINGTON, than that exhibited yesterday on the occasion of the visit of the brigade of volunteers from BALTIMORE to this city for the purpose of honoring, at the capitol of their country, the anniversary of the battle of North Point, fought by volunteers and militia, in defence of the city of Baltimore from invasion, two-and-twenty years ago.

The day was bright and beaming, and the city and neighboring towns poured out almost their whole population to greet and admire the strangers, whose splendid appearance exceeded all anticipation. We have indeed seen many public spectacles in our day, but never one so brilliant and impressive as yesterday afforded us. The arrival of the trains of the cars alone, transporting, by the aid of several locomotives, so many hundreds of troops, (eighteen companies,) the elite of the citizen soldiery of the monumental city, witnessed as it was from the brow of Capitol-hill by thousands upon thousands of men, women and children, was one of the grandest sights one could desire to look upon. Add to this the effect of the federal salute from the hill, by which the visitors were welcomed, the showy marshalling of the troops at the base of the hill, and the march of the glittering column up North Capitol street into the space in front of the capitol, (where the volunteers of our city and Georgetown, with a company of Baltimore cavalry, joined them,) and we can safely say that a more impressive scene is seldom witnessed, in either our civil or our military exhibitions, in any part of this country.

At the capitol, the troops were reviewed by the commanding general of the army of the United States. After which review, &c. of all which a more particular account may be hereafter expected, the visitors were entertained with a collation provided for the occasion at Carusi's saloons.

The reception which our city was able to give to our fellow-citizens of Baltimore bore no adequate proportion to the wishes of our people, nor perhaps to the claims of our visitors. To have done this would have required the resources as well as the public spirit of the monumental city itself, which never does such things by halves. We trust, however, that the visit was rendered acceptable to our visitors, and will have afforded them general gratification.

The following letter from gen. Steuart, who commanded the division, to the president *pro tem.* of the rail road company, shows the importance of rail roads conveyance in the transportation of troops.

Baltimore, Sept. 13th, 1836.

SIR: On the part of the first light division, I beg leave to return thanks for the very handsome manner in which the Baltimore and Ohio rail road company carried from 900 to 1,000 men, with some artillery, guns and horses to be transported yesterday from Baltimore to Washington and back again in the same evening with great safety, punctuality, ease and comfort.

The experiment was a bold one, but proved completely successful, and whilst it illustrates the great capacity of the road for rapid transportation of troops, I must beg leave to say that nothing could exceed the energy, skill and obligingness with which the whole movement was directed and executed by the agents of the company. I would especially mention captain FITZHUGH and Mr. WOODSIDE, (though it appeared to me that all were equally ambitious to do their duty) but as you sir were present, giving your kind attention when it was required, I will say no more than that we all feel greatly indebted to the company for the liberal arrangements made for our comfort, and equally indebted to yourself as well as the two gentlemen I

have named and the other agents of the company who were employed in this special duty.

With great respect, your obedient servant,
G. H. STEUART.

Col. William Steuart, president pro tem. of the Baltimore and Ohio rail road company.

SLAVERY IN TEXAS.

BRITISH HOUSE OF COMMONS, August 5.

On the order of the day being moved for the house to go into the committee of supply,

Mr. B. Hov, pursuant to notice, rose to move an "address to the crown, praying that his majesty will be graciously pleased to direct that such measures may be taken as to his majesty may seem proper, to secure the fulfilment of the existing treaty between this country and Mexico; and to prevent the establishment of slavery and the traffic in slaves, in the province of Texas, in the Mexican territory." He said that the question was a very important one to this country, as we had in the province in question property to the amount of 70,000,000 dollars. The Texas had already been dissevered from Mexico, and might fall, along with Cuba, &c. into the hands of the United States. He had before asked whether the Texas would not be bound by the treaties into which she entered, when forming part of the Mexican territory, relative to the slave trade; and the noble lord (Palmerston) then answered that if the Texas remained, after the conclusion of the war, part of Mexico, she would be bound by the treaties entered into with this country at that time. But he had the opinion of the noble lord on another point to quote as a precedent in this case. The noble lord, in answer to a question from him, had stated that Holland was bound by all the treaties made by her when joined to Belgium, after the separation of the two countries. The war going on in Texas was not a war for independence or for liberty: it was a war for slavery, and the Texas had been most unjustly assisted by the southern states of the American union. Texas had carried on slavery in the most open manner.

The annexation of Texas to the American union was contemplated and spoken of. The American states had been originally 13 in number; they were now 26. The last state which had joined the union was the Arkansas; and the only stipulation which they had made was this—that they should be allowed to do as they pleased on the question of slavery; that the general government should have no voice upon that. In the same manner, there could be no doubt, that if a union were to take place between the United States and Texas, the main condition of it would be, that slavery should be allowed to continue in the latter. He begged to ask the noble lord, if within the last ten days he had not had an application from the Mexican government, requesting the mediation and good offices of government, to remonstrate in an amicable manner with the government of the United States, on the gross violation of the treaties between those states and Mexico, and the aggression which had taken place against Mexico on the part of the southern states of the union. The honorable member then quoted the authority of Mr. Huskisson and of John Q. Adams, to show the design entertained by the United States to extend their dominion to the territories of other powers in the neighborhood of their own.

It was for the house and the country to consider whether the sacrifice of those enormous sums which we had expended, and which we were still annually expending, in order to procure the abolition of slavery and the slave trade was now to be rendered wholly useless, and whether we were to retreat from that position, which we had so long held, of a nation taking the lead in endeavors to bring about the suppression of that odious traffic, while we possessed the power and right of interfering in such manner as to prevent so unfortunate a result.

Last year eighty vessels from Cuba had been engaged in the slave trade; many of them, doubtless, had conveyed slaves to Texas, for it was calculated that at least 13,000 slaves annually had been of late introduced into Texas, by importation direct, or from the immediate neighborhood. On this point he begged to remark that the papers laid upon the table of the house, relative to the slave trade, contained no information respecting its progress in Texas, such as they contained of its progress in other American territories. If Texas became independent and united, as he had no doubt it would be, to the North American republic, he would ask the house and the country to consider what must be the consequences resulting. He would call upon the house to consider what must be the consequence of a perseverance on the part of the United States in a system of progressive aggrandisement.

The acquisition of Texas would lead to the establishment of the states as a commercial power of dangerous importance; it would place them in a

commanding position on the Atlantic and the Pacific alike; and while, on the one side, they would be distant only six weeks' sail from this country, on the other, they would be distant only six weeks' sail from China and those other countries of the east with which a facility of intercourse was always so advantageous, and so much desired. Unless Mexico could be at once assisted by this country, it would fall an easy prey to the United States. His object on the present occasion was to obtain the concurrence of the house in an address to the crown, praying his majesty to take such measures as to his majesty should seem proper to see fulfilled the existing treaty. The honorable gentleman concluded with moving an address to that effect.

Mr. H. G. Ward seconded the motion, and said that the deep interest which he had long taken in the question induced him to say a few words. From the time of his mission to Mexico, he had observed that it had been the fixed determination of the United States, by fair means or foul, to obtain possession of the province of Texas. Honorable members might, perhaps, not be aware of the importance and value of such an acquisition. That territory contained upwards of 120,000,000 acres of the finest land; it was watered by several navigable rivers, having their embouchures in the gulf of Mexico, and on its coast were to be found many harbors, superior to all others in the adjoining territories, and the possession of which would give them a complete command of that gulf. When Mexico became an independent state, her government agreed to abolish slavery in its dominions. He could answer for the fact that, during his residence in that country, the treaty was most rigidly enforced; and at present he would take upon himself to say that there were not more than twenty slaves in it. Ever since the erection of Mexico into an independent republic, the United States had cast most covetous eyes upon the province of Texas. He had observed a curious proof of it during his residence in Mexico, when through their agent, Mr. Poinsett, they took measures for the purpose of obtaining such a party in the Mexican congress as would consent to let them have Texas for a certain number of dollars. This endeavor failing, the United States had had recourse to other means; they encouraged all the refuse of their population to overflow the boundary line between the United States and Texas, and to take possession of the lands of the latter. This was done; the lands of Texas were occupied by subjects of the United States, a Texian land scrip was created, and the stock became the subject of speculation in the markets of New York and New Orleans. No Texian had any interest in it. The territory was in the hands of ten, fifteen, or eighteen thousand adventurers—men recognising no laws, and seeking for nothing but the means of turning their land to the utmost account. When he was in Mexico there had been in communication with Mr. Poinsett, upon the subject of the occupation of Texas, an American, who was now the president of the Texian republic, a man of talent, certainly, but utterly devoid of principle.

As a further proof of the connexion of the United States, he would state that Mr. Forsyth, a member of the cabinet, was reported to have been a very large owner of Texian land. Thus, it appeared that Texas, being undeniably a country belonging to Mexico by solemn treaty, and being uninhabited, the Americans had created a population in it, and instigated that population to declare itself independent; and the committee on foreign relations in the senate then came forward with a solemn report, ushered in by Mr. Clay, gravely discussing the absolute necessity of recognizing the independence of Texas—a state which they had created from the offscourings of the population of their own western states, and which they had encouraged in every way, by furnishing supplies of men, arms and munitions of war, to sever itself from Mexico. There were two considerations which ought to weigh with them in discussing this question. The first was the question of general policy, whether it was advisable to allow the United States to pursue a system of aggrandisement without any endeavor on our part to check them, and to allow the extension of their territory to the Rio Bravo and the Gulf of Mexico in such manner as to obtain for them the absolute command of that gulf; for certainly the acquisition of Texas would give them that command, and would enable them, with half a dozen privateers, to shut us out entirely from our present trade with Mexico, leaving us no route whatsoever by which to maintain a commercial intercourse with that country, save that leading round Cape Horn to its western coast.

Upon the importance of that trade, not only in reference to its present actual amount, but in reference also to the large probable increase which it would undergo, it was unnecessary for him to

dwell; it was growing more extensive every day; nor could he see any definite limit to its increase in future years. Our connexion with Mexico was rendered, too, more intimate by this circumstance, that we possessed a large capital invested in mining adventures in that country. It was impossible, then, to contemplate, without anxiety, events having a tendency, apparently, to sever from the Mexican state a most valuable portion of its territory, and to place our trade with that state at the mercy of a commercial rival. The noble lord must be aware that, in 1825, there had been a somewhat similar project, on the part of the United States, to obtain possession of the island of Cuba. There were at that time in Cuba three parties, severally wishing for a connexion with England, France and America; the mutual jealousy of the three countries, however, prevented any one of them from taking possession of the island, and they came to a solemn treaty (notes having been actually interchanged by their respective governments) that neither England, France nor America should interfere with it, but that it should be left in the possession of Spain. The other consideration, of which he had spoken as one which ought to have weight in the discussion of the question, was the consideration of moral feeling which must influence every gentleman acquainted with the condition of society in the western states of the union, and every gentleman aware of the incalculable misery which the system of slavery there prevailing inflicted upon so many millions of human beings.

The question to be decided under this view of the subject was whether, for the purpose of maintaining that demoralizing system, they would allow the annexation of the territory of Texas to the United States. In a pamphlet recently published upon the subject in the union, a great fear was expressed as to the consequences of such an event on the part of the non-slaveholding states; for doubtless the house must be aware that the states were at present divided into two great parties, the slaveholding and the non-slaveholding states—that a struggle had been for some time carried on between them in the national legislature, and that the parties were now pretty equally balanced. The result of the annexation of the province of Texas would be the creation of nine additional slaveholding states, with eighteen representatives in the congress at Washington; and that circumstance would put an end to all hopes of doing away with the system which formed the most degrading feature in the whole frame of the United States.

Viscount Palmerston said that if he began by declaring that he did not feel himself at liberty to agree to the address proposed by the honorable gentleman, he trusted that neither he nor the house would imagine that circumstance to be any proof that he did not feel fully the importance of the subject to which that address related, or that his majesty's government were not as much animated as he was by a desire to put an end to those events to which mainly it referred. He thought, however, that he should satisfy the house that in some respects the address would be unnecessary, and in others it would be premature. The observations made by the honorable gentleman, and by his honorable friend behind him, (Mr. Ward), divided themselves, strictly speaking, into two different branches, the one of them relating to the political part of the question, and the other relating to that part of it which regarded the trade in slaves. With reference to the political part of the question, undoubtedly the possibility of the annexation of the province of Texas to the U. States was a subject which ought seriously to engage the attention of the house and the country. But he did not think that the events which had yet occurred afforded them any ground for thinking that there was at present any such probability of that kind as to call upon the house to address the crown with reference to it. The state of Texas at present was this: A revolt had taken place in that province, and a Mexican army had been despatched thither for the purpose of putting it down.

The first operations of that army were greatly successful, but a part of it having incautiously advanced considerably before the remainder, had been surprised by the Texian force, and routed with great slaughter, the president, who happened to be with that portion of the Mexican army, being taken prisoner. But it would be premature to infer from that simple event what might be the ultimate issue of the civil war in that province. It was possible, undoubtedly, that the resistance of the people of Texas might prevail against the authorities of Mexico; but, on the other hand, the numerical superiority lay with the army of Mexico. The government of Mexico was preparing, according to our last advices, to make fresh efforts to reinforce their army, and he thought we were not in a position to infer

from any thing which had happened what might possibly be the result of the contest. But with respect to the conduct of the United States, although he was aware of the fact stated by the honorable gentleman, and by his honorable friend, that individuals in those states of the union which bordered upon Texas had undoubtedly given great assistance to the revolted population, yet, if we looked to what had been the conduct of the responsible government of the United States, we should find in the message sent to congress by the president, at the beginning of the session, a most unequivocal declaration that the government of the United States would take no part in that civil war; nay, farther, we should find that orders had been issued by that government to enforce the laws of the states, and prevent individual subjects from mixing in that dispute.

He (lord Palmerston) had too high an opinion of the honor and good faith of the government of the United States not to believe that they would act up to their declaration; and he thought, therefore, that fresh circumstances ought to arise before it would be fitting on the part of the house to send up to the crown an address bearing on that political branch of the question. With respect now to that part which related to the trade in slaves, the honorable member had remarked, that in the correspondence laid before the house, as having taken place between the government at home and our agents abroad, with regard to the progress and diminution of that trade, there appeared nothing bearing upon the trade supposed to exist in Texas. That was perfectly true; and the explanation was that we had no agent in the province of Texas. It was but lately, indeed, that he had received from our minister at Mexico representations bearing upon the illicit trade which was supposed to be carried on in that province. Undoubtedly it would be a very great evil, and much to be deplored, if the course of the civil war in Texas, be it what it might, were to lead to a renewal or extension of the slave trade; and that was a subject well deserving the attention of the house. If the house were of opinion that his majesty's government were indifferent in the matter, and were not disposed of their own accord to bestow on it their most vigilant attention, and to do all in the power of the crown to prevent such an evil, he should agree that it would be fitting on the part of the house to admonish the government, and remind them of the course which it behooved them to pursue in the manner proposed by the honorable gentleman. But he assured the house that the government required no such stimulus to urge them to perform their duty on that point; and he trusted that what they had done, and what they were in the progress of accomplishing, might be accepted by the house as a fresh proof that they were as anxious and active as the house could wish them to be in endeavoring to put down the trade in every part of the world, and prevent it from springing up in quarters where it did not now exist.

If they considered what effect the progress of events in Texas might have on that matter, he did not think that there was any danger—any considerable danger—that such an evil would be the result of the civil war; because it was evident either that Texas would be reconquered by Mexico, and the authority of Mexico re-established therein, or else the province would assert its independence and become a separate state; or thirdly, indeed, it might unite itself with the United States of North America. If the government of Mexico re-established its authority in Texas, then the laws of Mexico would come into operation in that country; and, therefore, as far as the internal administration of Texas was concerned, there would be no more encouragement given to the slave trade in that part of the Mexican territories than in any other. With reference to any thing which the government of Mexico could do, it was obvious, whether their authority were thrown off in Texas or not, that while they were unable to rule in that country and to make their laws to be there obeyed, it would be useless to apply to them to interfere for the purpose of putting down the slave trade in that province. In the next place, if Texas established its independence, it would be for the government of England, by addressing itself to that state, to enter into such negotiations as would induce its government to enter into those engagements for the suppression of the slave trade which we had persuaded many nations to contract, and which, he trusted, we should persuade all the nations of the civilized world in like manner to contract.

If, again, by any progress of events at any future distant time, Texas were to become a member of the union, then, undoubtedly, there would be some danger that at least from other states of America slaves might be introduced into the province of

Texas; but there would not be any real danger in practice of the importation of slaves brought from the coast of Africa, or from any of the islands of the West Indies. If there had been hitherto any importation of slaves into Texas, which he was inclined to believe there had been, it would be found, he apprehended, that they had come from Cuba and some neighboring places in the West Indies; he had not heard of any cargoes being brought to Texas direct from the coast of Africa. With regard to the importation from Cuba, that was a branch of a larger question which, he trusted, had been satisfactorily settled. The house knew that we had concluded a treaty with Spain for the suppression of the slave trade, containing what he hoped and what he thought would be most effectual provisions for putting an end to the slave trade under the flag of Spain. That treaty had only lately come into operation, and, therefore, the statement which the honorable gentleman had made as to the transfer of slaves from Cuba to Texas related to a period of time, and a state of things antecedent to the practical operation of the new treaty. It was well known that some years ago we persuaded the French government to enter into a treaty by which the mutual right of search, subject to certain limitations, was conceded by one country to the other. The treaty likewise contained other regulations, having for their object the suppression of the slave trade.

What had been the effect of that treaty? Until then, the trade in slaves was carried on to an enormous extent under the flag of France; but he believed that, from the moment the treaty came into operation, not a single slave ship had sailed under the flag of that country. We had now also concluded a treaty with Spain. Previous to the conclusion of this treaty, and perhaps he might say, almost up to the present moment, the flag of Spain had been extensively used for the purpose of covering the abominable traffic. He, however, trusted and believed that the same provisions which in the treaty with France had proved effectual in suppressing the illicit traffic carried on under the French flag, would, in the treaty with Spain, be found equally effectual in preventing it from being carried on under the flag of the latter country, and that the enormous trade in slaves carried on with Cuba in defiance of our representations to the local authorities of that island, and in reproach of the good faith of the Spanish government, would finally be put an end to, as well as that subdivision of the traffic which had flowed into the territory of the Texas. There was another flag which had, perhaps, been more abused for the purposes of the slave trade than that of Spain; he meant the flag of Portugal. (Hear, hear.)

The papers which have been laid upon the table contained sufficient evidence of the abominations carried on under that flag, and hardly a week passed without his receiving fresh accounts, each exceeding its predecessor in the enormity of the facts disclosed. It, therefore, gave him much pleasure to be able to state to the house that this country had entered into negotiations with Portugal for the purpose of concluding a treaty precisely similar to that concluded with Spain. These negotiations were brought so nearly to a conclusion, that he expected, before many weeks elapsed, to receive the treaty signed; and, if that should be the case, he trusted that the slave trade, now being carried on under the Portuguese flag, would be put down. Then there would remain chiefly to be considered the flag of Brazil, which, in spite of a treaty, had, to a certain extent, been applied to that purpose. The government of Brazil had lately signed two supplementary articles containing the essential stipulations, for want of which the existing treaty had proved ineffectual; he meant the stipulations respecting equipment and breaking up of vessels. What had now, therefore, associated with us in the common cause of putting down the slave trade, almost all the maritime powers whose flags could be abused and prostituted for that purpose. The British government was going still further than this.

They had made a proposition to the government of Austria, Prussia and Russia, who had not hitherto concurred in any treaty on the subject, in consequence of which those powers had agreed to a treaty conjointly with France and England; and he hoped that, before a considerable time elapsed, he would be in possession of the ratified document. He must say, therefore, that the subject of the slave trade in Texas was a comparatively insignificant branch of a much greater and more extensive question; and, if we should succeed, and he trusted it would be the case, in carrying our object into effect with respect to the general question, little apprehension need be entertained on the score of Texas. If, however, it should appear that the importation of slaves into Texas still continued, it would undoubtedly

be the duty of the government to take such steps as circumstances might require to endeavor to put an end to the abuse. Upon political grounds, therefore, he thought it was unnecessary for the house to address the crown on the subject of Texas; and, with respect to the question of the slave trade, he ventured to say that it was equally unnecessary to approach the throne; and, if the house should take an unnecessary step in addressing the crown upon a point with respect to which his majesty's advisers were already prepared and willing to act, it would be casting a censure upon the conduct of the government, which he believed the honorable mover of the amendment did not intend to convey.

He (lord P.) might avail himself of this opportunity to state that it was his intention to introduce a bill connected with the subject now under discussion, and the statement which he had made would in some measure explain his motive for doing so. He confidently expected that he would shortly obtain the ratifications of the treaties to which he had alluded; but the house was aware that those treaties could not be carried into execution without the sanction of a parliamentary enactment; and knowing that the treaties would probably be concluded at a period when parliament would not be sitting, he wished to bring in a bill, the operation of which should be limited to the duration of a certain time after the next session, by which the crown would be empowered by orders in council to give immediate effect to any treaty which his majesty, in pursuance of addresses from the two houses of parliament, might conclude with foreign powers for the suppression of the slave trade, without waiting for the passing of a bill to carry each treaty into operation—(hear, hear). If parliament would consent to pass a bill of that description, it was obvious that considerable time would be saved.

Mr. F. Burton expressed his belief that if the Americans should obtain possession of Texas, which had been truly described as forming one of the fairest harbors in the world, a greater impulse would be given to the slave trade than had been experienced for many years. If the British government did not interfere to prevent the Texian territory from falling into the hands of the American slaveholders, in all probability a greater traffic in slaves would be carried on during the next fifty years than had ever before existed. The war at present being waged in Texas differed from any war which had ever been heard of. It was not a war for the extension of territory; it was not a war of aggression; it was not one undertaken for the advancement of national glory; it was a war which had for its sole object the obtaining of a market for slaves—(hear, hear). He would not say that the American government connived at the proceedings which had taken place; but it was notorious that the Texians had been supplied with munitions of war of all sorts by the slaveholders of the United States. (Hear, hear.) Without meaning to cast any censure upon the government, he thought the house had a right to demand that the secretary for foreign affairs adopt strong measures to prevent the establishment of a new and more extensive market for the slave trade than had ever before existed. The noble lord ought immediately to open negotiations on this subject, not only with the Mexican, but with the United States government, which latter had always professed to be anxious for the extinction of the slave trade.

After a few words from Mr. Hume, sir F. Trench and sir J. R. Reid, in condemnation of the proceeding of the Texians,

The amendment was withdrawn.

MR. CLAY'S REMARKS

ON COLONIZATION.

From the *Lexington Intelligencer*.

We intimated, on Tuesday, an intention to publish a sketch of Mr. Clay's observations at the colonization meeting of Friday last. This semi-pledge we are enabled to redeem, though in an imperfect manner, by the aid of the brief notes taken by us at the time.

Mr. CLAY said, that he came to the meeting as a listener, with no prepared speech, and with no purpose of making a speech. Standing, however, in the relation he did to the gentleman, who had just taken his seat, he felt it incumbent on him *first*, to say something of *him*, and next, of the great cause that had brought us together. That gentleman he had known for many years, as one of the most zealous, persevering, energetic, pious and benevolent friends of the cause of colonization; he was one of the officers of the national society; and to his services in that capacity, the free colored people, the colony and the society were largely indebted. He spoke of Mr. Gurley as having proved, by his labors, his assiduity, his eloquence in defending the cause of colonization, and his general and well

known character for Christian philanthropy, that the fullest confidence in him could not be misplaced. Having said thus much, and less he could not have said in relation to that gentleman, if he said any thing, he would proceed to the topics whose consideration had caused this meeting.

When we take a survey of our country, we find it occupied by two distinct classes of population—two races of men—distinct in many important respects—agreeing in few, except that they alike possessed the gift of reason. The amalgamation of these two races was a thing impossible—forbid by all considerations of regard to either. The case presented difficulties long ago deeply felt and deplored. They were seen by the fathers of the republic, who, after much argument and reflection, resolved to do the best they could, and depend for the result upon Providence. Many schemes passed in review before them, and all were rejected as impracticable.

About twenty years ago some zealous, pious, benevolent men conceived the project of African colonization. He recollected well the proceedings at Washington at the organization of the society. He was invited to be present. At first he declined; but on further reflection, he felt disposed to think well of the plan. Among those present at the original meeting, he remembered were Mr. Caldwell and Francis S. Key of the District of Columbia, the rev. Dr. Finley of New Jersey, and a late distinguished member of congress from Virginia, John Randolph of Roanoke. We met and considered the prejudices in our way, the obstacles to be removed, and the objects to be accomplished; and finally organized the society on the principles which it has ever since publicly professed, and which have just been stated to this meeting.

The success of this society has exceeded the hopes of its founders. It was not deemed possible for a society with mere private means, to do more than *plant a colony*, and thus demonstrate the practicability of the object. When I look back, said Mr. C. on the twenty years during which this society has existed, and consider what it has done, I am impressed with the belief that it is the work of an overruling Providence. It was surrounded by difficulties at its outset, and it has at all times encountered opposition and misrepresentation. Recently a new school has sprung up—one which maintains that slavery is a blessing—that it is an indispensable element for the preservation of our own freedom! Of this school, I take the liberty to say, I AM NOT ONE. There are two extremes of opinion on this subject, in neither of which do I concur. The first is that of those who regard slavery as *no evil, but a good*. I consider slavery as a *curse*—a curse to the master, a wrong, a grievous wrong to the slave. In the abstract, it is *ALL* wrong; and no possible contingency can make it right. It is condemned by all our notions of natural justice, and our maxims of natural political equality among men. Necessity, a stern political necessity alone, can excuse or justify it; a necessity arising from the fact, that, to give freedom to our slaves that they might remain with us, *would be doing them an injury, rather than a benefit*—would render their condition worse than it is at present.

That slavery was condemned by religion, he did not say. It was not his purpose to speak of it, except in its *political* relations. That slavery was a *blessing*, and ought to be perpetuated as a valuable institution, was one extreme; and those who occupied it had ever been opposed to African colonization. But there was another extreme; and on that were to be found the advocates of immediate, unconditional, indiscriminate emancipation, without regard to consequences. To this fanatical class were to be referred directly or indirectly, much of the violence and wrong, the mobs and the outbreaks, which are so rife in some portions of our country, with which no friends of good order, and of the just rights of the different portions of the union could have any congeniality of feeling on this subject. These were none of your old fashioned gradual emancipationists, such as Franklin, Rush, and the other wise and benevolent Pennsylvanians, who framed the scheme for the gradual removal of slavery from Pennsylvania, about the time of the origin of the federal government.—They were not of that class with whom he (Mr. C.) was proud to say he had acted in this state forty years ago, to procure the adoption of a gradual system of emancipation, on such terms and under such regulations, as might consist with the good order and highest interests of the commonwealth.

He had heard with some surprise in the course of the day, that some individuals, even in this community, suspect that there is some connection between the Colonization and Abolition societies. He could assure the meeting that there was no cause or rea-

son for any such suspicion. He had corresponded with a leading gentleman of the Abolition society in New York, with whose name the reading public were familiar, who had addressed him on another subject; but expressed to him also his views on slavery; (a gentleman who was honest and benevolent in his motives, he presumed, but deceived and infatuated), and he (Mr. C.) had endeavored to convince him of his error. He had put to him the question, how the citizens of New York would endure the organization of societies in Kentucky to regulate the tolls on the New York and Ohio canals. But he had alluded to this correspondence, mainly in order to state, that this gentleman had expressed a determined hostility to the scheme of African colonization. He thought it a design of slaveholders—and in part, this is true. He (Mr. C.) was ready to admit that one advantage of the scheme was, its tendency, by the removal of a class, in theory free-men, but in fact, NOT FREE, to contribute to preserve quiet and subordination among the slaves. The removal of the free blacks would, while it conferred a vast good on them, render the slave more docile, manageable and useful.

It was not his object to have said so much; but merely to express his own feelings towards the society, derived from 20 years experience; his unshaken conviction of the utility and benevolence of the colonization scheme, and of the strong claims which it presented for aid, to the state and national governments. Nor could he omit to allude to the vast good it must confer upon Africa, by introducing among her people our religion. I am not, said Mr. C. a professor of religion, and, as I have remarked on another occasion, I regret that I am not, I wish I were, I hope that I shall be. The longer I live the more sensible do I become of its utility; the more profoundly penetrated with its truth; the more entirely convinced, that the religion we have received from our ancestors, the religion of Christ, is, of all religions, the best; and it alone can afford us an adequate solace in the hour of affliction. The colonization scheme affords the means, and presents the best hopes of propagating this religion, throughout Africa.

The Colonization society, viewed in all its relations and influences, DOES GOOD AND GOOD ONLY. It does not disturb any of the legal or political rights, which slavery involves. It is voluntary in all its operations. But if the day should arrive when the governments, state or general, shall, by common consent, agree on some plan of gradual emancipation (and who will say that such day may not arrive) may not the means of accomplishing the object be found in the plan of this society? Or, in case of any convulsion arising out of the condition of our colored population, might not this scheme afford the means of relief? Say not the plan is impracticable on a large scale. We have already found it difficult satisfactorily to dispose of our surplus revenue; and a great increase of our national revenue is to be expected: and if 100,000 emigrants can come annually from the shores of Europe into the United States, without deranging our business, or employing too large a portion of our tonnage, can it be doubted that the means of this country are sufficient to transport not only the free, but the slaves, should the states consent to their removal. True, this society has nothing to do with slaves. Yet, some, it is true, have been manumitted, and with the consent of their owners, sent to Liberia. And who can object to the colonization of those who are liberated voluntarily for so humane and glorious a purpose? Or to the influence of this society in opening an asylum, to receive and confer the greatest blessings upon such slaves as may be emancipated, by those who alone can manumit them—their own masters—or the legislatures of the slaveholding states?

In reference to the resolution touching an application to the legislature of this state, for some portion of the surplus fund placed at its disposal by the recent act of congress, he would beg leave to say a word. Having voted for that act he felt disposed to leave the disposition to the free action of the people and the state legislature; and yet, having originated the land bill, for which this act must be regarded as a substitute, he felt it right to allude to the three great objects specified in that bill, and to which, by the terms of that bill, the proceeds of the sales of the public domain were to be applied, education, colonization and internal improvements. Without presuming to dictate, he would suggest to the legislature the propriety and importance of remembering these cardinal objects—of such vital interest to the state.

This fund will be ample—at the lowest estimate it would be a million—it ought to be a million and a half; it might, by possibility, be two millions and a half, with a rigid economy in the administration of the financial affairs of the country, and it may

be expected that the amount, arising from the sales of public land, will continue to be divided, either by future *land bills* or *distribution bills*. Thus our state will possess ample funds for these great objects, colonization, education and internal improvements. He trusted colonization would come in for its due share—as our state was among the first to express favorable opinions of this cause, I think (said Mr. C.) she should, I hope she will, set a good example to other states—that her often and uniformly expressed favorable regard for the colonization cause, will be proved to have been sincere, now that she has the means brought within her control for giving such undoubted and substantial proofs. He would not urge at present a large appropriation, but one which would be considered liberal. All this, however, must be left to the judgment of the legislature—to us it belongs, from our private means, to contribute such sums as our convenience and sense of duty might permit and dictate. And surely no occasion could be more proper than that when we were visited by an agent of the national society, who had devoted himself to the furtherance of her patriotic and philanthropic objects; who was prepared to defend them from misrepresentation and aspersion; who had so ably and eloquently, as the meeting have heard, addressed us in relation to them; who could give all requisite information touching the scheme and its practical progress; and of whose acquaintance with the principles of the society, its plans and operations, its needs and capabilities for usefulness, we had had such abundant evidence.

Mr. Clay, after a brief recapitulation of some of the prominent suggestions he had made, and a renewed expression of his confidence in the honesty, benevolence, efficiency, capacity for good, and singleness of purpose of the Colonization society and its friends, and of the confirmed persuasion, which its whole history had forced upon his mind, that it is destined to triumph over all unfounded prejudices against it, and finally, by the blessing of heaven, to achieve the great purposes of its origin, sat down with the applause of the meeting.

GOVERNOR OF KENTUCKY.

The following address was delivered by governor Clark of Kentucky, at Frankfort, on the 30th ult. previous to taking the oath of office.

GOVERNOR CLARK'S ADDRESS.

In contemplating my present attitude, my sensations scarcely permit me to make the deep acknowledgments, called for by the debt of gratitude which I owe to my fellow citizens, for the distinguished and unmerited confidence they have reposed in me.

It is only in a land of freedom and of liberty where men exercise the unquestionable right of self government, that causes of self gratulation, such as create the emotions that are now felt by me, are produced.

To be called by freemen to conduct the affairs of freemen, is alike elevating, honorable and gratifying. I deeply feel the extent of the obligation created; but it is a feeling accompanied by a consciousness of the humble pretensions of him who has been summoned to this high appointment. Fully impressed with the extent of the confidence reposed in me by my fellow citizens, and mindful of the important duties, which it imposes, I shall fearlessly undertake their performance, with a firm reliance upon the honest support of all, and a kind indulgence for those errors and imperfections that will always characterize even the best exertions of the most faithful and patriotic.

The most acceptable return that I can make to my fellow citizens, for having invested me with the honor of the chief magistracy of this growing commonwealth, will be, so to conduct affairs placed under my management, as to promote the prosperity, welfare and general happiness of our beloved country. And I now give the pledge, that so far as an invincible attachment to the principles of the constitution can contribute thereto, by the exertions of a very fallible judgment, aided by untiring efforts, it shall be done; and now when party feeling having run its course, seems about to expire of exhaustion, may we not be permitted to hope that all parties, at least so far as state policy is brought into question, laying aside and burying in oblivion all past causes of dissension, will unite in advancing those measures, that the permanent good of the state, the happiness of its inhabitants, and the improvements of an enlightened age so imperiously demand.

Various are the evils that arise out of party excitement. Among all its mischiefs, none are to be so much deprecated, as that feeling which seems to be its inseparable incident, and which leads the zealous partizan, forgetful of the welfare of the people at large, to give up all his energies with untiring ardor, to the attainment of those ends, and

the success of those projects, deemed necessary to secure the ascendancy of party. This unwise, unpatriotic and deleterious conduct ought to be reprobated by all who feel desirous of promoting the prosperity and dignity of our common country. The expression of such sentiments, I flatter myself, will be tolerated without subjecting me to the imputation of disloyalty to former principles and opinions.

What a cheering prospect does our country afford us at this time; prosperity and abundance are seen every where; enterprise and industry are the common characteristics of our citizens. The work of internal improvement furnishing facilities to that enterprise and intercommunication between the different members of this great republic form a ligament of union, constituted by interest and friendship, and consequently of the most durable nature. The day to question the expediency of the system of internal improvements is gone by. The light of experience has put to rest all doubts that ever existed on this subject; and unless we wish to fall behind our sister states in importance and wealth, we will devote our best energies to push forward the works already commenced under the most favorable auspices.

There is no portion of this large continent, more deeply interested in all the branches of this system than our own state. Having a fertile soil, yielding a large surplus beyond the wants of its inhabitants, affording an abundance of mineral productions and other sources of great wealth, the improvement of our roads and our rivers is of vital importance to our welfare. The truth of this proposition is so self evident, that an enlightened community has not failed to perceive it, and to acknowledge its conviction thereof, by its unequivocal approbation.

To enter into a detail of the principles, or the policy that will characterize or influence the administration of the government of this state, so far as it may be controlled by me, would at present be unnecessary. By an unrestrained, open and constant interchange of opinions with my fellow citizens during the present summer, my views on all measures connected with this subject, must be, and are no doubt well understood. To preserve and defend the sacred principles of our national and state constitutions; the guardians of our liberty, security and independence; to sustain the honor and dignity of our state, that she may rightfully assert claim to, and maintain the respect of all, both at home and abroad; to guard and defend our laws and institutions from secret violation; or open aggression; to see that the laws are executed according to their true object and spirit, and to aid in the advancement of those great leading and fundamental measures, that the voice of experience, the adoption of former administrations, and the approbation of the sovereign people have sanctioned, will constitute the leading features of my administration.

No people in the world enjoy all the blessings of civil liberty to the same extent, with the people of the United States. They have a right to be proud of their condition. It is the work of their own hands, under the protection of a benign Providence. The eyes of the whole world are upon us. We constitute the last hope of the friends of liberty in every clime; let us not disappoint their just expectations; let us not thoughtlessly dash to pieces a fabric which ages may not be able to rebuild; but on all occasions let us testify our sacred attachment to the union. It is the life, the animating principle, the undying protection of our dearest liberties.

The father of his country has said, that we are one common people, held together by the strongest ties, and has urged us to the preservation of that union, by all the reasons and incentives that can operate on our sympathies, our sensibilities, our understanding, or our patriotism. The idea of its dissolution should never be entertained, the suggestion should be recoiled from with the same feelings of horror, that we would from one of those dreadful convulsions of nature, that throws a world into ruins.

Without this union what would we be? Restrained by no consideration of mutual interest, influenced by no feelings of former friendship, or recollections of ancient dangers, and past privations, in which all participated; but actuated and wrought upon, by local jealousies and petty strifes, and separated into small and unconnected governments, in danger of constant quarrels and bloody wars, our situation would be deplorable indeed. May we be long able to avert so great a calamity; may a nation's wisdom, inspired and sustained by the Creator of the universe, enable us to perpetuate a union, the blessings of which, so long as it continues to exist, will be the theme of praise to generations yet unborn.

With these brief remarks, I now proceed to take the oaths of office.

At the conclusion, Henry Wingate, esq. administered the oath prescribed by the constitution. Mr. Wickliffe, prior to being qualified by taking the oaths addressed the audience, and declared his gratitude at the preference by which he had been preferred to office, professed a determination to be the officer of the state, and not of a party. Declared his uniform advocacy of internal improvement, but stated he should urge, in all legitimate modes, that a system of education, through the medium of common schools, should be adopted by the legislature, and repeated and impressed upon his hearers, that intelligence and virtue were the safeguards and protection of a republic. His address was received with manifestations of approbation. From the capitol, the dignitaries proceeded to the mansion house, where Mr. Marouse had prepared abundance of good cheer, and many of us participated in its comforts. I have given you a hasty sketch. All were in good humor, and I trust we shall never forget the inaugurations of this day.

Yours,

J. J. M.

MR. DALLAS' LETTER,

To the democratic corresponding committee of Smithfield, Bradford county, Pa.

The corresponding committee of Smithfield, Bradford county, Pa. take pleasure in presenting to their democratic fellow citizens, a letter, from the hon. GEORGE M. DALLAS, of Philadelphia, which is written with great clearness and eloquence; and is a triumphant vindication of the ability and right of the people, by constitutional provision, to revoke the charter of the United States bank. This institution is now on its trial before the people of Pennsylvania, charged with having come into being against their will, and of possessing and exercising powers which endanger the public safety. In the language of Mr. Buchanan, "the struggle will be for life or for death." Mr. Dallas makes the most lofty and powerful appeal to the reason, and the moral sense of the community, and at this solemn and important crisis, his argument, founded as it is, upon the same broad principles of justice and truth, as the immortal "Declaration of Independence," cannot fail to be read with deep interest, by the people of Pennsylvania.

Resolved, That a copy be forwarded to the president and vice president of the United States, to col. R. M. Johnson and col. T. H. Benton, and that each member of this committee preserve a copy to be placed by the side of president Jackson's celebrated veto message of 1832.

Sam'l Satterlee, S. Salisbury,
Hosea Caleff, Isaiah Kingsley,
T. M. Beech, H. M. Peck,
Peleg Peck, Joel Allen,
Abiram Pierce, Abraham Wood,
William Wilkinson, Abraham Jones,
Lyman C. King.

Committee of correspondence.

East Smithfield, Pa. July, 1836.

Philadelphia, 7th July, 1836.

GENTLEMEN: I was honored by your letter transmitting a copy of the printed proceedings of a democratic meeting held in East Smithfield on the 15th March last, pronouncing your belief that the charter of the bank of the United States within this commonwealth is a national calamity, and requesting my "views in relation to the appropriate remedy."

My engagements of business have heretofore prevented that attention to your request which its flattering character would otherwise have commanded. The published letters too of my associates in your esteem, Mr. Rush and Mr. Horn, seemed to render any thing from me unnecessary. As you have, however, again invoked a reply, I am forced to suppose that you place some value upon my sentiments beyond their real worth, and will therefore express them to you as candidly and clearly as I can. Should they throw the least additional light upon the absorbing topic to which they relate, or give gratification to the democrats whom I address, they will more than compensate the trouble of communicating them, and, in some measure, atone for their having been so long withheld.

When, in the winter of 1831, the directors of the bank determined to apply for a renewal of the charter, I had just been elected by this commonwealth to represent her in the senate of the United States. Against my earnest and sincere remonstrances, the duty of presenting and forwarding the memorial was imposed upon me. It was undertaken with extreme and avowed reluctance; as I felt conscious of inexperience in legislation, of

some lukewarmness in the fate of the institution, and of the talent and patriotism by which it would instantly and perseveringly be resisted. I accompanied the presentation of the memorial with the expression of an opinion that it was ill-timed—the celebrated federal Baltimore convention, at which Mr. Clay was nominated for the presidency having recently assembled—and frankly challenging scrutiny into the conduct and management of the bank, I pledged myself to become its implicable opponent, should that scrutiny develop actual or contemplated interference, directly or indirectly, in the politics of the country. Of the constitutional power of the national government to create a bank, I did not then, and do not now, entertain a doubt; of the ability of congress to create such a bank as would be a safe machine of finance, and a serviceable agent in preserving a sound currency, I then was, as I still am, quite convinced; and even after the experience of the last four years, I am inclined to believe that if one particular and practical feature recommended by the secretary of the treasury in 1816 to the committee of ways and means had not, at that time, been struck from the original draft in the house of representatives, the bank would never have become the detested enemy of the people it has since been. With these opinions, stimulated by positive instructions from our state legislature, and doubtless still alive to impressions which a recollection of the venerated author of the charter, and of his labors and anxieties in its formation could not fail to produce in me, I contributed my voice and vote, all that was in my power, to re-incorporate the bank. The bill passed both houses of congress, but met from the Roman tribune who filled the executive office, in whose elevation I had taken an active part, and from the great current of whose policy and spirit the democracy of America expected the wonders of renovation and reform he has since achieved, a signal and overwhelming VETO.

It so happened, from special and private incidents which I am not disposed to trouble you with, that my legislative duties to the measure were performed, unflinchingly and faithfully, without involving me in the slightest chagrin or disappointment at its failure; without abating one jot of my attachment to the patriotic chief who inflicted the *coup de grace*, and certainly without my imbibing, even in the most zealous conflicts of debate, the preposterous and peurile inclination to abandon the great republican party to which my whole life was devoted, in order to attach myself to the cause of a corporation whose being, when contrasted with the secure action of fundamental principles throughout the entire structure of government was regarded by me as measurably insignificant.

From the moment of the veto, the enraged board, heretofore discreet and plausible, tore off the mask, stripped itself rapidly of all disguise, and under the flimsy pretext of being first assailed, entered at a bound and with bluster, into the arena of political strife. The chief magistrate of the country became the mark of its contumely and vindictive thrusts. Town meetings were convened to exasperate party. Bank banners were paraded on every election ground. Official manifestoes, equally arrogant and inflammatory, were issued. Legislation was to be overawed, the citizens intimidated, the elective franchise depreciated or controlled, the country revolutionized! This was a process of recharter which seemed to prostitute the powers and to defeat the purpose of the corporation. It involved practices and pretensions utterly irreconcilable with what were well known to me to have been the pure objects and democratic principles of its founders. It gave reality at once to the vivid pictures drawn in congress of the ambitious tendencies and dangerous influences of such a moneyed agent. It threw me irresistibly back upon the pledge which as a republican senator I had openly given in that high sphere of representative duty, and I witnessed and shared with pride the manly and vigorous and triumphant resistance by which its usurpations were encountered and finally prostrated.

Uncompromising hostility to all banks, is the extreme remedy to which the events of a few years have drawn many of our wisest and most prudent politicians. I am not prepared for so indiscriminating a rule. The capacity of the people, in the pursuit of happiness, to devise their own organs and facilities, should be preserved unabated. It is their right to be free to act. Experience may teach us how effectually to regulate them, so as to secure their advantages and to avoid their mischiefs. But, uncompromising hostility to any bank which shall start from its prescribed path and strict subordination, shall venture to mingle in politics, and shall, covertly or boldly, formally or informally, gather, exasperate and lead party for the attainment of its ends, is, in my estimation, an imperative obligation

upon those who desire to perpetuate the virtue and freedom which characterize our social and political system. The same rule is applicable to every creation of organic or municipal law. Derangement, collision and destruction, can alone follow upon wilful and perverse deviations from the legally allotted orbits of duty. The judge who perverts the moral influence of his station, or blemishes his ermine with the stain of faction; the ministerial officer who warps in the exercise of his functions to accommodate his private antipathies or attachments; the juror who barter his verdict for a vote; and the corporation which makes its combination and its efforts the means of effecting unauthorised or forbidden aims; are all dangerous and should all be denounced. Else is the republic at the mercy of its own instruments; every man entrusted with office is an unchecked tyrant or corruptionist, and every corporation a conspiracy with mercenaries already banded to resist, subvert or dictate the law.

The people of America can never again incur the risk of a national bank. Such an agent may help to equalize their exchanges, purify their currency, and facilitate their transfers; but it is better that these undoubtedly important objects should be accomplished in a mode less economical, less certain, and less simple—nay, it is better that they should not be accomplished at all, than hazard another fierce struggle for the ascendancy of government, of law, and of the popular will, like that in which they recently conquered. Providence, among its numerous merciful dispensations, ordained this struggle to occur while yet enough of primitive democracy and revolutionary energy remained to secure its issue: at a time when the watch tower was tenanted by one whose lofty patriotism attracted unbounded confidence, while from his stern presence and inflexible purpose the efforts of intimidation, clamor or blandishment, withdrew defeated and unavailing.

But the same stockholders, with the same capital, swayed by the same direction, animated by the same spirit, and even exulting in the same name, have been suddenly dragged from "*the slough of despond*," into which they were thrown, and incorporated anew by the general assembly; and this it is, gentlemen, which you term "*a calamity not only to Pennsylvania, but to the nation*," and on which my views as to the "*appropriate remedy*" are desired.

The event was an apprehended consequence of the unhappy division in the ranks of democracy at the last election. It is in perfectly good keeping with the character of a legislative body whose members scrambled into their seats against the sense of a large majority of their constituents: whose federal and antimasonic fragments owned but one principle of cohesion, that of revenge upon republican measures and men: whose proceedings violated the constitution, endangered the public peace, put in jeopardy the public works, undermined the administration of public justice, laughed to scorn the manifestations of public will, and, inoculated as it were with the virus of the gambler, prodigality wasted the public treasure. Such an assembly could not be expected to remember the national verdict recorded against the national bank, nor that this verdict was mainly pronounced from the ballot boxes of Pennsylvania. Such an assembly would naturally search for modes of keenly wounding our democracy, and they found the keenest in the enactment of the charter. Such an assembly, in the conscious absence of all merit, would sordidly strive to protect themselves from the effects of popular indignation, by cowering under the wing of some irresponsible and bountiful power, and they tendered their homage to the bank of the United States. The "*calamity*," gentlemen, is the more poignant, because we could and should have avoided it by concentrating against the common foe the assaults we made upon each other.

The legislature, though a minority one, was constitutional; though unwise and inveterate, bad in its views and worse in its motives, its enactments challenge our obedience, and as good citizens, we must submit to their operation until they are regularly annulled. Did the act of incorporation import nothing more than an ordinary law, a body competent to make, could repeal it, and the "*appropriate remedy*" might be found in the suffrages of a reforming people. At the worst, the evil would be short-lived. But it is essentially a contract, made by at least our nominal representatives with numerous persons, nine-tenths of whom are strangers to our soil, and each of whom contributed, in the payment of the *bonus*, some portion of his private property in execution of his share of its stipulations. Like every other contract, it has not less than two parties, and, being in operation, the consent of both is necessary to change or cancel it; the rights which it imparted are now absolutely vested; and the constitution of the United States prohibits

any state from passing a law impairing the obligation of a contract. Such, in brief and substantially, is the argument in protection of the existing charter. We must understand and appreciate its full force in order to meet it advisedly and effectually.

I am aware that speculative writers deny the competency of one legislature to impair the power of its successor, or to grant away a franchise which may not be recalled at discretion: but however ingenious and plausible such a position may be made to appear on paper, it is repelled by all history and all practice. Every session of our own general assembly ever convened, has acted irreconcilably with such a doctrine. The case is one in which recourse to an extreme theory, ever so captivating, would be unwise.

I am also aware of the reasoning which appeals to the first paragraph of the tenth section. Article I, of the constitution of the United States, declaring, among other things, that "*no state shall emit bills of credit*," and which, on that prohibition disputes the competency of any state to empower a creature of its own, a bank, to do what it cannot perform itself, to issue notes. This is not a novel suggestion. Many years ago, the point was made and examined before the highest judicial tribunal of one of the most enlightened members of the confederacy, and it was then settled that the *bills of credit* denounced by the constitution, were those for the payment of which the *faith of the state only is pledged*: such as were profusely emitted during the life-struggle of the revolution—and that ordinary notes drawn on the credit of a particular fund, like the capital of a bank, are not within the constitutional meaning. This decision has, I believe, received very general, if not universal, acquiescence. All the legislatures of all the states, our own most democratic ones, have conformed to its principles.

I am aware, also, of the natural and prevailing impression that the next general assembly might be called upon to pronounce the incorporating act null and void, and to provide criminal sanctions against any attempt to exercise its faculties, on the ground of its having been fraudulently, surreptitiously and corruptly obtained. Such a movement, it is true, has a precedent on the legislative files, placed there and vehemently urged by the very man who sprung the charter from his pocket upon an unwarned and unwary community. The source of the precedent is enough to destroy all confidence in its value. It violates fixed maxims; making declamation equivalent to proof; forfeiting private property, and passing sentence of infamy without judicial trial. We must not debase our pursuit by any such hypocritical pageantry and summary injustice. But could we be reconciled to the attempt by reflecting on the provocation, what would be its sure result? An executive veto, unreversed by two-thirds in each branch; governor Ritner refusing his signature to his own condemnation; and I presume you are hardly charitable enough to anticipate that sudden and adequate reformation or repentance, in the senate, which would act in his defiance.

What then, you will say, is to be done? Is the "*calamity*" to be patiently endured during the allotted term of thirty years? Are the people of Pennsylvania conscious of a heavy wrong, so shackled as to be unable to throw it off? No, gentlemen, not so. I have adverted to a few of the projects afloat, to show you what I conceive to be their peculiar weakness: but there is one behind, one at this time provisionally in reach of your ballots, liable to no reproach or embarrassment, a frank, generous, and lofty proceeding, whose real dignity and impressiveness are commensurate with the magnitude of the occasion.

Several months before the plan to rekindle the spent volcano was started, our citizens had proclaimed their determination to resume the delegated powers of government, to reconstruct the social and political edifice, and, as it were, to begin afresh with all the lights and all the improvements of experience. Of this, the whole world had ample notice. The legislative act to provide for calling a convention, bore date the 14th of April, 1835, and was immediately promulgated. The seal of popular decision was definitively affixed to the movement by the elective franchise, on the second Tuesday of October, 1835. From that period, they who accepted, upon any terms, a grant of any portion of the powers of the people, social or political, and especially a grant of such enormous and prolonged powers as are transferred in the charter—powers, the loss of which enfeebles the people, and the use of which makes the corporation their competitor in sovereignty—accepted them in fraud of the contemplated convention, or subject to the reclamation of that body. The principle is one of acknowledged and universal justice. It is of daily application

in determining controversies between individuals, and only acquires greater weight as it enters a higher sphere. The design to effect vast and vital changes by the convention was avowed and notorious; perhaps none floated more conspicuously upon the surge of public sentiment and sanction, than a restriction, if not a total denial, of the legislative competency to create monopolies; and yet! between the first great step to attain this object and its achievement, a phalanx rush into the capitol, in advance of the convention, snatch up a mass of privileges far surpassing all the pre-existing ones combined, and hope, by this stolen march, to defeat a primary and known purpose of the people! It may not, must not be. No law, human or divine, no maxim of expediency or right, forbids us to reclaim the plunder.

A convention is the provided machinery of peaceful revolution. It is the civilized substitute for intestine war; the American mode of carrying out the will of the majority; "the unalienable and indefeasible right to alter, reform, or abolish their government, in such manner as they may think proper." When ours shall assemble, it will possess, within the territory of Pennsylvania, every attribute of absolute sovereignty, except such as may have been yielded and are embodied in the constitution of the United States. What may it not do? It may reorganize our entire system of social existence, terminating and proscribing what is deemed injurious, and establishing what is preferred. It might restore the institution of slavery among us; it might make our penal code as bloody as that of Draco; it might withdraw the charters of the cities; it might supersede a standing judiciary by a scheme of occasional arbitration and umpirage; it might prohibit particular professions or trades; it might permanently suspend the privilege of the writ of *habeas corpus*, and take from us (as our late general assembly made an entering wedge to do) the trial by jury. These are fearful matters, of which intelligent and virtuous freemen can never be guilty; and I mention them merely as illustrations of the inherent and almost boundless power of a convention. The only effective limits to its authority are the broad and unchangeable rules of justice and of truth; and these, I have already shown, do not hedge around the charter.

There are other considerations which recommend the convention strongly to my mind, as the best source whence to derive a "*remedy*." It is as yet an *unselected* tribunal. The partisans of the bank have an equal opportunity with its opponents to test, in direct reference to that question, the sense of our community. Their new apportionment bill may have been manufactured in order to augment their chances; no matter—be it so. Do they claim the charter as a legitimate offspring of improved intelligence and of the general will—we invite them to the proof, and tender, even on their own terms of trial, the most unerring ordeal. They cannot shrink from it, without a virtual confession of rapine, and they should not be allowed to evade its judgment. There is, from the nature of our institutions, one last peaceable resort, one conclusive expedient, for the development and pronouncement of sovereign pleasure:—the election of delegates to the convention in November next is the appointed and impartial means for such an appeal:—let us unhesitatingly abide the issue, and let the giants of monopoly look to it.

Besides, in a measure of so much impression, and in which, as is known, so many absent strangers are interested, we owe it to the commonwealth and to the democracy of the union, to characterize it by such fairness, elevation and form as will satisfy the world. The edict of a convention can never be esteemed other than as the deliberate adjudication of the people of Pennsylvania. It will not be obnoxious to the imputation of haste, or party distemper. It will attest the convictions of a staid community, that the charter is a fraud upon their rights, was sought for and yielded against their known will, and cannot, without a degrading surrender of unalienable and indefeasible power, be permitted to endure. It will be entitled to "*full faith and credit*" wherever heard of or received. It will bear within itself, like the Declaration of Independence, incontestible evidence of its own justice and necessity. All men will acknowledge its impressive solemnity; republicans every where will exult in it and be proud.

The fiat, too, once issued, will be irreversible. Whatever jurisdiction might be claimed by the federal judiciary upon a law of repeal enacted by the general assembly, none could be pretended as to an organic institute of sovereignty. Indeed, the supreme court of the United States will be less apt hereafter than heretofore to construe away the independent capacities of the several states. It is a remarkable fact as to the tribunal, so little exposed

to change, that president Jackson, as if destined not merely to inculcate but to secure state rights, has appointed, during his term of office, five of its seven incumbents. So large and so fresh an infusion of federative democracy exacts a revival of confidence throughout the nation.

It does not become me to intimate the details by which the convention may enforce the fulfillment of its will. They cannot fail to occur, when the decision shall be fixed,—and although the subject is one on which I could not be more concise, I fear that I have long since exhausted your welcome and your patience. Permit me, therefore, to conclude by a single additional suggestion.

The commonwealth should pay back every cent of the *bonus* it has received. To which end, our share of the surplus revenue of the United States, estimated at more than two millions of dollars, can be appropriated as soon as obtained:—and the rest, if any, be made payable to the agents or trustees of the extinguished corporation in convenient annual instalments, or in certificates of a state stock bearing a fair rate of interest. My wish would be to leave untarnished by doubt or suspicion the absolute integrity of the proceeding: to treat the money price of freedom and political power with the contempt which every virtuous citizen must feel for it: and to show that the people of Pennsylvania, undebauched by the love of gold, and inaccessible to the approaches of corruption, reject with equal decision the bank and its bribe.

I am, gentlemen, very respectfully, your fellow-democrat and friend,

G. M. DALLAS.

To Samuel Satterlee, S. Salisbury, Abraham Jones, Ab'm Wood, Abiram Pierce, Peleg Peck, Joel Allen, William Wilkinson, and T. M. Beach—Committee of correspondence.

LETTER FROM GENERAL JACKSON.

The following letter was addressed by general Jackson to certain citizens of Bedford county, Tenn. in reply to a letter from a committee of that county expressing their approbation of his administration, and inviting him to partake of a public dinner.

Near Nashville, August 20, 1836.

GENTLEMEN: I have the pleasure to acknowledge the receipt of your note of the 16th inst. conveying the proceedings of a public meeting of my fellow citizens of Bedford county, and conveying to me the sentiments of respect which they entertain for me personally; and more particularly an expression of their *entire, full and cordial approbation of the measures of my administration*, and tendering to me a public dinner, to be given at Shelbyville, at such time during my visit to the state as may suit my convenience.

Nothing could be more agreeable to me than to meet my fellow citizens of Bedford, many of whom were my early friends and companions in arms, when we were called to defend our common country; but having visited my residence on private business, which must necessarily occupy my attention, and being under obligations of public duty to be at Washington early in October, I shall be deprived of the satisfaction of accepting their kind invitation.

Under present circumstances, when many of the opposition disclaim, and every opposition press in the state are loading me with unmerited abuse and calumny, I cannot refrain from the expression of the high gratification which I feel, on receiving from those who have so long known me, the unsolicited expression of their *entire, full and cordial approbation of my public acts, and especially of my administration of the government*. Such a mark of approbation as you have conveyed to me on this occasion, fills me with those sentiments of gratitude which language cannot fully express.

We live, fellow citizens, in evil times, when political apostasy becomes frequent; when public men abandon principle, their former party attachments and associations, and for selfish ends and aggrandizement, are attempting to undermine our republican system; and by throwing themselves into the arms of those entertaining opposite opinions, to destroy the great and fundamental principles upon which the government, formed by the people for their own prosperity and happiness, has been heretofore successfully administered.

The vigilance of the people, who possess the sovereign power, can alone crush this danger, by selecting public agents, who will carry out the principles which you have so fully approved in my administration.

The people alone control the means by which our liberties, our glorious union and republican form of government, can be preserved and perpetuated. The rising generation looks to you, as you have done to your fathers, to hand down to them unimpaired, the free institutions they established.

I beg you to convey to the citizens of Bedford this assurance of my deep regret, that it will not be in my power to visit them on this occasion; and to offer them an expression of my best wishes for their prosperity and happiness. I am very truly, your obedient servant, **ANDREW JACKSON.**
To Wm. Gilchrist and others, committee.

LETTER FROM GEN. HARRISON.

General Harrison passed through Staunton, Va. a few days since, and received an invitation from a committee of the citizens of Staunton and Augusta to attend a public dinner, to which he returned the following answer:

Staunton, Va. Sept. 3, 1836.

GENTLEMEN: I have the honor to acknowledge the receipt of your letter of this date.

In the prosecution of a journey to visit some near and dear relations who reside in the centre and eastern counties of this state, and being limited in the time which I have necessarily assigned for its completion, and my return to Ohio, I could not, without considerable inconvenience, and indeed giving up a part of my contemplated route, remain here long enough to give time to make the arrangements for the public dinner which you have tendered me on behalf of the citizens of Staunton and Augusta counties. But I must beg you to believe, gentlemen, that neither the personal inconvenience to which my remaining would subject me, nor even the disappointment which it might occasion in meeting with some of my relations whom I have not seen for many years, would prevent me from acceding to the wishes of the citizens whom you represent, and to whom I am already so deeply indebted, if it were not opposed by other considerations, arising from the position in which I at present stand before the American people, and which, from the view I have taken of the obligations it imposes, I am not permitted to disregard.

Whether the conclusions to which I have arrived in my consideration of this matter are correct or not, it is now out of my power to alter the course of conduct which they indicated, as I have upon several recent occasions, under their influence, declined invitations of a similar character.

Thus situated, my fellow citizens of Augusta county, will, I trust, see in my declining their invitation, no want of respect, no deficiency of gratitude for the present or the former distinguished honor which they conferred upon me.

To yourselves individually, gentlemen, I must ask leave to say that nothing could be more gratifying to my feelings than the terms you have been pleased to use in the address which you did me the honor to present. Your designation of the kind of reception which was to be given to me at the proposed dinner is particularly acceptable. "*A Virginia welcome*" has ever been associated in my mind as it every where is, with every thing that we admire in hospitality, or that delights us in social intercourse—all that the heart can enjoy at the festive board, which the judgment will not condemn. Accept, gentlemen, the assurances of my warmest regard.

WM. H. HARRISON.

To L. Waddell, W. H. Allen, N. C. Kinney, James Bell, D. W. Patterson, R. L. Cooke, A. H. H. Stuart, esqrs. committee on behalf of the citizens of Staunton and Augusta county.

LETTER FROM JUDGE WHITE.

In another page we have published Judge White's reply to the queries of Mr. Sherrod Williams of Kentucky. The following extract of a letter from Judge White, dated Knoxville, Tenn. Aug. 22, throws additional light upon the subject.

"So far as I am capable of understanding my own political opinions, they conform to the true Jeffersonian creed.

"I am for limiting executive patronage, so that no officer holding his office at the will of the president can be displaced because he will not conform to the president's wishes in elections.

"It ought to be made a high offence in office holders to use their official station with a view to influence the votes of electors.

"It is, and ought to be, considered a high political offence in a chief magistrate to use any of the powers conferred upon him by his station, for the purpose of influencing public opinion in the choice of his successor, or in the choice of members to either house of congress.

"I am for such a construction of the constitution as will prevent congress and the president from exercising any power not expressly granted, or which is not necessary and proper to carry into effect some one of those powers which are expressly granted.

"I am against imposing or continuing any tax, direct or indirect, for the purpose of bringing mo-

ney into the treasury; but when there is an accumulation beyond the wants of the federal government, I am for distributing such surplus, ratably, among the states; and if the constitution does not now authorise such distribution, I am for so amending it that such power will be conferred.

"Now, sir, let the friends of the administration put down their creed, and if it differs from mine in any thing material, they, and not I, will be found on the federal side.

"On the principles I have ever avowed I have honestly endeavored to act; and if in any instance I have deviated, it was unintentional, and I am not aware of it. Those principles are the same on which the president came into power, and if we are not now together, the change has not been with me."

JUDGE WHITE'S OPINIONS.

Washington city, April 7, 1836.

SIR: I consider it the right of every citizen of the United States to ask and demand, and to be fully informed of the political principles and opinions of those who are candidates for the various offices in the gift of the people, and the imperious duty of the candidate to frankly and fully avow and disclose the opinions which he entertains.

I therefore, as a voter, a citizen and an individual, feeling a deep and abiding interest in the welfare and prosperity of our common country, and an ardent desire to see the perpetuity of our free and happy form of government, take the liberty of asking you to give me your opinion and views on the following subjects:

1st. Will you (if elected president of the United States) sign and approve a bill, distributing the surplus revenue of the United States, to each state according to the federal population of each, for internal improvements, education and to such other objects as the legislature of the several states may see fit to apply the same?

2d. Will you sign and approve a bill distributing the proceeds of the sales of the public lands to each state, according to the federal population of each, for the purposes above specified?

3d. Will you sign and approve bills making appropriations to improve navigable streams above ports of entry?

4th. Will you sign and approve, (if it becomes necessary to secure and save from depreciation the revenue and finances of the nation, and to afford a uniform sound currency to the people of the United States) a bill (with proper modifications and restrictions) chartering a bank of the United States?

5th. What is your opinion as to the constitutional power of the senate or house of representatives of the congress of the United States to expunge or obliterate from the journals the records and proceedings of a previous session.

A frank, plain and full answer, to the foregoing inquiries is respectfully solicited.

Your answer is desired as soon as possible. I intend this and your answer for publication.

I have the honor to be, your obedient and humble servant,
SHERROD WILLIAMS.
Hon. Hugh L. White.

Washington, July 2, 1836.

DEAR SIR: Soon after its date your letter of the 7th April last was received. I then believed that, during the session of congress, opportunities would be presented of expressing my opinions upon some, if not upon all the questions propounded; and that those thus expressed would be more satisfactory than any which could be given in a letter of reasonable length.

Let this be my apology for not giving you an earlier answer. Upon the first and second questions presented, I took occasion to express my sentiments, when the bill to distribute the proceeds of the sales of the public lands was under consideration in the senate; and my views in relation to the power of the two houses over their journals, were given, when considering a resolution presented by myself, to rescind the one adopted on the 28th March, 1834. Herewith you will receive copies of the substance of my remarks on those occasions.

Upon the powers of the federal government to charter a bank, my opinion has been so often expressed, publicly and privately, that I content myself with saying it remains unchanged. I do not believe congress has the power to charter one, to exercise its corporate powers *within the states*, and upon that opinion I must continue always to act, until I can be satisfied I am in error.

The only remaining question is, whether I would approve and sign a bill to improve a *navigable river*, or *stream, above* a port of entry.

I am one of those who deny that congress has the power to adopt and carry out a *system* of internal

improvement, by constructing roads and canals *within the states*. In relation to navigable streams running *through them*, congress has the power to *regulate trade among the states*, and this, I think, confers the power to establish ports of entry upon those streams, wherever the *course of trade* may require, exactly to the same extent that it has the power to establish them on the sea coast, in virtue of the power to *regulate commerce with foreign nations*. Whenever the port of entry is established on a *navigable stream*, for the purpose of regulating trade, I cannot perceive any reason for a distinction in the power of congress over the stream, *above* or *below* the port of entry.

Although I admit the power of congress to establish ports of entry on our navigable streams for *such purpose*, yet I deny that, under the pretence of exercising that power, there is any right to commence, or carry on a *system of constructing harbors or clearing out rivers at pleasure*.

By its own legislation congress cannot *enlarge its own powers*. If, under the pretence of regulating trade among the states, we grant that congress may commence and carry on a system of clearing out streams, and of constructing harbors *within the states*, merely at *discretion*, it appears to me we sanction a fraud on the constitution; and that the exercise of such a power will soon operate so *partially* and *unjustly*, that the states cannot and will not long submit to its exercise.

Congress may do whatever the course of trade among the states requires, to regulate it fairly; but under a pretence of regulating it, is not at liberty to apply the funds of the nation to improvements in some states, to the *destruction* of the interests and the *annihilation* of the trade of others.

I am, most respectfully, your obedient servant,
HUGH L. WHITE.

The hon. Sherrod Williams.

MR. TYLER AND SLAVERY IN THE DISTRICT OF COLUMBIA.

Gloucester, Sept. 4, 1836.

To the editors of the Whig.

GENTLEMEN: An absence from home for several days past, which did not terminate until to-day, has prevented an earlier compliance with the request addressed to me in the Whig of last Friday week. The paper which you call for is now forwarded. It was prepared in anticipation of a reference of the petitions and memorials praying the abolition of slavery within the District of Columbia to the committee on the District, of which I had the honor to be the chairman; and from a belief on my part, that if such reference took place, the country would expect a prompt and decisive action on the part of the committee. No such action, however, took place, and I filed away the intended report among my other papers on leaving Washington. I am pleased that I did so, since it will make known to the country my opinions on a subject more deeply interesting to the union, than any other ever agitated in my day. The resolutions which I offered to the senate are strictly deducible from the reasoning of the report. The sacredness of private property, from the arbitrary powers of the government is therein maintained, and the unconstitutionality of any proceeding violating that sanctity, I think, demonstrated.

I confess that I have not been a little surprised at the commentary made on my first resolution by Mr. Claiborne of Mississippi and Mr. Pinckney of South Carolina. For those gentlemen, I have very high respect, both for their moral and intellectual worth. How they could have reconciled it to any principle of sound construction, to have declared that I had asserted the doctrine by and through that resolution, that congress, on an application of *the people* of the District, had a right to abolish slavery within the District, is to my mind passing strange. The resolution is as applicable to one sort of property as another, and the control over *all property* is by it, in substance, declared to be in *the owners* exclusively not in *the people*—a majority of whom may neither own *houses, lands or slaves—but in the owners, and none but the owners*. The phraseology of the resolution was adopted on full consideration, and after mature deliberation—and if it be weak and puerile, as has been declared, to say that no man or set of men, and that no government on earth, has a right to touch my property without my consent, I am ready, nevertheless, to seek shelter behind it for me and mine, as a bulwark of strength sufficient to protect my property from lawless invasion.

I omit all notice of the fact that the second and third resolutions have been passed over by my commentators without notice. The editor of the Enquirer must be ignorant of their existence. I send

you the page of the journal which contains them, and request you to publish them in your paper.

I have the honor to be, gentlemen, your most obedient servant,
JOHN TYLER.

The committee for the District of Columbia, to which were referred certain petitions and memorials praying the abolition of slavery in the District of Columbia, have had the same under consideration, and beg leave to submit the following report:

That, in the examination of the highly interesting and momentous question presented by the petitioners, the committee have neither deemed it necessary or becoming to impugn their motives; on the contrary, they have felt every disposition to concede to them intentions humane and philanthropic, however erroneous and mistaken. It often happens that altars erected to benevolence become places of bloody sacrifice, and that, from the short-sightedness of man, the results of his policy unfold themselves as if in mockery of his vanity and pride. History is replete with evidence of the truth of this remark. It may be said with much force that man lives but to err. His judgment, imperfect in itself, is constantly subject to be warped by the passions, and his passions, most frequently the effect of involuntary impulses, serve to veil the future from his vision, and to lead him into dangers of which he only becomes conscious when escape from them is no longer possible. Take one example, for the sake of illustration: Our duty to our Creator is the highest of all; in fact, it encircles all other duties; nothing can, therefore, be more important to the human family than the inculcation of religious sentiments. Under the persuasion of this, the ardent and enthusiastic have, in all ages, resorted to expedients to enforce religious observances. In so holy a cause, and for an end so wise and benevolent, all and every means have been regarded as justifiable and becoming. Hence the faggot has been lighted, and the fires of persecution have blazed, and the altars erected to religion have streamed with blood, and her habitations have been filled with sorrow and lamentation. If we would profit by the lessons of the past, we should be saved from numberless evils; the present generation would be secured in its means of happiness against those fatal errors which have overthrown the hopes and expectations of the generations which have gone before it. But such, unhappily, is not the fact. The past has, for the most part, existed in vain, and we derive profit neither from the wisdom nor folly of those who have gone before us; nor does contentment seem to be a portion of our nature; ever restless, speculative and uneasy, we realize but too often the fable of the dog and the shadow. For this, our first great progenitor was expelled from paradise, and for this the memorialists, in the opinion of the committee, would jeopard the peace, safety and happiness of the people of the United States, and endanger their political union—a union heretofore so full of blessings, and which holds up to the contemplation of the human race a future replete alone with glory.

So far as the question of slavery exists in the several states, the committee abstain from any remark. It is a question to be decided by each severally and for itself. Over it congress has no control. The plain recognitions of the fundamental law on which the union rests should place it forever at repose. To discuss it in congress, or to agitate it in the states where it does not exist, produces no good, can be followed up by no act, and serves no other purpose than to irritate the public mind. Such discussions can only arise from losing sight of the fact that the union rests solely on compact between equals, and that powers not ceded by all for the advantage of all remain in full and undisputed right and sovereignty to each, severally and respectively. It would as well comport with good sense for the people of any one of those states to set themselves deliberately to work to discuss the propriety of any one of the police laws of England, France, or other foreign country, and set about the task of accomplishing its change, as for them to undertake the task of reform in regard to one of their neighbors of the American union. This disposition to interfere with the concerns of others disturbs the peace of neighborhoods in the walks of private life, and it would be strange if its fruits were less bitter when applicable to separate and distinct communities. The petitioners confine the prayer of their memorials to the abolition of slavery in the District of Columbia upon a supposed difference existing between the District and the several states; and the committee will now proceed, with as much brevity as possible, to an investigation of this branch of the subject.

That portion of territory constituting the present District of Columbia was, at the time of the adoption of the constitution of the United States, part

and parcel of the states of Maryland and Virginia. Their citizens were represented in the convention which framed, and the conventions of those two states which adopted that constitution. They adopted it in common with their fellow citizens. Its provisions were, and still continue to be, as applicable to them as to any other portion of the union. To them, in common with all others, are guaranteed those great rights of person and of property, without which liberty cannot exist. The subsequent cession to the general government by the states of Maryland and Virginia was made in express compliance with authority vested in congress by that constitution. No pre-existing private right was thereby abrogated. No great security of civil liberty was either weakened or annulled. Among other restraints imposed on government is that which guarantees to the owner the unmolested enjoyment of private property. All foregone history had established the fact that where government was left free to deal with the property of individuals at its unlimited will and pleasure, there was no safety, and of course no freedom. No matter what form the government might assume, whether monarchical, aristocratic or democratic, if private property was liable to be seized upon under any pretext whatever, at the will and pleasure of the rulers, the shadow of liberty would scarcely remain. Our forefathers manifested their wisdom in nothing more conspicuously than in tying up the hands of the government in this particular. They warred against the spirit of confiscation, whose ill effects had been so often exhibited in the history of the world. They saw labelled on the banner of tyranny, "arbitrary assessments and arbitrary invasions of the rights of private property;" and they restrained the hands of the government which they reared, by declaring that "private property should not be taken for public use, without fair remuneration." They define the terms they had employed, by also declaring that the government was one of limited powers, which powers arose under specific grants, and were given for specified ends. To test, therefore, whether government rightfully or wrongfully lays its hands on the property of individuals, the question evermore recurs, to what defined end is it proposed to apply it? And if it be not found necessary for the accomplishment of any granted power, the action of government can justly be regarded in no other light than as tyrannical and unauthorised. Let it be remarked that this provision of the constitution is over all; equally binding on the states as on congress; as well on congress when acting for the whole union, as when acting as the local legislature for the District of Columbia. Slavery existed within the territorial limits of the District before the cession, and was recognized and guaranteed by the constitution. Under what pretence, then, can property vested in a slave be dispossessed, any more than in any other subject? If one held to servitude in the District shall flee to any state, the constitution requires a restitution to the owner. Thus is there thrown around this subject of property a positive and efficient security. How, then, can it be divested by the mere action of the government, for no object defined by the constitution? Let those who invoke the action of congress point out the authority for its action. Let them read over the grants of power contained in the constitution, and point to that one in particular with which this action is connected. Until that be done, congress can rightfully take no step operating, either individually or universally, on the citizens of the District. It is vain that philanthropy, either well founded or mistaken, shall call on congress to exert a power which is not only denied by fair implication, but expressly and plainly by a restraining cause. The reply must evermore be, that private property shall not be taken except for public use, and that the public use must of necessity arise out of the execution of some one of the objects contemplated by the constitution.

If the force of this argument be attempted to be weakened by running a distinction between the congress as the representative of states, and the congress as a local legislature, such effort will avail nothing. If it acts in the first capacity, the sphere of its action is limited and prescribed. What it is authorised to do is defined. It cannot exceed the powers granted. As a local legislature, even under the most enlarged construction of its powers, it must act exclusively for the District; and it can only lay its hands upon private property belonging to any citizen within the District for a public use within its limits. As, for example, if it be deemed necessary to open a road through any man's land, so much of the land as is essential may be condemned and paid for; but to this plain and legitimate authority, the pretext for assuming power to cancel title-papers, and to divest each and every citizen of his possessions, whether of reality or personality,

would be to outrage the constitution and prostrate public liberty.

Property in slaves is recognized by the constitution: its tenure is as sacred as that of any other kind of property, and the owner can no more be divested of it by governmental action, than he can of his house, his lands or any other article of property acquired in pursuance of law, and held under the most sacred guaranties. The committee again protests, in the most solemn manner, against the violation of private right. They cannot regard it as other than subversive of all the essentials of free government. The principle once admitted, and its application becomes universal: the tenure of property is insecure, resting on no fixed law, but depending entirely on the will of the rulers. The stimulus to industry and enterprise is lost—it cannot exist without absolute security: the want of that security introduces apathy in individuals, and ultimates in the overthrow of civilization itself. These are the fatal consequences of this tyrannical and arbitrary doctrine. The committee do not deem it necessary to go into the wide field of abstract reasoning on the subject of slavery; they take facts and principles as they exist. Slavery existed at the formation of the constitution; it is recognized by the constitution, has grown up from the country, and property in slaves is vested in individuals according to law. Congress, as the local legislature of the District, may pass laws authorising individuals to manumit their slaves. This it has done; the rest must be left to the voluntary action of individuals; what the owner may choose to do, they have power and authority to do, without the further intervention of government.

But the owners of this species of property in this District have called for no enactment to enable them to emancipate their slaves; they present no petition making complaint of imperfections in existing laws. And what would be the condition of any people, if strangers to their habits and customs, ignorant alike of their wants and wishes, should exert the power of legislation over them? Our forefathers believed that the declaration that the British parliament had the right to bind the colonies by laws enacted at St. Stephen's chapel, was the enunciation of a despotic principle, to which it was impossible for them to submit. Their determination proves their wisdom, and the success which followed that determination should serve as a lesson of experience to succeeding generations. Shall the local legislature of the District, acting upon the suggestions of others who most probably have never visited the District, and know nothing of its localities or wants, undertake to reverse the rules of property, dissolve the bonds of society, and upset the existing order of things? To do so, would be to transform the local legislature into something else the most unlike; it would overturn the principles and blessings of representative government, and dissolve all connexion between the representative and constituted body; and the effort to set free one portion of the inhabitants of the District would virtually have the effect of enslaving the whole.

The legislation now invoked by the petitioners is not only objectionable on the grounds already stated, but on others of the greatest weight and force. The seat of the federal government was ceded by the states of Maryland and Virginia with an eye to their own, as well as to the public advantage. Their interests are intimately associated with those of the District, from which they are separated by imaginary lines. The necessary effect of the measure now sought for would be to constitute on each side of the Potomac river a sanctuary for runaway slaves from those two states. Reclamations on the part of the owners, and breaches of the peace, might be looked for as of daily occurrence. A swarm of indolent and unemployed blacks would be thrown upon the suburbs of Alexandria, Georgetown, and Washington, and the site of the general government would be the seat of want and distress, and the favorite abode of crime and disorder. Other deplorable consequences would inevitably arise. The peace of the slaveholding states has been greatly disquieted by the action of the most forward of the abolitionists residing at a distance from their borders. What would be their condition, and more especially the condition of Maryland and Virginia, if this District should become the centre of their operations, may be readily imagined. Nor would there be any security from insult, even to the representatives from the slaveholding states, from the wild spirit of fanaticism and insubordination which might be expected to exist. The committee abstain from pressing these views further; they do but barely advert to them, with a feeling of confidence that the representatives of a great and enlightened people will never sanction measures, the possible consequences of which may be so replete with injury to any portion of the people.

But Maryland and Virginia have a still stronger appeal to make. They appeal to the good faith of their sister states, plighted to them by circumstances attendant on the cession, as emphatically as if stipulated after the most solemn form. They had every reason to conclude that their safety was complete when they granted the territory comprised within the District. The constitution had recognized the absolute right of property in the persons therein alluded to—representation and taxation had been adjusted in reference to them—a solemn guaranty was given that, upon their fleeing from service, they should be restored to that service. If any thing additional could have been required, discussions, which had arisen in congress as early as 1790, in which the disclaimer on the part of the representatives of the non-slaveholding states of all right to interfere with the subject of that species of property, were calculated to lull into perfect repose all suspicion of any ultimate design so to interfere. Many states—it may be more properly said that every state, was anxious to secure to itself the advantages expected to flow from the establishment of the seat of government on a part of its territory. Propositions were therefore made to congress from every quarter. Virginia repeatedly proposed to make a cession of Williamsburg, Maryland of Annapolis, New York of the city of New York, Pennsylvania of Philadelphia; while similar propositions were made by New Jersey and other states. South Carolina would readily have conceded Charleston, and Massachusetts Boston. But would any one undertake to say that either of those states would for a moment have indulged the idea of such a cession, if it could have supposed that congress, upon the contingency of the ascendancy of the slaveholding or non-slaveholding states in the public councils, would have felt itself authorised to interfere with the caste and character of its population? Would Virginia and Maryland now expose themselves to this danger, if the cession was now to be made? Would South Carolina yield Charleston, or any other southern state invite the union to fix the seat of government within its territory? Would either of them introduce a leprosy into their households, or incur the hazards which, by a mistaken philanthropy, are now sought to be introduced through legislation here? This District was at the time of its cession the centre of the colored population of the United States; and if the men of this day see the dangers under the aspect taken of them by the committee, it is not to be doubted that our wiser forefathers also perceived them, and considered them as guarded against and silenced. Let the condition of things be reversed. Suppose that the slaveholding states held the balance of power in their hands, and that Philadelphia, New York, or Boston, had been ceded, as has been this District, and that congress should seek to change the order of things in such city, by introducing slavery therein, what would the petitioners, and those who may think with them, say and do in such a contingency? The states accepted the cession of the District as it was, with its population as it was. No repugnance to its acceptance was manifested because of the caste and character of its population. Our illustrious forefathers saw none of these obstacles to the peace and harmony of the union which have been developed in these latter times. The southern man and southern states were not taunted and insulted by any portion of their brethren, because of the peculiarity in their situation. In that great struggle which ultimated in the establishment of independence, those states and the men of those states were associated in glory with their sister states and their illustrious sons. A common property was claimed in those distinguished benefactors of the human race, which a kind providence had permitted to exist in each and all of the states for the good of mankind. Their example ought to be precious in the eyes of their countrymen. It was an example of brotherly love, of patriotic devotion. They have left to us a rich inheritance in this union, and the principles of forbearance and concession which gave rise to it: let us not, like prodigals, cast it away, and thus throw upon their memories the reproach of having attempted a system of government which was inevitably to perish under the influence of unruly passions, or a mawkish sensibility. The circumstance which has arisen more from difference in climate than any thing else, that some of the states are slaveholding and others not, should have no effect. It existed during the war of the revolution, and yet union took place. It existed at the formation of the constitution, and yet the constitution was ratified. It existed during the late war with Great Britain, and yet the northern and the southern man only rivalled each other in the race of glory. It has existed during the whole period of our national existence, and yet these states have grown up with a growth unprecedented in the his-

tory of the human race, and it may exist forever, and the peace, the happiness, the prosperity of the country will not be interrupted or retarded. The northern man has his virtues, and the southern man has his. So both also have their faults. If we look exclusively at the last, we may find enough to condemn; if to the first, abundant cause of admiration. We are all inhabitants of the same hemisphere, and the union of these states is equally precious to all. The readiest and surest way to preserve that union is, by observing the most scrupulous regard to the faith plighted by the states to each other: a breach of faith is followed by a loss of confidence. The loss of confidence gives rise to suspicion and distrust—and these last inevitably lead to disruption and civil war.

Your committee therefore conclude that congress has no power to grant the prayer of the petitioners: 1st, because of constitutional restraints and prohibitions; and, 2dly, because even in their absence it is restrained by the pledged and plighted faith of the country; and they submit the following resolutions: The following motions, submitted by Mr. Tyler,* were considered:

Resolved, That to alter, change, or abolish the rights of property in the District of Columbia, without the consent of the owners, would be unjust and despotic, and in violation of the constitution of the United States.

Resolved, further, That, even with such consent, to interfere with the subject of slavery not only without, but against the consent of the people of Maryland and Virginia, would be in flagrant violation of the public faith, an abuse of the trust conferred on congress by the cession, and hazardous to the peace and security of those two states.

Resolved, further, That such proceeding would sap the foundation of our conventional system, which is based on the condition of things as they existed at the time of the adoption of the constitution, and which cannot be altered in so material a point without disturbing the principle of compromise out of which the government originated.

KNOXVILLE CONVENTION.

The following highly interesting statements were presented to the Knoxville convention by the delegates from South Carolina and Georgia. They are full of useful information.

SOUTH CAROLINA.

Statement from the delegation of the state of South Carolina, to the Knoxville convention.

CHARLESTON. The delegation from the state of South Carolina beg leave to submit to the Knoxville convention, certain geographical and statistical information, illustrating the advantages to result from establishing the main route of the proposed rail road through the centre of that state.

In 1830, the population of the state of South Carolina was 501,458. The staple productions of the entire country consist of cotton and rice. Prior to the last war, the people of the upper districts made corn and other grain, and raised stock sufficient for their own use, and their principal product for market was tobacco; but for the last twenty years the improvement in the price of cotton, greater skill in the management of the plant and its increased productiveness, have gradually diverted the attention of the agriculturists of that region—Every thing has given place to the culture of this valuable staple, and instead of being competitors with the people of the west in affording to the low country of the state a portion of their supplies, they are yearly more dependent on their neighbors beyond the mountains for many of the necessities of life. It is not proposed to assume at what point of the state the road shall enter, or through what districts it will probably pass. With the exception, perhaps, of Spartanburgh and Greenville, all the upper districts of the state are essentially cotton growing districts. Pendleton, Abbeville, Edgefield and Barnwell, on the Savannah river side of the state—Laurens, Newberry, Fairfield, Union, Chester, York and Lancaster, all afford very large and increasing supplies of cotton for the several markets of Camden, Columbia, Hamburg, Augusta and Charleston. It is not practicable to speak with any accuracy of the crops of each district, but some idea may be formed of the proportions of the upper districts, from the fact that during the last year the trade with Camden amounted to 40,000 bales of cotton, with Cheraw to 30,000, Columbia to 70,000, and with Hamburg to 35,000 bales. During the same period in Columbia alone the purchases of bacon amounted to 3,500,000 lbs. of bagging 500,000 yards, and of bale rope 300,000 lbs.

Since the first introduction of cotton, the entire middle country of South Carolina has been devoted

to the successful cultivation of that staple. In the lower section of the state, and on the seaboard, rice and sea island cotton are added to its invaluable resources. The exports of Charleston in short staple cotton, for the present year, amount to

280,000 bales, valued at (\$55)	\$11,500,000
27,000 bales sea island, at \$85	2,300,000
130,000 barrels of rice, at \$16	2,080,000

Exports \$15,880,000
The amount of merchandise sold annually in Charleston alone, is about \$15,000,000.

In the meantime the exclusive devotion of the planter to this great staple, renders the country a most valuable, regular and extensive market for the principal products of the west. Several years since, it was estimated from sufficient data, that the drovers of horses and hogs alone, carried annually from the state of South Carolina \$2,000,000 in cash.—The demand for bagging in Charleston is 1,500,000 yards annually, and for bale rope in proportion. At least 50,000 barrels of flour, and from 350 to 400,000 bushels of corn are annually imported. In bacon, lard and pork the consumption is very great, and annually increasing. The supply is usually received from the west, by the way of New Orleans, a route so long, circuitous and attended with so many disadvantages and dangers, that the profit to the producer, and the value to the consumer, are incalculably impaired.

The delegation from South Carolina are aware that a preference has usually been accorded to the harbor of Charleston over every other southern port; but it is believed that all the advantages which this city presents as a depot for the commerce of the south and west, as a market for their produce, and as the great emporium to which they would resort for the purchase of their supplies, have never yet been fully appreciated.

The population of the city of Charleston, not including the suburbs, in the year 1830, was 35,000. The harbor is so located, (as will more satisfactorily appear from a lithographic map accompanying this statement) as to render it decidedly the most eligible port of entry and exportation, from the Delaware to the Mississippi river. From its proximity to the Atlantic, vessels may enter and depart at all seasons, with perfect facility. In one hour from leaving the wharf, a ship carrying 2,500 bales of cotton, is on the broad ocean. No port to the south of Charleston is subject to so few difficulties in the navigation. The passage between the Bahama banks and the Florida shore, through the Gulf of Mexico, is known to be of the most hazardous character. It is supposed by many, that the vessels annually wrecked in this passage, would more than pay the interest on the entire cost of a rail road from Charleston to the waters of the Ohio. Such are its advantages, that vessels can make three voyages to and from Charleston and Europe, in the same period of time consumed in making two voyages to and from the Gulf of Mexico and Europe. The port of Charleston possesses peculiar advantages for carrying on successfully, the trade of the West Indies, and especially with the Island of Cuba, whence it is believed the southern and south western states obtain their principal supplies of coffee, and large quantities of sugar, which are exchanged principally for rice and lumber. When the communication with the west shall be rendered more easy and expeditious, by means of the great work now in contemplation, a large accession of the products of that country, will be added to the exports of the West India islands; the trade to those islands will be increased to an illimitable extent, and their produce, sugar and coffee, received on the most favorable terms; and as there is usually a large supply of these articles in the market, purchases can be made on most advantageous terms to the buyer.

It is confidently believed that merchandise may be imported into Charleston from Europe, on more favorable terms than into New York. Freight is lower from England to Charleston, than to New York, and generally, exchange is lower. During a portion of the year, insurance is also lower. Insurance from Europe to the ports of New Orleans and Mobile, is from 50 to 100 per cent. higher than insurance to the port of Charleston; and freight is, on an average, 50 per cent. higher from those ports to Europe, than from Charleston. Dry goods from the north, (of which the supply is very extensive), arriving at the west by the way of New Orleans and the Mississippi river, are encumbered with heavy extra freight and insurance from the north to N. Orleans, and all the insurance between New Orleans and the place of final destination. All these would be saved to the merchant, and, ultimately to the consumer, by the rail road carriage from Charleston to the west, even if the freight by river from one place, and by rail road from the other, was

* Submitted the 21st January, 1836.

equal, exclusive of the saving in time between a passage from New York to the west, through New Orleans, of probably six weeks or two months, and a passage from New York through Charleston by rail road of eight or twelve days—the passage from New York to New Orleans being on an average, 20 to 25 days, and from New York to Charleston, 5 to 7 days. When to all this is added, that commissions and other charges on receiving and forwarding, are so much more moderate than in those south western ports, the advantages to the west, of an importation by this route, will be fully estimated by all those who have any practicable acquaintance with the course of trade. At the last session of the legislature, a company was incorporated, for establishing a line of packets direct between Charleston and Liverpool. Steamboats are now running between Charleston and New York, and between Charleston and Norfolk and Baltimore, leaving each port twice a week; and the boats for a weekly line between Charleston and Philadelphia, are now building, so that a steamboat for the north will leave Charleston three times a week. Steamboats from Charleston to the interior of the state, and to Savannah and Augusta, are constantly running, and can be increased to any extent which the wants of the community may require.

Produce commands usually a higher price in Charleston than in any city to the south of it, or, indeed, it is believed, than in any city on the continent. Goods and merchandise, for the consumption of the country, can be purchased on terms, and at rates generally as favorable as elsewhere; and when a direct importing trade is established, it cannot be doubted that these advantages will be improved. In no place are credits given on a more liberal scale than in Charleston; and with a banking capital of upwards of \$8,000,000, the moneyed facilities of that city are abundantly adequate to its present or any increased amount of trade that can be brought to it.

As a port of shipping, it has decided advantages over every other port to the south of it. The disbursements are much less—the facilities of repairing much greater—the accommodations and moorings for vessels are much more convenient and accessible; the difficulty of procuring seamen, comparatively with other southern ports, altogether trifling—and to all these advantages should be super-added the superior health of the crews of vessels in the port of Charleston over all other southern ports.

This paper cannot, perhaps, be better concluded than by a statement as to the general health of the city. If the bills of mortality can be received as data for its character in this respect, the city of Charleston ranks pre-eminently high. Of the entire population only one in 45 or less than 2 1-4 per cent. die annually, which proves that Charleston is among the healthiest cities in the world. Of the whole deaths 12 1-2 per cent. are by consumption, a disease not belonging to our climate, and which is ordinarily the fatal malady of persons from other climates, who seek, too late, a refuge in the more genial atmosphere of the south. The next largest per centage of the whole number of deaths annually, (upwards of 11 per cent.) is from old age raging from 70 to 120 years. Formerly a visit to Charleston through the low country of South Carolina, at particular seasons of the year was always attended with danger. It is not within the knowledge of the delegation, that since the completion of the rail road between Charleston and Hamburg, a single case of illness has occurred from visiting Charleston by that route at any season of the year, although the travelling is daily and without interruption.

The delegation forbear to trespass on the attention of the convention, by a reference to the mineral productions of the state of South Carolina. But a table, accompanying this statement, will shew that the resource of the country have been very insufficiently estimated, when the mineral capabilities of the state have been overlooked. They are aware that in all documents of this character correctness is of incalculably more value than minuteness. The delegation are themselves deceived if any fact has been misstated, any advantage unduly estimated, or any inducement for adhering to the rail road indicated by the existing charter, too strongly presented.

B. F. DUNCAN,
CHAS. EDMONDSTON,
ALEX'R BLACK,
JOEL R. POINSETT,
SAM'L P. RIPLEY,
F. H. ELMORE,
WM. K. CLOWNEY,
THOS. F. JONES,
WHITFIELD BROOKS,
WILSON NESBIT,

Committee of the S. Carolina delegation.

GEORGIA.

Report upon the commercial advantages presented by Georgia to the west, in connection with a contemplated rail road communication.

The undersigned committee, beg leave to submit the following report:

The advantages which a rail road communication with Georgia presents to the inhabitants of the west, in a commercial point of view, consists in the extent of country opened to the trade, producing rice and cotton and consuming articles, the produce and manufacture of the north western states; and in forming direct and convenient communications with all the great commercial cities of the south, through which the necessary supplies of the west may be most conveniently obtained and cheaply transported to the west.

A rail road entering Georgia at any point on her northern boundary, between South Carolina and Alabama, will communicate by the Georgia rail road with Athens and Augusta, and from Augusta, by the rail road with Charleston, and by the steamboats with Savannah.

From a point above Athens, a direct communication may be had with Forsyth, there meeting the rail road to Macon, and from one of these places, a rail road communication will soon be opened to Columbus on the Chattahoochee, from whence steamboats now run through Florida to the Gulf of Mexico.

A glance on the map, at the lines here designated, will shew, that the cities and country thus opened to the trade of the west—will include, the city of Charleston, and all the rice growing country of South Carolina—the city of Savannah and every important point in the state of Georgia, touching at Columbus the boundary of South Alabama, and passing through Florida.

To shew the importance of these communications more in detail—we state—

The gross receipts of the Georgia rail road, now being constructed, for transportation, are estimated upon specific data to be 400,000 dollars per annum. This amount is estimated upon the assumption that the road will terminate at Athens.

Augusta, the largest interior commercial city of the south, is the next point. The present population of Augusta is estimated at between seven and eight thousand inhabitants; and immediately adjoining, connected by two bridges, is the important town of Hamburg, in South Carolina. Of the crop of cotton made in 1835, the receipts at Augusta, will be 140,000 bales, and at Hamburg 35,000, making an aggregate of 175,000 bales, which, at 50 dollars per bale, makes an amount of 8,750,000 dollars. The sale of merchandise may be safely estimated to exceed seven millions of dollars, thus making an aggregate commercial business of the year exceeding fifteen millions of dollars.

Bagging, flour and bacon are leading articles of importation for interior consumption.

The commercial business of Augusta is carried on by the rail road with Charleston, and by steamboats with Savannah—through which cities all her imports and exports are made. The business on the Savannah river alone, employs 20 steamboats and about 50 tow boats. The freight on the imports of Augusta, from Savannah, though carried at very low rates, exceeds 200,000 dollars per annum.

Diverging from the Georgia rail road line, at a point above Athens, to the south the communication is opened by Forsyth with Macon, and all south western Georgia.

The receipts of cotton at Macon the past season, amounted to 80,000 bales, of the average weight of 350 pounds, which at the market value, produced over four millions of dollars. The receipts at other places, above Darien, amounted to 20,000 bales, and in value to one million of dollars. The sales of merchandise at Macon for the year may be estimated at 3,500,000 dollars, and at the other places on the rivers at 7 to 800,000 dollars, making an aggregate commercial business for the year of over nine millions of dollars.

The transportation of cotton and merchandise, on the Oconee and Ockmulgee rivers, employs at present, eight steamboats and fifty tow boats and pole boats.

From Macon to Savannah, the central rail road of Georgia is about being constructed.

From Macon to Columbus, on the Chattahoochee river, the present communication is by two daily lines of post coaches, but will without doubt require a rail road. Macon is unquestionably the second, and Columbus the third city, in commercial importance, in the interior of the southern states. Though of recent origin, they have already outstripped their elder competitors, and are growing with a rapidity, only equalled by the most flourishing towns of the north and west.

The quantity of cotton made in Georgia the last season and exported by the way of Columbus and the Chattahoochee and Flint rivers to Appalachicola, exceeded forty thousand bales, and in value over two millions of dollars—employing two steamboats on the Flint, and twelve steamboats on the Chattahoochee river.

In this section of country a large portion of the best cotton lands, are not yet brought into cultivation—and the production is yearly increasing in a great ratio.

We have stated that a rail road entering the northern boundary of Georgia at any point, between South Carolina and Alabama, would communicate by the Georgia rail road, through Athens, to Augusta, and from that point would command the trade, of both Charleston and Savannah, thus giving a choice of the two most important markets of the southern Atlantic coast.

The city of Savannah in 1830 contained a population of 7,900 inhabitants. By information derived from the local authorities, the population is now stated at 11,000.

The exports of cotton from Savannah of the crop made in 1835, will be about 250,000 bales, which at the average value of 55 dollars per bale, will amount to 13,750,000 dollars. The export of rice of the crop of 1835—will be about 24,000 casks, and will amount in value to 450,000 dollars.

The exports of lumber, and all other articles, may amount to 750,000 dollars—making an aggregate of nearly fifteen millions dollars in value, exported of the produce of the country, from Savannah the present year.

The imports into Savannah from all quarters the present year, will exceed twelve millions of dollars—part of which is sold in Savannah, and part forwarded in the original packages to Augusta, Macon and other places in the interior.

The intercourse between Savannah and New York alone, employs fifteen regular packets, many of them large ships, besides transient vessels. But the largest business from Savannah is direct with Liverpool. In 8 1-2 months—to wit: from Oct. 1st, 1835, to June 16th, 1836, there were shipped from Savannah direct for Liverpool, 125,807 bales of cotton, which at the value of 55 dollars per bale, amounted to 6,919,385 dollars.

From Savannah, steamboats run to Augusta—to Charleston—to Darien—to Macon—to the St. Johns river in East Florida, and to all the intermediate places on the coast, and the rivers.

By a statement published in the Savannah Georgian on the 17th of June, 1836, it appears that the merchants of Savannah were then owners in thirty-seven ships and brigs, besides smaller vessels and steamboats—that of these, eighteen were ships of the largest class, averaging over 500 tons each.

From Savannah the central rail road will lead directly into the heart of Georgia, and arrangements are being made to connect therewith lines of steam packets running to Norfolk and New York.

Having pointed out the important commercial points, placed in direct communication with the west, by a rail road coming from thence, and entering the northern boundary of Georgia, we now state, the entire country embraced in this sketch, is almost exclusively a country producing cotton and rice, and consuming largely the products, manufactures and stock of the west.

The receipts of cotton at Savannah,	are stated at	250,000 bales.
Exported from Darien to places other than Savannah,		10,000 “
Exported by the way of Appalachicola,		40,000 “

Making a total of	300,000 bales.
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To pack this quantity of cotton, 1,500,000 yards of bagging are required, all of which is now imported from Great Britain, but which may be supplied from the west.

In addition to this, a large section of the finest cotton lands in Georgia, lying between the Flint and Chattahoochee rivers, are but partially settled, and will, in three or four years, increase the growth of cotton in Georgia to at least 400,000 bales—making a still further demand upon the west, for its produce, manufactures and stock.

We have thus, in the short time allowed us, sketched a very brief and imperfect outline of some of the commercial advantages which Georgia presents to her friends in the west, and north western states, and which may be commanded by a rail road, entering any point of her northern boundary, between South Carolina and Alabama.

WILLIAM DEARING,
JAMES R. BUTTS,
ROBERT CAMPBELL,
S. B. PARKMAN,
T. G. CASEY.

FOREIGN CHRONICLE.

Funeral of Mr. Rothschild. The body has been conveyed from Germany to his residence at New Court, St. Swithin's lane, London. Many of his private friends connected with him in business, have put on mourning out of respect to him. The remains are deposited in a leaden coffin, encased in one of oak, elegantly carved and moulded with silver handles, and a breast plate carved in oak representing the arms and crest of the family.

Mr. Aaron Hendrick is appointed by the synagogue to conduct the ceremonies, which are to be as plain as possible. There will be 24 mourning coaches—the four sons the chief mourners. The rev. Dr. Solomon Herschell, chief rabbi of the synagogue, and his assistants, and also readers from the other synagogues will be in the procession. There are to be no feathers on the coaches nor hat bands. The children of the different charitable associations of which he was patron, will be present. The remains are to be deposited in a grave, bricked as a vault, in the Jewish burial place. The procession is to pass down Piccadilly.

In the house of lords on the 9th, the custom duties bill, and the assessed tax bill, were read a second time. The report on the Irish valuation, was agreed to.

In the commons, on the same day, notice was given by Mr. Robinson, that early next session he should submit a motion for the repeal of the duty on marine insurances.

Mr. D. W. Harvey inquired if any measures had been taken by government to compel the repayment of the money advanced to the Irish clergy in 1835, or any part of it. Lord John Russell said that the chancellor of the exchequer was about to bring in a bill on the subject.

Six hundred muskets had been seized by the several commissaries of police, in Paris, at the residences of several individuals, together with sabres, pistols, ammunition, &c. and a printing press, with all its apparatus. Further search was making with great activity.

A ceremony of thanksgiving was performed July 2, in the Israelitish temple Rue Notre-dame de Nazareth, for the purpose of testifying gratitude to God for the escape of the king.

The archbishop of Paris has ordered a solemn Te Deum to be sung in all the churches throughout France, for the same purpose.

The pope was expected at Prague, for the coronation of the emperor.

Accounts from Greece represent that country as perfectly tranquil.

The Augsburg Gazette announces the cholera as raging in Vienna.

Female artists in France. It appears from the catalogues of the exhibition of the works of modern French painters in the Louvre for 1834, 1835 and 1836, there are upwards of 200 female painters, who regularly exhibit their productions in the annual exhibitions of modern art in the Louvre.

Rulle's monument. The monument of this distinguished Jesuit which was overthrown either by religious intolerance or wanton recklessness, has been replaced by subscription. It was raised on the 23d, the anniversary of the battle or massacre in which father Rulle was slain.

Mr. Bernet, an engineer at Lyons, has invented a machine he calls a Balayuse, by which, with the employment of only one horse, the mud in the streets, squares, and highways, is collected and thrown into a cart with extraordinary regularity, giving 100 strokes on a surface of about 6 yards square, and thus doing the work of 200 scavengers in the same time.

Paganini. Gallinani's Messenger says that Charles X lately sent for Paganini to come and spend a month with him—when the great fiddler returned for an answer that he would for 20,000 guineas. Very moderate.

Oaths. The Scotch, when an oath is administered, raise the right hand, as is the practice in New England; the English kiss the book. The Scots who come to England often make it a point of conscience of slaving the cover of a dirty book, and the subject of their grievance has been brought before government. It is said a bill will be introduced for the relief of those who wish to be sworn according to the Scottish form.

A remarkable incident has just taken place in the neighborhood of a small frontier city in the department of Ardennes. A peasant undertook to set fire to his own barn, when a robber who was concealed in a heap of straw, raised the cry of fire, while he was making his own escape. Both being confronted before the magistrate, the peasant maintained that he only set fire to his barn because he knew that his neighbor, the robber, of whom he had suspicions, was concealed there; and the robber, on his side, declared that he had suspected the designs of the peasant and had concealed himself that he might detect him

in the act. Unfortunately he was not in time to prevent the fire. The judgment in the case has not yet been rendered. [Paris paper.]

German festivals. Every German village has its annual festivals called Kirmes, when the poor people meet in their gayest clothes, go to church and there make merry and enjoy themselves together. It was originally the anniversary at which the college church was consecrated, but now by common consent, these holidays all take place in autumn after the vintage. In the large valleys on the upper Rhine, Kirmes last for three days there as it does in most of the large villages. Every morning gay parties walk about on those beautiful hills and delightful shores; after which, those who can afford it dine at the inns, at every one of which is an excellent *table d'hôte* at one o'clock; and, after a merry dinner and a cup of coffee, they adjourn to the ball room.

The young princess Victoria, destined heir to the British throne, promises by her winning manners to secure the foundation of an enduring popularity before she assumes the august sceptre of a royal monarch. At a late déjeuner a la fourchette, given to her by the lord mayor of London, she was escorted to the drawing room on the arm of alderman Scholey, and exhibited all the naivette and rude beauty of a country girl.

The Thames tunnel is slowly progressing. The shield has 36 boxes and advances only 9 inches an hour, the greatest precaution being necessary, as it has now reached 620 feet, and is in the loose sand directly under the bed of the river. The other 12 feet being in solid earth will be easier digging.

Appropriate reminiscence. At a recent meeting of the republican party in London, who are endeavoring to procure a total abolition of the stamp duties, a procession was formed, and the music, in allusion to the early struggles of the Americans on the same subject, struck up our national air of Yankee Doodle, which had a most spiriting effect on the multitude.

Madam Malübran de Beriot (Garcia) who formerly received 20 guineas for every song she sung at a concert—25 for private parties and £370 for acting and singing three nights at Drury Lane theatre, has been playing to, comparatively, empty benches in London. The English being tired of her, she may be expected in the United States, where she will be rapturously greeted—for we gladly receive any thing John Bull has cast off, whether it be a stale actress or refuse goods.

DOMESTIC CHRONICLE.

Portrait of the president of the United States. The "Globe" says—a thousand dollars have been subscribed by the citizens of Washington to procure a full length portrait of the president, to adorn the city hall. This subscription we learn was suggested, and has been obtained, by some of the public spirited men of the city, always opposed to the president in his political principles, but penetrated by a grateful sense of the interest, which, as chief magistrate, he has evinced for the prosperity of the city, and the great improvement in it, which has been effected during his administration.

"Statistics of prisons. In Sing Sing prison only 289 out of 842 could read and write tolerably; and but 52 had received a good English education; and 484 had been habitual drunkards, and many had committed their crimes while intoxicated. Of 670 prisoners at Auburn, 3 only had received a collegiate education; 503 had been intemperate, and 400 were committed for crimes perpetrated while under the influence of spirituous liquors. In the Connecticut prison 8 in 100 only could read, write and cypher, when convicted, and 46 in 100 could read and write; 44 in 100 committed their crimes under the influence of alcohol. Instruction, temperance and industry are found to be the surest preventives of crimes."

Gen. Hayne has been elected intendat of Charleston, S. C. without opposition.

Petrified fish. Some remarkably beautiful specimens of organic remains of fish, exhibiting the entire form of the animal preserved in all its perfection of scales, fins, &c. were recently found in the slate stone at Northampton, Mass. by a young gentleman of that place.

Cannel coal. The Wheeling Gazette says—several veins of this coal, or the same vein in several places, have been discovered in Beaver county, Pa. some of which are stated to be of ten feet in thickness. One of these veins was discovered in the following manner: A farmer, in clearing some land, built a log or brush heap against what he thought to be a bank of slate, but to his astonishment, after a little time he discovered that it had taken fire, and burned with a bright, fierce flame, which cost him much labor to extinguish.

The season. Two curious circumstances are related by the Salem Gazette, as evidence of the uncommon dryness and coldness of the present season. A peat meadow, back of Chapman's tavern, in Salem, on the old Boston road, has been burning nearly a fortnight, until several acres have been consumed. A part of the meadow had been planted with potatoes, which have been destroyed. In some instances they have been taken from the ground roasted, in a state perfectly fit for eating. The fire took from the burning of some brush at the edge of the meadow.

Bodies of ice formed by the intense cold of last winter, in some of the Boston street tan-yards, in Salem, have remained undissolved, under a slight coating of tan, to the present time. Thus proving the extreme coolness, as the other instance does the great dryness of the present season. [Bost. Trans.]

Consumption of wood. It has been calculated that every ship of the line requires all the good wood which can be found on fifty acres of woodland; and the ships decay long before the forest can grow again.

Frightened to death. A little girl aged about 8 years, the daughter of John Peterson, residing about five miles from Whitehall, was frightened in such a manner, on Thursday last, that she died in about two hours after the fright. Her brother, a lad of 14, dressed himself in a dried bear's skin, and chased her as she was going to school. [Troy (N. Y.) Whig.]

Girard estate. It is rumored that the foreign heirs of Stephen Girard filed a bill last week, in the circuit court of the United States for the district of Pennsylvania, praying to have the devise in the will of Girard for the endowment and erection of a college, set aside, and the property which is the subject of it, divided amongst his natural heirs and next kin.

Honor to the brave. The city council of Charleston have erected a monument over the remains of the gallant volunteers who died in that city after their return from the Florida campaign. It is a handsome obelisk of white marble, ten feet high, on which are inscribed the names of the gallant deceased, viz: Goodwin Haigood, John Yeargan, James T. Duun and William McCray.

Something for the curious. The elections of president, electors of senate, delegates and sheriff, all take place this fall in Maryland. The same elections will not occur again in the same year until 1897, when, if the constitution of the state and the United States are not changed, or the union is not severed, five elections will take place in the fall of that year in this state, to wit: for president of the United States, electors of state senate, house of delegates, sheriff for each county, and representatives to congress.

[Frederick (Md.) Herald.]

Singular event. The Indiana American says that, Mr. Temple was elected a representative to the Indiana legislature on the 1st of August last, from Fountain county, twelve days after his death. He died at Warren, Mississippi, on the 18th of July last, and was elected on the 1st of August after.

Montreal and New York. The Montreal "Herald" expresses the opinion that, when the rail road from Whitehall to Albany is completed, and the fleet of steamboats, which is preparing for lake Champlain, commence running, the trip from Montreal to New York (384 miles) may be made in twenty hours!

Colonization society. The receipts of the American colonization society for the month ending the 20th of July, amount to \$7,330. Among the donations is one of \$1,000 from D. T. Walden of New Orleans, and one of \$700 from D. Brand of Virginia. The whole amount of subscriptions and collections, says the New York Journal of Commerce, from which we take the above, obtained by Mr. Gurley during his late visit to the south west, is upwards of seven thousand dollars, nearly two thousand of which has already been paid. Several splendid legacies have recently been left for the same object, connected, in many cases, with the emancipation of slaves, on condition of their proceeding to Liberia. One of them is expected to yield \$6,000, and another \$25,000.

Dr. Abbot, the respected principal of Phillips' academy, Exeter, N. H. has presided over that institution forty nine years. Messrs. Webster, Cass and gov. Everett of Mass. are among the distinguished individuals who learned their *a b c s* there—says the N. Y. Star.

Schools in Boston. The Boston school committee have voted to increase the salaries of their schoolmasters. The principals of the Latin and English high schools are to have twenty-four hundred dollars, being an increase of four hundred; and the grammar and writing masters, fifteen hundred, being an increase of one hundred to the former, and three hundred to the latter. This is as it should be.

Life insurance. It is stated in the Army and Navy Chronicle that the late col. HILLMAN insured his life to the amount of six thousand dollars in the Life Insurance office in Baltimore. By the judicious appropriation of a small annual sum, this gallant officer has thus been enabled to make provision to the amount stated, for his otherwise dependent widow and six children.

Gold coinage. The amount of gold coined at the United States mint at Philadelphia, during the month of August, 1836, was \$631,400, of which \$391,700 was in quarter eagles.

NILES' WEEKLY REGISTER.

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[Vol. LI.—Whole No. 1,304.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED, BY WILLIAM OGDEN NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

On order to "get in" the address of the Van Buren electors to the people of Maryland, and the opinion of chief justice Shaw, in the "Boston slave case," both of which were received at a late period in the week, we have been compelled to omit many miscellaneous articles prepared for the present sheet.

The attitude in which the state of Maryland stands, in consequence of the refusal of the Van Buren electors of senate to enter the electoral college, is unprecedented in the history of this nation, and has caused much excitement, not only in this state, but in the neighboring states. That all may fully understand the subject, we have given the proceedings of the Van Buren meetings in Frederick and Cecil counties and in the city of Baltimore, which recommended the Van Buren electors not to go into an election unless certain demands were complied with, and the address of those electors to the citizens of the state in defence of their conduct, and recommending to the people "to proceed forthwith, to elect on the first Monday of November next six delegates from each county and city to meet in convention at Annapolis on the third Monday of the same month, clothed with full powers to extend the authority of all civil and military officers now in commission until a convention hereafter to be chosen, can be convened to amend the old or form an entire new government for the people."

The Van Buren electors left Annapolis on Wednesday last, and by the last accounts from that city, the Whig electors had resolved to continue in session, adjourning from day to day, until a remedy can be found for the present deplorable condition of things. What will be the result, it is difficult to predict; for while one party appears resolved to accomplish "reform or revolution," the other is equally resolute in its support of the constitution. The question thus presented is, indeed, of great interest, and will thoroughly test the character of our institutions.

A Paris paper of August 19, says—The king, by and ordinance of the 4th instant, has appointed M. Serrurier to be his envoy extraordinary and minister plenipotentiary at Rio Janeiro, and M. Edward Pontais, in the same quality, to the United States of America.

We have an account of a horrible affair in New Orleans, in which three individuals, who attempted to inflict *Lynch law* upon judge Bermudez of that city, by assailing him in his dwelling, were killed. The particulars of this bloody affray are crowded out, but will be placed on record in our next, as a noble evidence of a just regard for personal and legal rights and of success in defending them.

The Bowery theatre in New York was destroyed by fire on Thursday morning last. The loss is estimated at \$100,000, and no insurance.

GENERAL HARRISON arrived in Baltimore from Washington on Thursday last, at about 2 o'clock, P. M. He was met at Carroll's bridge, about a mile from the city, by a body of citizens on horseback, estimated at nearly five hundred, who escorted him into it. On his arrival at Pratt street he was met by a large assemblage on foot. A procession was then formed, (the general having been placed in a barouche, attended by the committee of the citizens of Baltimore, who proceeded to Washington to invite him to visit this city), which proceeded down Pratt street to the Point, from thence up Market street to the Eutaw House—where the general was addressed by judge Charles W. Hanson on behalf of the citizens of Baltimore and welcomed to the city; he replied, and expressed his deep gratitude for the distinguished honor with which he had been received, and his admiration of the enterprise and patriotism of the monumental city. Last evening he attended the theatre, and this morning departed in the steamboat for Philadelphia, accompanied by a committee from this city.

MR. BELL OF TENNESSEE. A public dinner was given to this gentleman at Pleasant Grove Seminary, six miles from Nashville, Tennessee, on the 1st instant. The procession which was formed on the occasion, was more than a mile and a half in length, and consisted of upwards of eleven hundred horsemen and fifty-six carriages—and it is

estimated that at least 4,000 persons were present. Mr. Bell addressed the company, and was listened to with marked attention. Mr. Peyton and Mr. Maury also addressed the assembly.

BOSTON SLAVE CASE. The opinion of the supreme judicial court of Massachusetts, pronounced by chief justice Shaw, in the case of the *Commonwealth vs. Thomas Aves* (known as the "Boston slave case") is published at length in the present sheet. The extraordinary interest which the case excited will commend the opinion to every reader, especially after the following evidence of the feeling which prevails on the subject in the south.

From the *Augusta (Geo.) Sentinel*.

OUTRAGE UPON SOUTHERN RIGHTS. We furnish our readers this morning with a decision which gives an entire new feature to the slave question. It has just been decided by the supreme court of Massachusetts, that a slave carried into that state by his owner, becomes *eo instanti* free! What think you of that, people of the south? If a southerner carries a servant or a nurse with him into the state of Massachusetts, the highest judicial tribunal of that state is ready with its writs and processes to wrest that servant from him and pronounce him a freeman before his face! And then, as if to add the grossest insult to the deepest injury, we are told that this decision is no interference with the rights of the slave holder, but that rather, the carrying of a slave into a state which does not tolerate slavery, is an interference with the laws of that state! People of the south! Will you sleep forever over your dearest rights? Are you willing to sustain forever a confederation with states into which you dare not travel with your property, lest that property becomes by law actually confiscated? Of what value to you is a union which enables those who are in common with yourself, members of that union, to destroy the right of private property and deprive you of that which is justly yours.

This is the strongest and boldest step ever yet taken against the rights of the south, and leaves the puny efforts of the abolitionists at an immeasurable distance in the rear. The abolitionists themselves have thus far asked but little more than the liberty of publishing and distributing what they please on the subject of slavery, (bad enough in all conscience), but here is a high and powerful court, which sets our negroes free, as soon as they can get within its reach. Shall we submit to this? Has it not been enough that we have borne for years with a patience almost amounting to servility, the exactions of the tariff for the benefit of the north? Is it not enough that the coffers of the general government have been filled by southern earnings to be lavished upon those states in the way of appropriations? And must we now submit to have our property taken from us by courts and juries, and be insultingly told such things are no interference beyond our rights!

AARON BURR's remains were interred in the college burial ground at Princeton, N. J. by the side of his ancestors, on Friday the 16th inst. The body was carried from Staten Island to New York and from thence to Amboy, N. J. from Amboy to Hightstown on the rail road, whence it was brought to Princeton in a hearse, accompanied by the pall bearers, gen. Robert Swartwout, col. S. Swartwout, col. J. W. Scott, col. Romeyn, gen. Bogardus, maj. Popham, H. M. Western and Samuel Copp, esqrs. and others, in carriages. A large funeral procession was formed in the college green, comprising the company of Mercer guards—the clergy—chief mourners—Clio society—faculty and students, the college and the seminary, citizens, &c. which proceeded with the body to the college chapel where an appropriate address was delivered by Dr. Carnahan, president of the college, after which the services were closed by Dr. Rice. When the body was consigned to the earth, the military fired a volley over it.

The New York American, in allusion to a report that Mr. Burr died surrounded by his friends and in the presence of a clergyman, says—he breathed his last in the presence of, and his eyes were closed by, a passing stranger—no relative, friend, or clergyman, being in the room at the time.

EXPLORING EXPEDITION. The store ship for the south sea exploring expedition, has been launched at Philadelphia. She is described as a very fine

vessel, well prepared to encounter and buffet the storms of those high latitudes. She will mount 10 guns, have 100 men, and be commanded (according to the U. S. Gazette) by lieut. Thomas A. Dornin.

THE ARMY. Resignations from the army during the week ending on the 8th Sept. Captain CHARLES DIMMOCK, 1st artillery, 30th September; 1st lieutenant F. D. NEWCOMB, 4th infantry, 30th September; 1st lieutenant A. A. HUMPHREYS, 2d artillery, 30th September; brevet 2d lieutenant A. CAMPBELL, 6th infantry, 30th September.

[Army and Navy Chron.

NEAPOLITAN INDEMNITY. The following notice will be acceptable to the holders of claims on Naples:

Treasury department, September 19, 1836.

Neapolitan indemnity. Notice is hereby given, that the whole of the third instalment under the Neapolitan treaty has reached this country, and soon as all the accounts relating thereto shall arrive, so that the nett proceeds can be accurately ascertained, proper arrangements will be made as to the time and places of payment to the claimants, and public notice thereof given. In the mean time the certificates still remaining in this department will be forwarded as the claimants may be pleased to direct.

LEVI WOODBURY,

Secretary of the treasury.

SPANISH INDEMNITY. The Washington Globe states that a portion of the Spanish indemnity has been paid, and arrived in this country, besides all the instalments due from France and Naples.

THE CHOLERA AT CHARLESTON. From the following statement it appears that the cholera is on the decrease at Charleston.

	New cases.	Deaths.
On the 14th	11	2
15th	6	2
16th	6	4
17th	8	1

An endorsement on the way bill from North Santee states that two cases of cholera had occurred on col. T. Pinckney's plantation, South Santee, both of which terminated fatally. A letter from the same place enlarges the statement by making the number of cases six, and that of deaths four.

FROM FLORIDA. We have no news of importance from Florida—Newnansville still held out, and a hope is expressed that the reinforcements alluded to in our last, would arrive in time to prevent it from falling into the hands of the enemy. The inhabitants and the troops throughout the territory are represented as being in a most deplorable condition. A letter dated on St. John's river, Sept. 4, after stating that the number of troops in the fortified posts south of Black river amount to only 867 men, adds, "in these several forts are upwards of 2,000 persons crowded together, exhibiting a scene of starving and squalid wretchedness scarcely to be imagined."

A letter from Florida says—"The Tennessee troops in Georgia, with the regulars under the command of gen. Jesup, amounting in all to from 2,500 to 3,000 men, are expected here in a few days."

The following is from the Jacksonville, (E. F.) Courier of the 8th instant.

Latest intelligence—army movements, &c. Major Pierce with all the effective force from St. Augustine left Black creek on Saturday evening, encamping that night at Bull creek, five miles from Garey's ferry, on his way to Newnansville. The force with him amounted to little upwards of two hundred men. A train of wagons went on under escort. We are told that major P. is determined to try another battle with the Indians, and that too, speedily. May the God of battles grant him success.

Capt. Walker, from Nassau county, left this place on Tuesday morning with sixteen men, to join the remainder of his company at Newnansville.

The two companies of militia, (whose time of service expires in a few days), and the one of regulars at Fort Gilliland, joined with the men just gone on with major Pierce, will, we hope, be able to save Newnansville from the Indians. That place has been threatened and will probably be attacked, or the roads leading to it so beset, that communication, except under strong escorts, will be interdicted.

Mr. Charles Dell, who left Newnansville on Saturday last, states that for some time the Indians have been in the immediate neighborhood of the fort. It seems that they have made their headquarters at San Felasco (col. Sanchez's plantation) only four miles from Newnansville, and collecting cattle, penned them there for a night, and then drove them off towards Hogtown prairie. The Indians, on Tuesday night of last week, came within 150 yards of the fort, and stripping a slip of bark from a tree, made some marks, which were interpreted by those skilled in Seminole hieroglyphicks to signify that 150 Indians were present at that place. It is impossible to say what force the infernals have, but enough to overrun Florida unless assistance soon comes.

The women and children at Newnansville must suffer incredible hardships, at night shut up in the fort, alarmed, needy and sick. The day is spent in the tents pitched around the fort. We are told that the number is nearly three hundred.

At Black creek, the people from Alachua, who sought that place for security, and are encamped on both sides of the creek for some distance along the road, are suffering greatly from sickness. Such are their exposures to the weather, their want of almost every comfort of life, that the preservation of their healths is a thing almost impossible. The measles and the whooping cough still prevail among them.

These epidemics, in addition to the fevers consequent on their exposures, place these unfortunate people in "extremis rebus." It is said two-thirds of them are now sick. What must be their suffering! homeless, homeless, lying upon the ground, exposed to the noon-day heat, the damps and dews of night, and the storms of heaven, destitute of every thing, even of medical aid, (except what is rendered by the surgeon of the post), sick, dying!

NOVEL LAW CASE. A case of great novelty was tried on Wednesday last, before the circuit superior court of law and chancery for Spottsylvania. Judge Lomax presiding. We allude to the case of *Payne vs. Smith*. The plaintiff some years ago brought an action of detinue, in Orange superior court, against his brother, in which a jury gave a verdict for the defendant. Conceiving that his attorney—Mr.—now judge—Barbour, of the supreme court of the United States, had been guilty of neglect of professional duty, or deficient in skill in the conduct of the suit, Payne brought an action against him for damages, in Orange, and had the case removed to Culpeper county. The trial came on about four years ago—Wm. Smith, esq. for the plaintiff. Judge Barbour disdained to defend the suit, and was not at the court, but two gentlemen of the Culpeper bar volunteered in his behalf. The trial lasted two days, and resulted (as might have been anticipated from the well known ability and zeal of judge Barbour) in a verdict for the defendant.

Payne next instituted a suit against Smith, his counsel in *Payne vs. Barbour*, for neglect of duty and want of professional skill. The case was continued from time to time, and was subsequently removed to this county. It came on for trial during the last term. Smith did not defend the suit, and the jury gave a verdict of one thousand dollars damages. The judge granted a new trial, which took place on Wednesday last. Plaintiff's counsel, Mr. Preston, of Baltimore—Mr. Smith appearing for himself. Verdict for the defendant.

We have never seen a case supported by less evidence. All the plaintiffs witnesses, as well as several of the jury in the case of *Payne vs. Barbour*, testified to the fact, that Smith had managed the case with great zeal and ability. It was also in evidence, that while the jury were in their room, Payne had expressed himself in terms of satisfaction and admiration of the efforts of his counsel.

Gentlemen of the bar at all times act under a deep sense of responsibility, but a few clients, like the plaintiff in this case, would make the profession too hazardous to be pursued as a calling. Mr. Preston acquitted himself very handsomely, and we believe his client does not intend to bring an action against him.

[Fredericksburg Arena.]

LAW CASE. *United States district court.* This court has been occupied during the last four days with a suit brought by the district attorney against J. W. Mahon, captain of the ship Union, and Wm. C. Boardman, to recover the amount of their bonds passed at the custom house, under the act of congress for the protection of American seamen. On the part of the prosecution it was alleged that the defendants forfeited their bonds in consequence of the captain having refused to bring back three American seamen, named Keon Roton, Peter Johnson

and William Brown, whom he had taken as seamen in his ship to Liverpool. The evidence for the prosecution was directed to show that when the ship was about to sail, the three seamen went to their dinner, and returned in about twenty minutes, and that during their absence the ship proceeded into the river, but was so near the three seamen that they could be seen; that they called and made signals for a boat to be sent for them, which the captain neglected to do, and went to sea without them. For the defence it was stated that the men absented themselves without leave, and neglected to return until it was too late for the captain to take them on board. Verdict for the prosecution.

[N. Y. Jour. Com.]

FOREIGN NEWS.

The New York Commercial Advertiser contains the following items of news selected from Liverpool papers, to the 24th ult. received at that office.

The newspaper stamp duties bill was amended in the house of lords by the rejection of the clauses requiring the names of proprietors to be registered.—On its being returned, thus mutilated, to the commons, the chancellor of the exchequer moved that the bill be laid aside, which was agreed to. He then introduced another bill precisely similar to the first, except that the registration clauses were omitted, which was read on the 10th August, and on 11th read twice and passed. It was then sent up and passed in the house of lords on the 12th.

The Jewish civil disabilities bill was read a third time and passed in the house of commons on the 16th.

The church temporalities bill for Ireland was passed in the house of lords on the 16th.

The newspaper stamp duties bill received the royal assent on the 18th of August.

The British parliament was prorogued on the 20th August by a speech from the throne. The speech shall have a place in our next.

Mr. N. M. Rothschild's will gives £20,000 per annum to his widow, with his house in Piccadilly and that purchased by him from the princess Amelia, and all the furniture, plate and jewels; £120,000 to each of his daughters; £1,000 to each of his wife's brothers, and £500 to each of her sisters.—£10,000 to Mr. Cohen, one of his executors; some charitable donations; and the residue to be equally divided between his four sons, who are to continue the business exactly as heretofore, in conjunction with the houses in Vienna, Frankfurt and Paris.

The crops. Report speaks favorably of the wheat crop in England and Ireland, and in the south-eastern counties a very considerable portion has already been secured in excellent condition.

The prospects of the harvest in Scotland were very fine.

The people of Caucasus to the number of 60,000 are moving against the Russians. The population number six hundred thousand, and 80,000 for an adverse force to a power so much detested, can hardly be overrated. The tribes of Daghestan, and Scircuan, and the inhabitants of Mingrelia, Imeria and Georgia, are more anxious to declare their hostile feelings towards the Russians than they are to conceal them. In the mean time Russia cannot depend upon her own soldiers. They wait but an opportunity to declare their hostility. From a late number of the German Courier, we are led to anticipate a revolution among the Russians, inasmuch as an immense body of the Caucasians have combined against them. To subdue the Circassians is impossible in their primeval forest and defiles, and extermination is the only warfare Russia can hope to use successfully against such a foe. Russia, however, hopes to put down this and all such combinations in the almost undivided hostility which one tribe of the Circassians bears against another. While they hate Russia they despise each other, and here Russia expects to continue her triumph over a powerful but divided foe.

The important intelligence had been received from Spain that the constitution of 1812 was proclaimed at Madrid on the 8d of August, and that on the 6th a royal decree was issued, dissolving the national guard of Madrid. This must have been occasioned by fear or proof of disaffection among the citizens composing that body. This disaffection, however, is thought to be directed only against the existing government for its inactivity or want of success in putting down Don Carlos, and not to indicate any disposition in his favor.

A French ship of the line and corvette sailed from Brest, on the 11th of August, for the coast of Spain. A powerful intervention by France is still asserted and denied with great pertinacity. Orders had been transmitted to Toulon, to have all the ships in that harbor ready to sail at an hour's notice.

Gen. Evans is not dead, after all. A letter dated St. Sebastian, Aug. 10, says that he is very unwell, from which it may be inferred, we think, that he is still alive. The British legion was fast losing by desertion, owing to difficulties about pay, but a large reinforcement to the French legion was expected.

From the London Sun, August 22.

We have advices from Bayonne to the 17th inst. On the 14th gen. Evans proceeded to Bayonne, for the purpose of having an interview with general Harispe; but the latter was absent, and the gallant member for Westminster returned to San Sebastian. The condition of the legion is deplorable.

Another change has taken place in the Spanish ministry.

The Madrid Gazette of the 15th contains the following decrees:

"The constitution of 1812 is proclaimed till the reassembling of the cortes, which will pronounce relative to the institutions that ought to be given to Spain.

"M. Calatrava is appointed president of the council of ministers.

"M. Ferres, minister of finance.

"M. Labuola, minister of the interior.

"General Seone replaces gen. Quesada.

"General Rodil is appointed to the command of the guard, charged with the general inspection of militia.

"The decree proclaiming Madrid in a state of siege has been recalled, and the national guard of Madrid is reorganized.

"The constitution of 1812 has been proclaimed at Santander and St. Sebastian."

Havana. Letters have been received at New York from the Havana, which say that in consequence of the late commotions in Spain, which resulted in the proclaiming of the constitution of 1812, great sensation has been felt among all classes of people. The majority of the inhabitants, it is well known, entertain ultra liberal opinions, and some change, it is apprehended, will ensue in the political organization of the government of the island.

The brother of governor Tacon was in command at Cadiz when the late revolution took place, and was compelled to obey the will of the people.

"REFORM OR REVOLUTION" IN MARYLAND!!!

The late electoral election in Maryland resulted, as before stated, in the choice of twenty-one Whig and nineteen Van Buren electors. These electors were enjoined by the constitution to meet at Annapolis on Monday last (the 8d Monday in September) "and they or any twenty-four of them so met, to proceed to elect by ballot, either out of their own body or the people at large, fifteen senators; (nine to be residents on the western and six to be residents on the eastern shore)."

The 18th section prescribes, "that the electors, immediately on their meeting, and before they proceed to the election of senators, take such oath of support and fidelity to this state, as this convention or the legislature shall direct, and also an oath to elect, without favor, affection, partiality or prejudice, such persons for senators, as they in their judgment and conscience believe best qualified for the office."

The form of the oath to be taken by each elector, is as follows:

"I do swear that I will be faithful and bear true allegiance to the state of Maryland, and that I will support the constitution and laws thereof, and that I will to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, execute the office of elector according to the constitution and laws of this state."

On Friday the 9th inst. an editorial article appeared in the Baltimore Republican, exhibiting the result of the electoral election, and showing that the nineteen Van Buren electors represented a population of 205,922 white inhabitants, and the twenty-one Whig electors a population of 85,179 white inhabitants—and, after commenting in strong terms upon the gross inequality of the representative system of the state, and alluding to a report that the Whig party, when it was believed that the Van Buren party had a majority of electors, would not go into an election for senators, expressed a hope that the Van Buren electors would not permit their opponents to choose a senate entirely "opposed to the will of the people."

On Saturday the 10th inst. the following notice was issued in Frederick town.

REFORMERS, TO THE RESCUE!

NOW OR NEVER.

The people of Maryland, at the recent senatorial elections have, by a decided majority, signified so-

lemly, their will, that no man ought to be placed in the next senate of the state, hostile to a radical change in its legislative and fundamental laws; and it is the duty of every good citizen, to see that the will of the people is carried into full effect; and there being good cause to fear that a majority of the senatorial electors who have been chosen, will contemptuously disregard the well known wish of those for whom they are to select lawgivers, every friend of order, and of that reform which can alone long preserve it, is earnestly urged to attend a meeting, to be held at the court house in Frederick, at early candle light this evening, to devise means to carry into effect the will of the people of Maryland in the formation of the state senate.

Frederick, Saturday, Sept. 10, 1836.

The Frederick "Citizen" of the 16th says—

Pursuant to the above call, one of the largest and most respectable meetings ever held in Frederick, assembled at the court house, and on motion of Francis Thomas, esq. organized by calling capt. Geo. W. ENT and HENRY NIXDORFF, esq. to the chair and appointing Messrs. John J. Steiner and William Tyler, jr. secretaries.

When, on motion of P. H. Brown, the chair appointed the following gentlemen a committee to report resolutions for the consideration of the meeting, viz:

P. H. Brown, Dr. Wm. Tyler,
H. R. Warfield, Col. John McPherson,
John H. McElfresh Francis Thomas.
M. E. Bartgis,

Who reported the following preamble and resolutions, which were supported most ably and eloquently, in spirit stirring addresses by Francis Thomas, Henry R. Warfield and John McElfresh, esqs. which were responded to most enthusiastically by the assembled multitude.

This meeting is deeply impressed with the conviction, that a crisis exists in the affairs of the people of Maryland, demanding the adoption of decisive and energetic measures. When the late senate of the state was chosen in 1831, our condition was prosperous and our treasury was full, now at the expiration of their term of service, we are on the verge of bankruptcy. The late senate of the state was characterized by a system of legislation highly improvident and injurious to the interests of the state, and in many instances utterly regardless of those rights of the people, which are inalienable and inestimably dear to every freeman.

In the late senatorial election a vast majority of the people have, after a calm and deliberate review of the past conduct of their rulers, expressed a fixed and determined purpose, that the places which "knew them once shall know them no more." They have emphatically declared by their votes, that the whole of the last senate, and a majority of the house of delegates, have forfeited public confidence; that they, by oppressive and ruinous legislation, have brought the institutions of the state into disrepute and made the quiet enjoyment of that property which has been accumulated by honest industry problematical. The same people have declared it to be their will, that the friends of Martin Van Buren and republican principles shall have the power to form the next senate of the state; and they have said also in the result of the senatorial election, that there shall be chosen a senate ready and willing to reform all abuses in the legislative and executive departments of the government, and to correct and amend all defects in the existing constitution and form of government. Nevertheless, by reason of the abhorrent inequalities which exist in the apportionment of delegates to the electoral college of state senators, there have been elected by a small minority of the people, (85,179, amounting to but little over one-fourth of the white population of the state), twenty-one electors forming a majority of the whole electoral college who, or a majority of whom, we have good reason to believe and fear, are deaf to the voice of the people, and who are ready to make choice of a senate, prepared to perpetuate the abuses of which the people loudly complain; and who will resist all amendments and reforms in the constitution, required by the people, and demanded by every principle of justice.

And whereas, the 15th section of the constitution declares that NO SENATE CAN BE FORMED UNLESS TWENTY-FOUR ELECTORS agree to meet for the appointment of the members of which it is to consist.

Therefore resolved, That the senatorial electors of this county, be instructed to require of the twenty-one whig electors a pledge that no member of the former senate, and no member of the house of delegates who opposed the bill calling a convention of the people, shall be elected to the next senate of the state. That at least eight of the members of

the senate to be chosen by the electoral college shall be selected from among persons known to entertain opinions and sentiments coinciding with the principles and opinions held by, and governing a majority of the people (205,922), who have elected 19 V. B. electors, and that in the formation of the senate there shall be a majority of members known to be favorable to such a thorough and radical reform of the constitution of the state as will ensure to all citizens living under it, equal political rights and privileges.

Resolved, That unless the pledges required by the preceding resolution, are solemnly given in true faith, the two electors from this county, be requested to refuse to enter into an election of senators: provided that the electors from other counties and cities, having a majority of the white population of the state therein, will co-operate with them to defeat the election of a senate, hostile to a reform in the constitution to the extent required in the first resolution.

Resolved, That our friends in the counties and cities that have elected Van Buren reform electors, are earnestly invited and recommended to join us in these measures as the only means by which we can avoid the fate of being again compelled to submit for five years at least, to the tyranny of a government, wielded and controlled by a small and aristocratic minority of the people of the state.

On motion of Mr. M. E. Bartgis the preamble and resolutions were submitted to the meeting, and unanimously adopted, and were on motion ordered to be printed in the newspapers of the state.

When on motion, the meeting adjourned to meet again at the same place on Wednesday evening next.

GEO. W. ENT, }
H. NIXDORFF, } chairmen.

J. J. STEINER, }
WM. TYLER, jr. } secretaries.

On Thursday the 15th, agreeably to public notice "a large meeting of the citizens of Cecil county convened in the court house in Elkton, when colonel ADAM WHANN and major JOHN N. BLACK were called to the chair, and GEORGE H. JOYCE appointed secretary.

The objects of the meeting having been explained,

On motion, a committee of six was appointed to report resolutions expressive of the sentiments of the meeting.

This committee was composed of the following named gentlemen: Rich'd C. Hollyday, col. Wm. Mackey, Benjamin F. Mackall, Thomas Richards, jr. George Davidson and J. S. H. Boyce, who, after retiring reported the following preamble and resolutions:

The citizens of Cecil county in this meeting assembled, are fully aroused to the importance of the present existing crisis in their affairs. They view this crisis as the incontrovertible evidence of a demand on the people of Maryland for their prompt and decisive action. Five years ago, when the last senate of the state was chosen, our treasury was overflowing, the condition of our state compared to what it is at present, eminently prosperous, and now the constitutional term of service of that senate has expired, we find that our finances have been improvidently squandered, our treasury reduced to the condition of bankruptcy, and our state placed upon the very brink of utter and hopeless ruin. The system of legislation which, since 1831, has been pursued and strenuously adhered to by the last senate, and which has strikingly characterized its proceedings as a legislative body, has not only been highly detrimental, peculiarly disastrous, and eminently injurious to the best and vital interest of the citizens of our state, but too often in violation of their just and constitutional rights as a republican people, and in derogation of those unalienable rights and privileges, which are ever fondly cherished by a free people, as inestimably dear. But the united voice of a great majority of the people of the state at the late electoral election, has proclaimed that the system of legislation pursued by the last senate, was altogether obnoxious to them, and in direct conflict with their views and their wishes. The voice of the people has also declared, that as freemen they can no longer quietly submit to the tyrannical government of an irresponsible and an aristocratic minority, but that they are determined to rise at once to the rescue of their republican rights and constitutional liberty. The majority of the people have declared, that even now, the rulers of our state must be changed, their rights as freemen respected, secured to them, and placed beyond the grasp of usurpers. By their votes at the late election, a vast majority of the people of the state have unequivocally pronounced the sentence of condemnation on the whole of the last sen-

nate, and on the majority of the house of delegates, for their unconstitutional and oppressive acts, have declared them wholly unworthy of public confidence, and have proclaimed that as representatives, they have forfeited and abused the trust reposed in them. For these legislators have by their acts subverted the fundamental and vested rights of property, accumulated by honest industry, and have rendered its tenure by the enactment of ex-post-facto laws unsafe and insecure. It is the will of a great majority of the people of Maryland, and by their votes they have so declared, that the supporters of the republican principles of government should be chosen to represent them in the next senate of the state. It is also the firm and determined wish of a large majority of the people that a state senate should be selected, who would promptly aid in the amendment and the reform of the glaring defects in our state constitution, who would fearlessly advocate the correction of all existing abuses in the judicial, the executive and the legislative branches of government, who would relieve the people from the unequal, the unjust, the unwarranted and the oppressive burdens placed upon them, and who would, by every constitutional and republican means, ameliorate their condition, and raise the political character of Maryland from its present state of degradation. And yet, notwithstanding these considerations, in consequence of the unequal apportionment of the members of the electoral college among the counties without reference to the population of each, a very small minority of the people (85,179) comprising but little more than one-fourth of our entire white population, have elected twenty-one senatorial electors, the majority of the electoral college, men of whom, from the political principles they are known to support, we can but feel a deep apprehension that they will heedlessly turn a deaf ear to the voice of the people, and select a senate who will rivet on us the chains of oppression, and perpetuate all the monstrous abuses now loudly denounced by a vast majority of the people, and who will strenuously oppose every salutary measure of that reform in our constitution and state government which is now imperatively demanded by the necessities of the people, and by every principle of republican justice.

And whereas, the state constitution in the 15th section, declares that the electors shall meet at Annapolis, and requires the presence of at least twenty-four members in the electoral college, for the election of the senate. Therefore, be it

Resolved, That the electors from this county be instructed, before entering the electoral college, to require a solemn pledge from the whig electors that no member of the last senate, and no member of the house of delegates who opposed the calling of a convention for the reform of our state constitution, be placed in the next senate of the state. That at least eight members of the new senate be chosen from among individuals entertaining the political principles which govern the great majority of the people of the state, and who have elected the nineteen republican electors; and that the senate be constituted of individuals who will promote a salutary and radical reform in our state constitution.

Resolved, That unless the pledge required by the preceding resolution be in good faith given, the electors from this county, be instructed not to enter the electoral college: Provided, the electors from the cities and the counties representing a majority (205,922) of the white population, will co-operate in the defeat of the election of a senate adverse and hostile to a liberal and judicious reform in our constitution and state government.

Resolved, That "we demand nothing which is not clearly right, and will submit to nothing that is wrong," and that the proceedings recommended in the above resolutions, are the only means by which the people can be preserved, for the next five years, from the worst of tyranny, that which is wielded by a small minority in a government constituted as our own.

The meeting having unanimously adopted the preamble and resolutions reported by the committee, on motion it was

Resolved, That the proceedings of this meeting be signed by the chairmen and secretary, and published in the Cecil Gazette, and the newspapers of the state favorable to reform. On motion, the meeting then adjourned.

ADAM WHANN, }
JOHN N. BLACK, } chairmen.
GEORGE H. JOYCE, secretary.

Next followed a meeting in Baltimore, the following account of which we copy

From the Baltimore Republican of Monday last. Agreeably to public notice, a meeting of the friends of state reform was held at monument square, on Saturday evening, September 17th. His

honor the mayor, general SAMUEL SMITH, was called to the chair, and the honorable BENJ. C. HOWARD and WM. KREBS, esq. were appointed vice presidents—and Henry Myers and Th. Parkin Scott, esqs. secretaries.

The following preamble and resolutions were introduced by Mr. Scott, and supported by general Howard, and unanimously adopted by one of the largest meetings ever held in this city:

Whereas, the people of Maryland have long been sensible of the oppression of the constitution of this state—and on various occasions, and by divers means have endeavored in vain to obtain a redress of their grievances through the legislative servants; and whereas, "forms of government are for the enjoyment of justice," and by the very construction of the existing constitution this enjoyment is denied to the people, inasmuch as the majority is deprived of an equitable representation in the law-making power—and entirely excluded from a voice in the selection of their chief law-executing agent; and whereas, by the effect of this as well as other mischievous features of the constitution, the majority of the people and their rights and interests are made subservient to the accidental power of an extreme minority.

And whereas, the evils growing out of the anti-republican constitution are made palpably manifest by the many and late acts of unconstitutional or ill judged legislation—by a deficient treasury—by increasing and burdensome taxation—by the partial administration of justice—and by an odious system of bargain and influence, whereby the citizens of Maryland are made uncertain as to the free and full enjoyment of their political rights, and the peace and prosperity of the people are placed in constant and painful jeopardy.

And whereas, it is now solemnly asserted, that by these results of the constitution, "*the ends of government is perverted*," and it is conscientiously believed from the experience of the past, "*that all other means of redress are ineffectual*," we therefore throw ourselves upon our sacred bill of rights, and in its language proclaim that the people may at any time, and in any manner they may deem most effectual—and, under the existing circumstances, that they "*of right ought to reform the old or establish a new government*"—and "*that the doctrine of non resistance against arbitrary power and oppression is absurd, slavish and destructive of the good and happiness of mankind*:"

And whereas, the 15th section of the constitution declares that *no senate can be formed unless twenty-four electors agree to meet for the appointment of the members of which it is to consist:*

And whereas, the late election for such senatorial electors has proved, that 19 electors, who are a minority in the electoral college, represent 205,922 of the white population of this state—and that 21 electors who are a majority in that college represent only 85,179 of the same population—thus affording the incontestible evidence that the objects for which the majority of the people elected their agents, may be entirely subverted by but little over one-fourth of the white population:

And whereas, all past efforts have evidenced how utterly hopeless will be any future exertion by the same means to obtain redress of these grievances from the legislature; and whereas, the power is with the present electors to produce a reform of this and other outrages upon the people's rights and privileges, either by obtaining a senate friendly to reform, together with a majority, at least, in that senate who may immediately represent the majority of the voters as shewn by the late election—or upon refusal of this equitable demand then in a peaceful manner to bring about the desired result—by withdrawing from the college.

Therefore, resolved, That we heartily respond in letter and spirit to the proceedings of the friends of reform adopted in Frederick on Saturday, September 10th, and in Elkton, (Cecil), on Thursday, the 15th instant.

Resolved, That the elector of senate from this city be and he is hereby instructed to concur with the members of the electoral college favorable to a reform of the constitution of Maryland, and that if a reform senate as specified in the preamble cannot be obtained, that he refuse to meet the college, provided that the electors from other counties and cities, having a majority of the white population of the state therein, will co-operate with him to defeat the election of a senate hostile to a reform of the constitution, to the extent above detailed.

Resolved, That we most warmly adopt the sentiment of our friends in Cecil, that "*we demand nothing which is not clearly right, and will submit to nothing that is wrong*," and that the proceedings recommended in the above resolutions, are the only means by which the people can be preserved, for the next five years, from the worst of tyranny, that

which is wielded by a small minority in a government constituted as our own.

SAMUEL SMITH, chairman.
BENJ. C. HOWARD, } vice presidents.
WM. KREBS, }
Henry Myers, } secretaries.
Th. Parkin Scott, }

On Monday last the whole body of electors was in Annapolis, when the twenty-one electors chosen by the Whigs proceeded to the State house and were qualified. The nineteen Van Buren electors failed to attend. The Annapolis Republican of Tuesday last says—"It was understood, out of doors, that they held a private session at the City hotel—and report adds, that a deputation had attempted to approach, at first, some member individually, and afterwards the attending electors, with propositions, which however were returned unopened in the first case, and their reception were declined in the second case."

The following account of the proceedings of the electors who had qualified, is also copied from the "Republican" of Tuesday.

The electoral college.

Yesterday being the day designated by the constitution and form of government of the state of Maryland for the electors of the senate to meet, for the purpose of choosing fifteen senators for the ensuing five years, at 12 o'clock, M. a number having assembled in the senate chamber for that purpose,

On motion of col. Merrick, of Charles county, the clerk of the senate proceeded to call over the following roll of members returned, when those to whose names we have attached asterisks (*) answered to their names—and,

On motion of Mr. Brawner, of Charles county, the electors present proceeded to qualify, by taking the oath prescribed by the constitution, and by affixing their names thereto.

There being but twenty-one members present, and it being understood that ALL the members elect were in the city, the attending members remained in session until 3 o'clock, hoping that the absent members would attend. The hour having elapsed,

On motion of Mr. Pratt, The college took a recess until FIVE O'CLOCK, at which hour they again assembled.

On the roll being again called, the same members only appeared and answered to their names. After remaining in session some hours they adjourned to meet this morning at 9 o'clock.

St. Mary's county—George S. Leigh,* Benedict I. Heard.*

Kent county—George Vickers,* James P. Gale,* Anne Arundel county—John S. Sellman, Wesley Linthicum.

Calvert county—James Kent,* James A. D. Dalrymple.*

Charles county—Henry Brawner,* William D. Merrick.*

Baltimore county—Dr. Ephraim Bell, George Ellicott.

Talbot county—Gen. Solomon Dickinson,* George Dudley.*

Somerset county—Dr. Williams,* Samuel J. K. Handy,*

Dorchester county—William W. Lake,* Thomas H. Hicks.*

Cecil county—John Evans, George A. Thomas.

Prince George's county—George W. Duvall,* Thomas G. Pratt.*

Annapolis city—Sprigg Harwood.

Queen Ann's county—Dr. Enoch George, John B. Thomas.

Worcester county—Thomas A. Spence,* Henry Franklin.*

Frederick county—Caspar Quynn, John Fisher.

Harford county—Thomas Hope, Samuel Sutton.

Caroline county—Robert T. Keene, Marcey Fountain.

Baltimore city—Joshua Vansant.

Washington county—Robt. Wason, Chas. Magill.

Montgomery county—Ephraim Gaither,* Dr. Washington Duvall.

Alleghany county—Richard Beall,* Andrew Bruce.*

On Wednesday last the Van Buren electors (with the exception of Mr. Sellman of Anne Arundel county who is unwell) left Annapolis for their homes—and on Friday, the following address to the people of the state, and copies of letters addressed to the majority, appeared in the Baltimore Republican:

TO THE PEOPLE OF MARYLAND.

Impelled by a deep and solemn sense of duty to acquiesce in the necessity which imperiously required a surrender into your hands of the high trust committed to us—it becomes us to submit fully and frankly the considerations by which our

conduct has been influenced. It is well known that, in those counties and cities which we represent, the great body of the people are unchangeably riveted in the conviction, that the government of this state is based and administered upon unjust and anti-republican principles, and that similar views are entertained by respectable numbers of our fellow citizens residing in other parts of the state. That such an opinion is well founded, seems scarcely to admit of controversy. By the existing government, the governor and members of the senate are not elected directly, as they ought to be, by the people; and many public officers who ought to be subjected to the control of those whose trustees they are, hold their respective offices, contrary to sound political principle, by a tenure for life.

In the formation of both branches of the legislative political power is apportioned arbitrarily without regard to any principle of moral or political justice, our representation in the electoral college and house of delegates, is not based upon population, nor territory nor a mixture of both. But every acknowledged and just foundation is disregarded, and an arbitrary rule substituted, by which the majority is allowed fewer representatives than the minority: thus inverting the first principles of a free government, and rendering the majority's inalienable rights of personal liberty, personal security and personal property, subject to the operation of laws, in the enactment of which, they are not permitted an equal participation.

Whatever may have been the views or principles with reference to which the government of Maryland was instituted, it is perfectly manifest that its practical operation carries out and enforces, to a most odious extent, the minority's right to rule. It pervades the whole compact and enters into the constitution of each department of the government.

By the organization of the legislative powers, the counties of Kent and Calvert, with a population of 19,401, are allowed as many representatives in the senatorial electoral college and the house of delegates as the counties of Frederick and Washington with a population of 71,056, and Kent and Calvert, each, have double the number of delegates allowed to the city of Baltimore with a population of 80,625.

The executive department is the creature of the legislature, being elected thereby, the judicial and most of the civil officers receive their appointment from the executive; so that the minority of one-fourth of the people having the right to elect a majority of the members of the legislature, controls all the departments of the government. This minority not only rules and governs in the enactment of the laws, but likewise in the appointment of those by whom they are to be expounded, administered and enforced. Can a government thus organized, be termed republican! The tenure of the rights and immunities of the majority is thus held at the will of so small a minority, that it cannot be expected, such flagrant injustice will be forever endured. We do not believe that any respectable portion of our fellow citizens, who will, without prejudice, calmly contemplate this gross inequality of political rights, can desire to perpetuate it. We have too much confidence in the high sense of justice, the virtue and patriotism of the people of Maryland to believe that they will, when well informed as to the extent of the evils we have attempted to arrest, condemn the measure which has been adopted for that purpose.

It is true, the powers of our constitution, foreseeing that amendments would become necessary, in that instrument, have authorized the legislature to correct all the evils of which the people of Maryland justly complain. And it may be asked, why have we undertaken to arrest the formation of one branch of that body with which the power is entrusted. To such an enquiry a satisfactory answer may be readily given. The present constitution was formed in 1776, and at that time the representatives in the house of delegates and in the electoral college were apportioned amongst the several counties and cities in proportion to their population as nearly as that could be done. Our fathers, then, recognized freely the binding force of that great principle that all freemen have an inalienable right to enjoy equal rights in the choice of their governors. Anticipating those changes which have occurred in the condition and location of the population of the state, those who established our constitution gave power to the legislative department to incorporate those amendments therein, which experience and time might make expedient and just.—We must say, and all candid men will express, that this solemn trust has not been faithfully exercised. Year after year, repeated, earnest petitions have been presented to the legislature, asking, praying, and at last, demanding a redress of those gross

grievances of which the majority of the people have long complained. These petitions and memorials have been again and again rejected. The minority, who rule, have persisted for near half a century to disregard the just demands of the majority who are governed. What then was to be done?—Were the republican yeomanry of Maryland to be doomed to endure the galling yoke of political bondage which has so long pressed heavily on them, and is felt to be more insufferable because the freedom of almost every state in the union delight in the enjoyment of equal and equitable political principles. Tame submission was not to be thought of with the least patience, and the undersigned proceeded to examine, with anxious solicitude, the extent and nature of the power entrusted to them, to discover a mode in which it could be peaceably and honorably exercised so as to provide an effectual remedy. We preferred that an arrangement should be made with our colleagues in the electoral college by which the rights of our constituents could be secured, and the honor and prosperity of the whole people of the state be promoted. The nature of that arrangement and the cause of its failure is disclosed in the accompanying correspondence. The first letter proposed an equitable apportionment of the members of the senate amongst the several counties and cities. It was on the day of its date, delivered by our chairman and secretary, to one of the electors to whom it was addressed, who was in the senate chamber at the time, in company with others of the 21 members of the college, with whom we desired to open a communication at an early day.

After retaining it a few minutes it was returned to our chairman by the same gentlemen, who alleged that no communication of that character could be received, until the college had been constitutionally organized.

This proceeding we could but consider unreasonable. We were known to be electors of senate and felt fully authorized to correspond with our colleagues touching the discharge of our duties, before or after the vote of office had been taken. In pursuance of this opinion, another letter was sent to the same gentlemen, through the same channel, and again a refusal to hold a correspondence was the reply. Unavailable efforts were also made, informally, by several of the undersigned, to personal applications to other of the 21 electors, to open a correspondence.

Being convinced by these repeated refusals that no senate could be formed, disposed to respond to the known wishes of our constituents, the high power reposed in us is respectfully returned to the people to whom it belongs legitimately, and by whom we are confident it will be exerted so as to secure to them and their posterity, no matter on what part of the soil of Maryland they may be located, those dear inalienable rights of man for which our fathers fought and bled. We have declined to participate in the election of a senate in the full expectation that the people of Maryland, in convention assembled, can and will provide for the election of that branch of their legislature, more wisely than we could have done, and at the same time, organize anew their whole government, subjecting all its functionaries to their sovereign will, and laying its foundations on the immutable principles of liberty, equality and justice.

We are fully sensible that an acquiescence on our part, in the purposes of our colleagues, would not have left without power to redress their wrongs, those whom we represent. We might have qualified, and thereby have afforded to those 21 gentlemen an opportunity, in conformity with the letter of the constitution, to elect a senate, and this too, they would probably have done, although they are the representatives of but 85,179 of the free inhabitants of the state, while three of the undersigned alone have been chosen by 98,419 free inhabitants, and received more votes at the polls than were given to those who claim the right, and were prepared to exercise it, to make one branch of the legislature—a body constituted for, and clothed with power to check and control all the operations of the entire government. Still, if this had been done, the people of Maryland would not have been absolutely without means of redress. The framers of our constitution have expressly reserved to them, in our bill of rights, the power “to reform the old, or establish a new form of government.” But this authority, by the same instrument, is declared to exist only “whenever the ends of government are perverted, and public liberty manifestly endangered, and all other means of redress are ineffectual.” It is manifestly a revolutionary remedy, inherent in all communities, and of which one generation of men cannot deprive those who are to succeed them. And it is obviously a violent mode of redress, not to be thought of until all others have

been ineffectually tried. Unwilling that evils and inequalities, oppression and injustice, should be piled, like Ossa on Olympus, on the people until sufferance would no longer be esteemed a virtue, we have taken the responsibility to exert all the power with which you had clothed us, to insure the permanent peace at the same time that we hope to have provided the means to perpetuate equal laws and equal privileges to the whole of the state, with whose destinies we are all deeply identified. The means used are neither violent nor unconstitutional.

To three-fifths of the electoral college, the constitution has given the power to form the entire senate of the state. It so happens that those who desire to perpetuate the rule of a party in Maryland, who, it is well ascertained, have forfeited public confidence, do not constitute the number of electors required. The same constitution has secured expressly to seventeen of our members, power to defeat the consummation of this purpose. This provision in that instrument was designed for the protection of the minority. If then, we were the representatives of that minority, the power to adopt the course which has been pursued, would not be denied, although this propriety might, under such circumstances, be questioned. But standing as we do, in relation to the people of Maryland, will it not be granted by all liberal, unprejudiced and enlightened republicans that our conduct, under most delicate and trying circumstances, has been prudent—and may we not, without presumption, add, patriotic.

No political principles are better established than that all public functionaries are but trustees for the benefit of those by whom they have been appointed. And it is equally undeniable that all depositories of political power are bound to surrender it to those from whom it was derived whenever it cannot be exercised for their benefit. These elementary principles have been so often sanctioned—we might say without irreverence, sanctified by the conduct of public functionaries in the country, that instances need not be adduced to show that we have not acted without numerous precedents to justify us. Senators of the United States, governor of states, legislators, judges and other officers, or trustees of the people, have repeatedly, when made sensible that they could no longer exercise advantageously the authority with which they were clothed, returned it to the great fountain of all legitimate authority to be again deposited in other hands. Resignations, surrenders of power in instances, such as we have adverted to have produced no shock, have afforded no pretexts for political panics. On the contrary, they have been hailed by the democracy of the whole country as proof, incontestible of admitted sovereignty of the people, of the patriotism of their agents, and of that firmness and durability which is fondly claimed for our republican institutions by all who would not, if opportunity offered, be aristocrats in practice, though they are republicans in profession.

Not only have individual public officers surrendered authority entrusted to them, but whole legislative bodies have done likewise. In few if any of the state constitutions formed in this country after the revolution, was there authority expressly given to the legislature to pass a law calling a convention to new model and amend them. And yet, who does not know that Maryland, alone, of the old thirteen states, has never had the benefit of a convention to impart new life and restore youthful vigor to its institutions. These conventions were assembled in pursuance of a law passed by the several state legislatures. And whence, we ask, did such laws derive this binding force and obligation? Certainly not from the words of the constitution. But undoubtedly their validity, justice and propriety had its origin in the belief of the legislators, that the time had arrived when it became their duty to surrender to the people all power necessary to reorganize this defective government. Why, we ask, should senators, governors, judges and whole legislatures be commended for a surrender of power which they believed could no longer be rightfully and beneficially exerted by them, and we be condemned for refusing to afford to others the opportunity to form a most important branch of our legislature, when we felt, and now feel, a deep and abiding conviction, that “the will and wishes, the rights and interests, of our constituents would be trampled upon and violated by our consent to be present at the unholy sacrifice. We do not anticipate that such an inconsistent judgment will be rendered by that great and just tribunal to which we appeal. Truth is omnipotent and public justice certain.

It does not become us to prescribe the manner in which the vast power now tendered to the people of Maryland, shall be exercised. We cannot, however, conclude without expressing an earnest con-

viction that there is no cause for the least apprehension or alarm, or even anxiety, as to the security of all our personal rights and civil privileges. It will be admitted that resignation of all the members of a state legislature could not endanger public liberty or private property. Such an event would only make necessary a convention to reconstruct that department of the government. With what propriety then can the alarmists (the panic makers) contend that “we are in the midst of a revolution, bloodless as yet?” True, the state senate has not been organized, but the process is very simple by which that defect in our institutions can be remedied. If we could be permitted to do so, we would most humbly and respectfully recommend to our fellow citizens throughout the state, to proceed forthwith, to elect on the first Monday of November next, six delegates from each county and city, to meet in convention at Annapolis, on the third Monday of the same month, clothed with full powers to extend the authority of all civil and military officers now in commission, until a convention hereafter to be chosen, can be convened to amend the old or form an entire new government for the people of Maryland.

By such a prompt movement on the part of the people, all apprehension would be quieted and the panic avoided which may possibly be attempted by individuals whose deep personal interest in the present form of government, renders them incapable of appreciating the great and inestimable advantages, to be derived from a reorganization of our system, and the substitution of wholesome democratic features, for its present odious aristocratic ones. For ourselves, we cannot indulge the hope of escape from censure, by some of those whose possession of power may be disturbed or expectation of office disappointed, by the course which a fervent and conscientious devotion to the public interest, constrained us to elect. It is natural that it should be so. Man's perception and acknowledgment of rights which do not accord with the tenure by which he enjoys power, are generally slow and reluctant.

This must always constitute an impediment even to the most necessary reform of existing institutions. It was the greatest obstacle which the present constitution of the United States had to encounter, “the interests of a certain class of men to resist all changes which might hazard a diminution of the power, emolument and consequences of the offices thus held under existing establishments.” We trust, however, that there are but few, very few, indeed, who are not willing to surrender upon the holy altar of disinterested patriotism, power and office, with all their allurements when the public weal demands it: and that instead of becoming alarmists, they will unite and co-operate with their fellow citizens in providing such amendments as shall plant our institutions upon the deepest and most enduring foundation, the affections of the people. This can only be done by making them just and equitable—diffusing equally their burdens and benefits.

Let but our fellow citizens put aboard our ship of state, pilots of tried skill and integrity, men who know how

To steer the bounding bark with steady toil,
When the waves thicken and the billows boil,
And the gallant vessel will soon be permanently
And securely moored in a harbor of peaceful and
abounding prosperity.

We are yours, fellow citizens,

CHAS. MAGILL,
ROBERT WASON,
CASPER QUINN,
JOHN FISHER,
GEORGE ELLICOTT,
EPHRAIM BELL,
JOSHUA VANSANT,
JOHN EVANS,
GEO. A. THOMAS,
SAM'L SUTTON,
WASH'N DUVALL,
ROB. T. KEENE,
M. FOUNTAIN,
ENOCH GEORGE,
JOHN B. THOMAS,
SPRIGG HARWOOD,
THOS. HOPE,
WESLEY LINTHICUM,
JOHN S. SELLMAN,

Annapolis, Sept. 19th, 1836.

GENTLEMEN: It is a duty which we owe to our constituents, that before we take our seats in the college of electors of the senate of this state, we should have a distinct and positive understanding, as to the course to be pursued by that body.

You are apprised that a crisis has occurred, when neither of the political parties of the state have elected electors, having the constitutional power to

form a senate. Of the nineteen counties and two cities, into which the state is divided, we represent the two cities and eight of the counties, having a white population of 205,922, and federal numbers 267,669. You represent ten of the counties, having a white population of 85,170, and federal numbers 138,252; and the vote of the remaining county is divided. Of the electoral body we are nineteen in number, while you are twenty-one. But, although you are a majority (the smallest possible) of the college, it is to be recollected that we represent nearly three-fourths of the free white population, and two-thirds of the federal numbers of the state, and very much the largest portion of its territorial extent and wealth; we shall therefore expect that you will concede to us the nomination of eight members of the senate to be chosen, and that you will vote for the persons whom we may nominate to the college, although they may be favorable to a convention to revise and amend the constitution of the state, if in all other respect, in your opinion, well qualified. The counties and cities we represent ought to have, upon any political principle which governs the appointment of members of a legislature, a majority of the senate to be formed, greater than that which is sought to be obtained. To force upon them, then, being the majority of the people, an entire senate against their will, would be unjust and anti-republican; and we, their agents, cannot participate in such a violation of their rights as freemen; neither can we become passive members of the electoral college, and thereby enable you to select for the people we have the honor to represent, senators residing in the districts from which we come. The people of those counties and cities have elected us to make choice of their senators, presuming that we who reside among them are better qualified than strangers can be, to choose those who know their rights and interests, and will protect them. If our constituents are to be subjected to a senate opposed to their will, it would be an aggravation of the evils they will be compelled to endure to have some of the members of that body taken from the midst of communities whose confidence they do not enjoy, and whose wants and wishes they are not willing cheerfully to gratify. From these considerations we feel compelled to take the position above assumed. Moreover, our constituents, who desire to see radical changes made in their present constitution, have a right to expect that we will not fail to exert all the powers reposed in us under our form of government to make the institutions of the state more republican and conformable to the will of those for whose happiness and safety they were designed.

The friends of reform in Maryland have sought repeatedly to obtain from the legislature, by an exertion of the powers confided to that body by the fifty-ninth section of the constitution, such amendments of that instrument as are indispensable, and it is with regret we say that all of their applications were in vain, and indeed it may be said, they were not even treated with that respectful deference to which the remonstrances of a large majority of the people are justly entitled. It would be needless for us here to spread out in detail, the several applications for reform which have been made.

You know the history of many petitions which have been presented to the legislature; and we have felt the manner of their rejection. Each instance is fresh in the recollection of our constituents, and they believe as we do, that no redress of grievances can be had through the ordinary form which the framers of our constitution provided. Under this solemn consideration, we have determined not to be willingly instrumental in perpetuating institutions that work such bitter injustice, and if, gentlemen, you will give us your pledge of honor to accede to our proposal, and give to the majority of the people a majority of one branch of the legislature to protect from future violations their rights and privileges, it will afford us great pleasure to meet you in the electoral college to-day. Should, however, your views as to our relative rights and duties not accord with ours, we shall most deeply regret it, and be compelled by a high and holy sense of duty to our constituents and to the whole state, not to meet you in college, and thereby we shall entirely avoid the odious responsibility of assisting to form a senate obnoxious to the people we represent.

We are aware that your rejection of this proposition, and the state of things which may grow out of it, will give some alarm to the timorous. But upon the most calm and deliberate examination of the whole subject in all its bearings, we can discover none of those causes for deep and lasting excitement which endanger the peace and good order of the community, if the legislative functions of the government should cease for a season, that will be found to arise, should we assist to organize a senate, which would perpetuate, possibly, all existing evils,

and secure for five years, at least, that oppressive dominion, of a small minority over the majority, which has been so long reluctantly endured by the people of Maryland. We perceive no cause for apprehension and alarm in the temporary suspension of the powers of the senate. Thereby, the whole constitution would not be abrogated. The governor would remain in office long enough to afford time to form a new constitution, and perform the functions of the executive department.

The judiciary and the officers connected with the courts would experience no interruption of their powers, and all the officers who derive their appointments annually from the executive are empowered under the forty-ninth article of the constitution, to hold their offices until they are superseded by the appointment of others.

The laws, therefore, would be administered—civil rights and private property protected, and the peace of the community preserved, by all the means now employed for that purpose. In the mean time the powers which have been delegated to us, will revert to the people, in whose integrity, virtue, patriotism and intelligence, we have the most entire confidence; and we doubt not but that they, guided by the spirit that animated our fathers in seventy-six, will provide for every exigency that may arise. Before any inconvenience can be experienced, the sovereign power of the people of Maryland will be employed, by means of a convention to reform our constitution, so as not to justify a recurrence of a similar contingency by basing all its departments on sound republican principles, so as to secure equality of political rights, and a just responsibility in all public officers to popular will.

To prevent misapprehensions, we have submitted our propositions in writing, and its manifest justice gives us every reason to expect that you will yield to it a ready assent. We hope you do not desire to leave the state without a senate, unless you are permitted to select all its members—as well for counties you represent as those counties and cities represented by us. Nor can we believe that you will ask us to join you in the electoral college, and be passive spectators of your proceedings, merely to witness the degradation of our constituents by your choice of a senate for 205,922 people, whose representatives you are not. We ask only what we think is right, and are determined to submit to nothing that is wrong. To our propositions we respectfully ask an answer at your earliest convenience.

And whatever may be your response, we cannot, doubt your concurrence with us in the perfect conviction of the competency of the people to accept a surrender of the legislative functions of the government, and that deeply imbued with the spirit of patriotism and justice, and guided by the lights of experience they will, through the instrumentality of a convention, so adjust and apportion them as to secure the inestimable blessings of a republican government. We are, very respectfully, gentlemen, yours &c.

CHARLES MAGILL,
ROBERT WASON,
CASPER QUINN,
JOHN FISHER,
JOSHUA VANSANT,
THOMAS HOPE,
SAMUEL SUTTON,
JOHN EVANS,
GEORGE A. THOMAS,
G. ELLICOTT,
EPHRAIM BELL,
ROBERT T. KEENE,
ENOCH GEORGE,
M. FOUNTAIN,
JOHN B. THOMAS,
SPRIGG HARWOOD,
JOHN S. SELLMAN,
WESLEY LINTHICUM,
WASHINGTON DUVALL.

To Messrs. Heard, Leigh, Vickers, Gale, Gaither, Kent, Dalrymple, Williams, Handy, Spence, Franklin, Dickinson, Dudley, Hicks, Lake, Pratt, Duvall, Merrick, Brawner, Bruce and Beal.

Annapolis, September 19th, 1836, P. M.

GENTLEMEN: We are anxious to elect a senate, and for the promotion of this object, we sent certain propositions to you, for your consideration, and selected colonel Heard as the organ of communication, knowing him to be an old member of the legislature, and an elector returned for the county of St. Mary's, which is always first called from priority. Col. Heard returned this paper stating that he had no authority to act, and therefore declined presenting it to his political associates. We have therefore to request of you, whether you will receive any communication from us—and to indicate

the manner in which you would prefer to receive communications from us. We are gentlemen, very respectfully yours, &c.

CHARLES MAGILL,
ROBERT WASON,
CASPER QUINN,
JOHN FISHER,
G. ELLICOTT,
EPHRAIM BELL,
JOSHUA VANSANT,
SPRIGG HARWOOD,
THOMAS HOPE,
SAMUEL SUTTON,
ROBERT T. KEENE,
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JOHN EVANS,
GEORGE A. THOMAS,
WASHINGTON DUVALL,
JOHN B. THOMAS,
ENOCH GEORGE,
JOHN S. SELLMAN,
WESLEY LINTHICUM.

To Messrs. Heard, Leigh, Vickers, Gale, Gaither, Kent, Dalrymple, Williams, Handy, Spence, Franklin, Dickinson, Dudley, Hicks, Lake, Pratt, Duvall, Merrick, Brawner, Bruce and Beal.

Annapolis, September 21, 1836.

At one o'clock, P. M. the democratic republican members of the electoral college again assembled, when Charles Magill, of Washington county, resumed the chair, and George A. Thomas, of Cecil, acted as secretary, whereupon the following proceedings were had.

Contrary to our reasonable hopes and expectations, the other electors having refused even to receive or reply to the propositions which we have thought proper to submit, formally and informally, in letters addressed to all of them, and in conversations held by individual members of this meeting, with individual members of the other branch of the electoral college, and the other electors having, moreover, made to us, or to any one us, no propositions whatever, calculated to restore to the people of Maryland, through the medium of the legislature, the right to revise and amend the constitution; and this meeting being fully convinced that we have no alternative left but to adjourn, or to submit to the selection of a senate opposed to those reforms, both of the constitution and of the administration of the government of the state, which our constituents desire to see accomplished—Therefore Resolved, That this meeting do now adjourn.

CHARLES MAGILL, *president*.
GEORGE A. THOMAS, *secretary*.

FROM THE ARMY—OFFICIAL.

Head quarters, army of the south,
Montgomery, Ala. Sept. 5, 1836.

SIR: I came hither to-day to examine into the state of the supplies on hand, and of selecting and forwarding such as may be spared from the service in this country, for the use of the troops destined for Florida.

On my way to this place I passed Wetumka, where there are about three thousand Indians, who are to cross the Coosa to-day, and take up their line of march westward. Ho-poe-thle Yo-ho-lo, whose departure I reported a few days ago, is on his way to the west, with two thousand three hundred of his band; about four thousand will move in a day or two from Talladega, if they have not moved already; and I hope to have the whole nation in motion by the 20th, except the families of some of the warriors who go to Florida, whom I have consented to allow to remain until the warriors return.

Being able to dispense with the services of the Tennessee volunteers, I directed brig. gen. Armstrong several days ago to proceed with them to Florida, by easy marches. I this day ordered the regular troops to concentrate at Fort Mitchell and Irwinton; they are dispersed generally in single companies, from Irwinton to Tallassee, a distance of a hundred and twenty miles; they will be pushed on to Florida about the 20th; and I hope to send, under captain Lane, from six hundred to a thousand Indian warriors. This force, if the Seminoles can be found, should put an end to the war there in all October. I have the honor to be, sir, your obedient servant,

TH. S. JESUP,

Maj. gen. com.

The hon. Lewis Cass, secretary of war, Washington city.

GENERAL ORDER, NO. 61.

Head quarters of the army, adj. gen'l's office,
Washington, Sept. 16, 1836.

I. The major general commanding-in-chief has received the official account of the attack made on

the 21st of August, by major Pierce, of the 1st regiment of artillery, on a large body of Indians collected at the site of old Fort Drane, in which, with a force of only 110 men, he completely surprised and routed about 300 warriors, and killed and wounded a considerable number of them.

II. The conduct of the officers and men engaged in this enterprise, like those who attacked a superior force at Micanopy, under the gallant and much lamented lieutenant colonel Heileman, is deserving of the highest praise.

III. It is with much satisfaction that the major general recurs to the conduct, on all occasions, of the troops of the regular army, who have been serving in Florida, against the Seminoles. Whenever they have had an opportunity of meeting the enemy they have acted with a spirit of gallantry worthy of a nobler field; and the major general cannot, without deep sensibility, contemplate the sacrifices and sufferings which they have experienced in the arduous duties imposed on them; all which they have borne with a fortitude and submission to discipline that reflects honor on the character of the American army, and entitles them to the approbation and regard of their government and country.

By order of ALEXANDER MACOMB, major general commanding-in-chief. S. COOPER,
Act. adj. gen

The editor of the Norfolk Beacon received by the southern mail, the following important "order," which was copied from the manuscript by a friend in Columbus, and forwarded forthwith.

ORDER, NO. 83.
Head quarters, army of the south,
Tuskegee, Alab. 8th Sept. 1836.

The major general commanding has the satisfaction to announce to the army the entire cessation of hostilities, and the movement westward of the principal part of the Creek nation. He congratulates both officers and soldiers, on the complete success which has attended their operations throughout the campaign. More than 2,000 hostile Indians, among them upwards of 700 warriors, were captured by the Alabama troops and friendly Indians—all of whom have been removed to Arkansas, or are in the custody of the civil authorities, waiting their trial for offences against the laws of Georgia and Alabama.

Several hundred Indians who had escaped from Echo Hado's camp, in this neighborhood, and attempted to force their way into Florida, were attacked in the most gallant manner by the Georgia troops, and, with few exceptions, were destroyed, captured or driven back to their swamps.

The greater part of the Georgia and Alabama troops, called out for three months, have already been discharged—those that remain in service, with the exception of major Nelson's battalion and capt. Hentz's company of Georgia volunteers, will be mustered, honorably discharged, and paid as soon as arrangements for that purpose can be made.

The services of general officers of volunteers being no longer required, major general Sanford and the officers of his staff, of Georgia, and major general Patterson and brigadier general Moore, with the officers of their respective staffs, of Alabama, are hereby honorably discharged. In separating officially from those gentlemen, and the officers and troops that compose their commands, the major general would do injustice to his own feelings were he to omit the expression of the high sense which he entertains for their good conduct and soldiery deportment. They have his entire approbation and deserve that of their country.

The Tennessee brigade, under brigadier general Armstrong, deserve the highest commendation for the prompt and effective manner in which they have performed the duties that devolved on them while they were detained in the Creek country.—They are now on their march to Florida, where a determined and active enemy awaits them. The same promptness and attention to duty which distinguished them here, will ensure them victory there.

The regular troops, except major M'Intosh's company, will proceed to Florida in the course of this month or early in October.

The order, discipline and good conduct which they have displayed throughout this campaign, and the readiness with which every duty has been performed by officers and soldiers, do them the highest honor.

The marines will be necessarily detained some time longer in this country. Both officers and men have acted in the best manner, and have performed every duty which has devolved upon them with a promptness and correctness creditable to

themselves and characteristic of the corps. The gallantry which prompted them to volunteer for service in the field, will be long remembered by the army, and by none more gratefully than by the major general commanding.

By order of major general JESSE:
HENRY STAUNTON,
Lieut. colonel and adj't gen. army of the south.

NAVY DEPARTMENT.

Extract of a letter from master commandant Thomas T. Webb, commander of the United States sloop of war Vandalia, to commodore A. J. Dallas, and transmitted by him to the secretary of the navy, dated

"U. S. ship Vandalia, Pensacola bay, Aug. 24, 1836.

"Sir: I have the honor to report the arrival this day of the U. S. sloop of war Vandalia, under my command.

"In obedience to your instructions of 7th May, 1836, I proceeded to the port of Havana, and after communicating with our consul and filling up my water, left that city for the cape and port of St. Nicholas Mole, at which place I arrived on the 15th June; not finding there any agent of the U. States, or other public officer from whom I could obtain information in regard to the object of my cruise, I left that anchorage, and arrived at Port au Prince on the evening of the 21st, at which place I was informed by the American consul that every thing was in a quiet and undisturbed state, though fears were apprehended of piratical depredations from the new arrangement made by the Haytian government, compelling foreign produce to pay duties in foreign coin. That arrangement is not as yet generally known; and it is feared that, when it is well understood that American vessels bound to Hayti carry with them specie for the payment of duties, much injury will result to the persons and commerce of our countrymen.

"Having obtained all the information I could at Port au Prince, I left that anchorage on the 28th for La Guayra and Porto Cabello. At the former port I arrived on 29th July, and the latter on the 1st August; and ascertaining that the most profound tranquillity pervaded the whole country, and the commerce and citizens of the United States undisturbed, and protected by the authorities, I left Porto Cabello on the 2d August, direct for Pensacola."

Consulate of the U. S. Havana, May 19, 1836.

Sir: I have the honor to acknowledge the receipt yesterday afternoon of your favor of that date, apprising me of your arrival at this port, and of the purposes of your visit; and it gives me pleasure to state that within my knowledge no circumstances exist in this quarter calling for the intervention of a vessel of war. I am, sir, very respectfully, your obedient servant,

(Signed) N. P. TRIST.

U. S. consulate, La Guayra, July 29, 1836.

Sir: I have the honor to acknowledge the receipt of your letter of this date, and beg leave to congratulate you on your arrival, particularly as I consider it of great importance to our commercial interests that our national flag should occasionally be displayed in this port.

Our commercial relations with Venezuela are on the best footing, every facility being afforded by the local and general authorities we can desire.

The present political state of Venezuela is that of profound tranquillity, the country rapidly recovering from the direful effects of the late revolution.

I have every reason to believe, from the general good understanding existing at present, that no difficulty can possibly arise to the citizens of the United States in the prosecution of their lawful commerce.

Offering you my best services, I am, sir, with consideration, your obedient servant,

(Signed) BENJ. RENSCHAW, U. S. consul.
Thos. T. Webb, esq. commander U. S. ship Vandalia, La Guayra roads.

THE BOSTON SLAVE CASE.

From the Boston Commercial Gazette, of 15th inst.

OPINION OF THE CHIEF JUSTICE.

We are this day enabled to present to the public the very interesting and authentic opinion of the supreme judicial court of Massachusetts, on a slave case recently adjudicated. The opinion was pronounced by Mr. Chief Justice Shaw, and we are authorised to add, that it was unanimously concurred in by the four judges. It therefore settles the question as to slaves voluntarily brought into this state by their owners, and as such, will be read with great interest. Whatever may have been the impressions of individuals on this question the com-

munity will yield implicit assent to the opinion of the learned court.

Commonwealth vs. Thomas Aves,
August 27, 1836.

The question now before the court arises upon a return to *habeas corpus*, originally issued in vacation, by Mr. Justice Wilde, for the purpose of bringing up the person of a colored child named Med, and instituting a legal inquiry into the fact of her detention, and the causes for which she was detained. By the provisions of the revised code, the practice upon *habeas corpus* is somewhat altered. In case the party complaining, or in behalf of whom complaint is made, on the ground of unlawful imprisonment, is not in the custody of an officer, as of a sheriff or deputy, or corresponding officer of the United States, the writ is directed to the sheriff, requiring him or his deputy to take the body of the person thus complaining, or in behalf of whom complaint is thus made, and have him before the court or magistrate issuing the writ, and to summon the party alleged to have or claim the custody of such person, to appear at the same time, and show the cause of the detention. The person thus summoned is to make a statement under oath, setting forth all the facts fully and particularly; and in case he claims the custody of such party, the grounds of such claim must be fully set forth. This statement is in the nature of a return to the writ, as made under the former practice, and will usually present the material facts upon which the questions arise. Such returns, however, is not conclusive of the facts stated in it, but the court is to proceed and inquire into all the alleged causes of detention, and decide upon them in a summary manner. But the court may, if the occasion require it, adjourn the examination, and in the mean time bail the party, or commit him to a general or special custody, as the age, health, sex and other circumstances of the case may require. It is further provided that when the writ is issued by one judge of the court in vacation, and in the meantime, before a final decision, the court shall meet in the same county, the proceedings may be adjourned into the court, and there be conducted to a final issue, in the same manner as if they had been originally commenced by a writ issued from the court. I have stated these provisions the more minutely, because there have been as yet but few proceedings under the revised statutes, and the practice is yet to be established.

Upon the return of this writ before Mr. Justice Wilde, a statement was made by Mr. Aves, the respondent; the case was then postponed. It has since been fully and very ably argued before all the judges, and is now transferred to and entered in court, and stands here for judgment, in the same manner as if the writ had been originally returnable in court.

The return of Mr. Aves states that he has the body of the colored child described in his custody, and produces her. It further states that Samuel Slater, a merchant, citizen and resident in the city of New Orleans and state of Louisiana, purchased the child with her mother in 1833, the mother and child being then and long before slaves by the laws of Louisiana; that they continued to be his property, in his service, at New Orleans, till about the first of May last, when Mary Slater, his wife, the daughter of Mr. Aves, left New Orleans for Boston, for the purpose of visiting her father, intending to return to New Orleans after an absence of four or five months; that the mother of the child remained at New Orleans in a state of slavery, but that Mrs. Slater brought the child with her from New Orleans to Boston, having the child in her custody as the agent and representative of her husband, whose slave the child was, by the laws of Louisiana; when the child was brought thence, the object, intent and purpose of the said Mary Slater being to have the said child accompany her, and remain in her custody and under her care during her temporary absence from New Orleans, and that the said child should return with her to New Orleans, the domicile of herself and her husband; that the said child was confided to the custody and care of said Aves by Mrs. Slater, during her temporary absence in the country for her health. The respondent concludes by stating that he has exercised no other restraint over the liberty of this child than such as was necessary to the health and safety of the child. Notice having been given to Mr. and Mrs. Slater, an appearance has been entered for them, and in this state of the case and of the parties, the cause has been heard. Some evidence was given at the former hearing, but it does not materially vary the facts stated in the return. The fact testified which was considered most material was, the declared intent of Mrs. Slater to take the child back to New Orleans. But as that intent is distinctly avowed in the return, that is, to take the child back to New Orleans, if it could be

lawfully done, it does not essentially change the case made by the return.

This return is now to be considered in the same aspect as if made by Mr. Slater. It is made in fact by Mr. Aves, claiming the custody of the slave in right of Mr. Slater, and that claim is sanctioned by Mr. Slater, who appears by his attorney to maintain and enforce it. He claims to have the child as master, and carry her back to New Orleans, and whether the claim has been made in terms or not to hold and return her as a slave, that intent is manifest, and the argument has very properly placed the claim upon that ground.

The case presents an extremely interesting question, not so much on account of any doubt or difficulty attending it, as on account of its important consequences to those who may be affected by it, either as masters or slaves.

The precise question presented by the claim of the respondent is, whether a citizen of any one of the U. States, where negro slavery is established by law, coming into this state, for any temporary purpose of business or pleasure, staying some time, but not acquiring a domicile here, who brings a slave with him as a personal attendant, may restrain such slave of his liberty during his continuance here, and convey him out of this state on his return, against his consent. It is not contended that a master can exercise here any other of the rights of a slave owner, than such as may be necessary to restrain the custody of the slave during his residence and to remove him on his return.

Until this discussion, I had supposed that there had been adjudged cases on this subject in this commonwealth; and it is believed to have been a prevalent opinion among lawyers, that if a slave is brought voluntarily and unnecessarily within the limits of this state, he becomes free, if he chooses to avail himself of the provisions of our laws; not so much because his coming within our territorial limits, breathing our air, or treading on our soil, works any alteration in his *status*, or condition, as settled by the law of his domicile, as because by the operation of our laws, there is no authority on the part of the master, either to restrain the slave of his liberty, whilst here, or forcibly to take him into custody in order to his removal. There seems, however, to be no decided case on the subject, reported.

It is now to be conceded as an established rule, that by the constitution and laws of this commonwealth, before the adoption of the constitution of the United States, in 1789, slavery was abolished, as being contrary to the principles of justice and of nature, and repugnant to the provisions of the declaration of rights, which is a component part of the constitution of the state.

It is not easy, without more time for historical research than I now have, to show the course of slavery in Massachusetts. By a very early colonial ordinance, (1641), it was ordered, that there should be no bond slavery, villanage or captivity amongst us, with the exception of lawful captives taken in just wars, or those judicially sentenced to servitude, as a punishment for crime. And by an act a few years after, (1646), manifestly alluding to some transaction then recent, the general court conceiving themselves bound to bear witness against the heinous and crying sin of man stealing, &c. ordered that certain negroes be sent back to their native country (Guinea) at the charge of the country, with a letter from the governor expressive of the indignation of the court thereabouts. See ancient charters, &c. 52, chap. 12, sects. 2, 3.

But notwithstanding these strong expressions in the acts of the colonial government, slavery to a certain extent seems to have crept in; not probably by force of any law, for none such is found or known to exist; but rather, it may be presumed, from that universal custom, prevailing through the European colonies, in the West Indies, and on the continent of America, and which was fostered and encouraged by the commercial policy of the parent states. That it was so established, is shown by this, that by several provincial acts, passed at various times, in the early part of the last century, slavery was recognized as existing in fact, and various regulations were prescribed in reference to it. The act passed June, 1703, imposed certain restrictions upon manumission, and subjected the master to the relief and support of the slaves, notwithstanding such manumission, if the regulations were not complied with. The act of October, 1705, levied a duty and imposed various restrictions upon the importation of negroes, and allowed a drawback upon any negro thus imported and for whom the duty had been paid, if exported within the space of twelve months and *bona fide* sold in any other plantation.

How, or by what act particularly, slavery was abolished in Massachusetts, whether by the adoption of the opinion in *Somerset's* case, as a decla-

ration and modification of the common law, or by the Declaration of Independence, or by the constitution of 1780, it is not now very easy to determine, and it is rather a matter of curiosity than of utility; it being agreed on all hands that if not abolished before, it was so by the declaration of rights. In the case of *Winchendon vs. Hatfield*, 4 Mass. R. 123, which was a case between two towns respecting the support of a pauper, chief justice Parsons, in giving the opinion of the court, states, that at the first action which came before the court after the establishment of the constitution, the judges declared, that by virtue of the declaration of rights, slavery in this state was no more. And he mentions another case, *Littleton vs. Tuttle*, 4 Mass. R. 128, note, in which it was stated as the unanimous opinion of the court, that a negro born within the state, before the constitution, was born free, though born of a female slave. The chief justice, however, states, that the general practice and common usage have been opposed to this opinion.

It has recently been stated as a fact, that there were judicial decisions in this state prior to the adoption of the present constitution, holding that negroes born here of slave parents were free. A fact is stated in the above opinion of chief justice Parsons, which may account for this suggestion. He states that several negroes born in this country, of imported slaves, had demanded their freedom of their masters by suits of law, and obtained it by a judgment of court. The defence of the master, he says, was faintly made, for such was the temper of the times, that a restless, discontented slave, was worth little, and when his freedom was obtained in a course of legal proceedings, his master was not holden for his support, if he became poor. It is very probable, therefore, that this surmise is correct, and that records of judgments to this effect may be found; but they would throw very little light on the subject.

Without pursuing this inquiry farther, it is sufficient for the purpose of the case before us, that by the constitution adopted in 1780, slavery was abolished in Massachusetts, upon the ground that it is contrary to natural right and the plain principles of justice. The terms of the first article of the declaration of rights are plain and explicit.—“All men are born free and equal, and have certain natural, essential and unalienable rights, among which are, the right of enjoying and defending their lives and liberties, that of acquiring, possessing and protecting property.” It would be difficult to select words more precisely adapted to the abolition of negro slavery. According to the laws prevailing in all the states, where slavery is upheld, the child of a slave is not deemed to be born free, a slave has no right to enjoy and defend his own liberty, or to acquire, possess, or protect property. That the description was broad enough in its terms to embrace negroes, and that it was intended by the framers of the constitution to embrace them, is proved by the earliest contemporaneous construction, by an unbroken series of judicial decisions, and by a uniform practice from the adoption of the constitution to the present time. The whole tenor of our policy, of our legislation and jurisprudence from that time to the present, has been consistent with this construction, and with no other.

Such being the general rule of law, it becomes necessary to inquire how far it is modified or controlled in its operation; either,

1. By the law of other nations and states, admitted by the comity of nations to have a limited operation within a particular state, or

2. By the constitution and laws of the United States.

In considering the first, we may assume that the law of this state is analogous to the law of England, in this respect, that while slavery is considered as unlawful and inadmissible in both, and this because contrary to natural right and to laws designed for the security of personal liberty, yet in both, the existence of slavery in other countries is recognized, and the claims of foreigners, growing out of that condition, are to a certain extent, respected. Almost the only reason assigned by lord Mansfield in *Somerset's* case was, that slavery is of such a nature that it is incapable of being introduced on any reasons moral or political, but only by positive law; and, it is so odious, that nothing can be suffered to support it but positive law.

The same doctrine is clearly stated in the full and able opinion of Marshall C. J. in the case of the *Antelope*, 10 Wheat. 120. He is speaking of the slave trade, but the remark itself shows that it applies to the state of slavery. “That it is contrary to the law of nature will scarcely be denied. That every man has a natural right to the fruits of his own labor, is generally admitted, and that no other person can rightfully deprive him of those fruits,

and appropriate them against his will, seems to be the necessary result of the admission.”

But although slavery and the slave trade are deemed contrary to natural right, yet it is settled by the judicial decisions of this country and of England, that it is not contrary to the law of nations. It has been too long and too extensively admitted, by the laws of all modern civilized nations, and more explicitly by those who have had foreign colonies, to warrant any one independent community to say, that it is opposed to the laws of nations. The authorities are cited in the case of the *Antelope*, and that case is itself an authority directly in point. The consequence is, that each independent community, in its intercourse with every other, bound to act on the principle, that such other country has a full and perfect authority to make such laws for the government of its own subjects, as its own judgment shall dictate and its own conscience approve, provided the same are consistent with the law of nations; and no independent community has any right to interfere with the acts or conduct of another state, within the territories of such state, or on the high seas, which each has an equal right to use and occupy; and that each sovereign state, governed by its own laws, although competent and well authorised to make such laws as it may think most expedient to the extent of its own territorial limits, and for the government of its own subjects, yet beyond those limits, and over those who are not her own subjects, has no authority to enforce her own laws, or to treat the laws of other states as void, although contrary to its own views of morality.

This view seems consistent with most of the leading cases on the subject.

Somerset's case, 20 Howell's State Trials 1, as already cited, decides that slavery, being odious and against natural right, cannot exist except by force of positive law. But it clearly admits, that it may exist by force of positive law. And it may be remarked, that by positive law, in this connexion, may be as well understood, customary law as the enactment of a statute; and the word is used to designate rules established by tacit acquiescence or by the legislative act of any state, and which derive their force and authority from such acquiescence or enactment, and not because they are the dictates of natural justice, and as such of universal obligation.

The Louis, 2 Dodson's R. 238. This was an elaborate opinion of sir Wm. Scott. It was the case of a French vessel seized by an English vessel in time of peace, whilst engaged in the slave trade. It proceeded upon the ground that a right of visitation by the vessels of one nation, of the vessels of another, could only be exercised in time of war, or against pirates, and that the slave trade was not piracy by the laws of nations, except against those by whose government it has been so declared by law or by treaty. And the vessel was delivered up.

The Amedie, 1 Acton's R. 240. The judgment of sir Wm. Grant in this case, upon the point on which the case was decided, that of the burden of proof, has been doubted. But upon the point now under discussion, he says, but we do not lay as a general principle, that this is a trade which cannot abstractedly speaking, be said to have a legitimate existence. I say abstractedly speaking, because we cannot legislate for other countries; nor has this country a right to control any foreign legislature that may give permission to its subjects, to prosecute this trade. He however held, in consequence of the principles declared by the British government, that he was bound to hold *prima facie*, that the traffic was unlawful, and threw on the claimant the burden of proof, that the traffic was permitted by the law of his own country.

The Diana, 1 Dodson, 95. This case strongly corroborates the general principle, that though the slave trade is contrary to the principles of justice and humanity, it cannot with truth be said, that it is contrary to the laws of all civilized nations; and that courts will respect the property of persons engaged in it, under the sanction of the laws of their own country.

Two cases are cited from the decisions of courts of common law, which throw much light upon the subject.

Modrozo vs. Willis, 3 B. & Ald. 353. It was an action brought by a Spaniard against a British subject, who had unlawfully and without justifiable cause, captured a ship with three hundred slaves on board. The only question was, the amount of damages. Abbott C. J. who tried the cause, in reference to the very strong language of the acts of parliament, declaring the traffic in slaves a violation of right and contrary to the first principles of justice and humanity, doubted whether the owner could recover damages, in an English court of jus-

tice, for the value of the slaves as property, and directed the ship and the slaves to be separately valued. On further consideration he and the whole court were of opinion, that the plaintiff was entitled to recover for the value of the slaves. That opinion went upon the ground that the traffic in slaves, however wrong in itself, if prosecuted by a Spaniard between Spain and the coast of Africa, and if permitted by the laws of Spain, and not restrained by treaty, could not be lawfully interrupted by a British subject, on the high seas, the common highway of nations. And Mr. Justice Bayley in his opinion, after stating the general rule that a foreigner is entitled, in a British court of justice, to compensation for a wrongful act, added, that although the language used by the statutes was very strong, yet it could only apply to British subjects. It is true, he further says, that if this were a trade contrary to the laws of nations, a foreigner could not maintain this action. And Best J. spoke strongly to the same effect, adding that the statutes speak in just terms of indignation of the horrible traffic in human beings, but they speak only in the name of the British nation. If a ship be acting contrary to the general law of nations, she is thereby subject to confiscation; but it is impossible to say that the slave trade is contrary to what may be called the common law of nations.

Forbes vs. Cochrane, 2 Barn. & Cressw. 448, Dowl. & Ry. 679. This case has been supposed to conflict with the one last cited; but I apprehend, in considering the principles upon which they were decided, they will be found to be perfectly reconcilable. The plaintiff, a British subject, domiciled in East Florida, where slavery was established by law, was the owner of a plantation, and of certain slaves, who escaped thence and got on board a British ship of war on the high seas. It was here that he could not maintain an action against the master of the ship for harboring the slaves after notice of demand of them. Some of the opinions given in this case are extremely instructive and applicable to the present. Holroyd J. in giving his opinion, said, that the plaintiff could not found his claim to the slaves upon any general right, because by the English laws, such a right cannot be considered as warranted by the general law of nature, that if the plaintiff could claim at all, it must be in virtue of some right, which he had acquired by the law of the country where he was domiciled, that when such rights are recognized by law, they must be considered as founded, not upon the law of nature, but upon the particular law of that country, and must be coextensive with the territories of that state; that if such right were violated by a British subject, within such territory, the party grieved would be entitled to a remedy, but that the law of slavery is a law in *invitum*, and when a party gets out of the territory, where it prevails, and under the protection of another power, without any wrongful act done by the party giving that protection, the right of the master, which is formed on the municipal law of the place only, does not continue. So in speaking of the effect of bringing a slave into England, he says, he ceases to be a slave in England, only because there is no law, which sanctions his detention in slavery. Best J. declared his opinion to the same effect. Slavery is a local law, therefore if a man wishes to preserve his slaves, let him attach them to him by affection, or make fast the bars of their prison, or rivet well their chains, for the instant they get beyond the limits, where slavery is recognized by the local law, they have broken their chains, they have escaped from their prison and are free.

That slavery is a relation founded in force, not in right, existing, where it does exist, by force of positive law, and not recognized as founded in natural right, is intimated by the definition of slavery in the civil law; "*Servitus est constitutio juris gentium, qua quis dominio alieno contra naturam subijcitur.*"

Upon a general review of the authorities, and upon an application of the well established principles upon this subject, we think they fully maintain the point stated, that though slavery is contrary to natural right, and to the principles of justice, humanity and sound policy, as we adopt them, and found our own laws upon them, yet not being contrary to the laws of nations, if any other state or community see fit to establish and continue slavery by law, so far as the legislative power of that country extends, we are bound to take notice of the existence of those laws, and we are not at liberty to declare and hold an act done within those limits, unlawful and void, upon our views of morality and policy, which the sovereign and legislative power of the place has pronounced to be lawful. If therefore an unwarranted interference and wrong is done by our citizens to a foreigner, acting under the sanction of such laws, and within their proper limits,

that is, within the local limits of the power by whom they are thus established or on the high seas, which each and every nation has a right in common with all others to occupy, our laws would no doubt afford a remedy against the wrong done. So in pursuance of a well known maxim, that in the construction of contracts, the *lex loci contractus* shall govern, if a person, having in other respects, a right to sue in our courts, shall bring an action against another, liable in other respects to be sued in our courts, upon a contract made upon the subject of slavery in a state where slavery is allowed by law, the law here would give it effect. As if a note of hand made in New Orleans were sued on here, and the defence should be that it was on a bad consideration, or, without consideration, because given for the price of a slave sold, it may well be admitted that such a defence could not prevail, because the contract was a legal one by the law of the place where it was made.

This view of the law applicable to slavery, marks strongly the distinction between the relation of master and slave as established by the local law of particular states, and in virtue of that sovereign power and independent authority, which each independent state concedes to every other, and those natural and social relations, which are every where and by all people recognized, and which, though they may be modified and regulated by municipal law, are not founded upon it, such as the relation of parent and child, and husband and wife. Such also is the principal upon which the general right of property is founded, being in some form universally recognized as a natural right, independently of municipal law.

This affords an answer to the argument drawn from the maxim, that the right of personal property follows the person, and therefore, where by the law of a place, a person there domiciled acquires personal property, by the comity of nations, the same must be deemed his property every where. It is obvious, that if this were true, in the extent in which the argument employs it, if slavery exists any where, and if by the laws of any place a property can be acquired in slaves, the law of slavery must extend to every place where such slaves may be carried. The maxim therefore and the argument can apply only to those commodities which are every where and by all nations, treated and deemed subjects of property. But it is not speaking with strict accuracy to say, that a property can be acquired in human beings, by local laws. Each state may, for its own convenience, declare that slaves shall be deemed property, and that the relations and laws of personal chattels shall be deemed to apply to them; as for instance, that they may be bought and sold, delivered, attached, levied upon, that trespass will lie for and injury done to them, or trover for converting them. But it would be a perversion of terms to say, that such local laws do in fact make them personal property generally; they can only determine, that the same rules of law shall apply to them as are applicable to property, and this effect will follow only so far as such laws *proprio vigore* can operate.

The same doctrine is recognized in Louisiana. In the case of *Lunsford vs. Coquillen*, 14 Martin's Rep. 404, it is thus stated:—The relation of owner and slave in the states of this union, in which it has a legal existence, is a creature of the municipal law. See Storey's Conflict of Laws, 92, 97.

The same principal is declared by the court in Kentucky, in the case of *Rankin vs. Lidia*, 2 Manhall, 470. They say, slavery is sanctioned by the laws of this state; but we consider this as a right existing by positive law of a municipal character, without foundation in the law of nature.

The conclusion to which we come from this view of the law is this:

That by the general and now well established law of this commonwealth, bond slavery cannot exist, because it is contrary to natural right, and repugnant to numerous provisions of the constitution and laws, designed to secure the liberty and personal rights of all persons within its limits and entitled to the protection of the laws.

That though by the laws of a foreign state, meaning by "foreign" in this connection, a state governed by its own laws, and between which and our own, there is no dependence one upon the other, but which in this respect are as independent as foreign states, a person may acquire a property in a slave, that such acquisition, being contrary to natural right, and effected by the local law, is dependent upon such local law for its existence and efficacy, and being contrary to the fundamental laws of the state, such general right of property cannot be exercised or recognized here.

That as a general rule, all persons coming within the limits of a state, become subject to all its municipal laws, civil and criminal, and entitled to the

privileges, which those laws confer, that this rule applies as well to blacks as whites, except the case of fugitives, to be afterwards considered, that if such persons have been slaves, they become free, not so much because any alteration is made in their *status*, or condition, as because there is no law, which will warrant, but there are laws if they choose to avail themselves of them, which prohibit their forcible detention or forcible removal.

That the law arising from the comity of nations cannot apply, because if it did, it would follow as a necessary consequence, that all those persons who by force of local laws, and within all foreign places where slavery is permitted, have acquired slaves as property, might bring their slaves here, and exercise over them the rights and power, which an owner of property might exercise, and for any length of time, short of acquiring a domicile, that such an application of the law would be wholly repugnant to our law, entirely inconsistent with our policy, and our fundamental principles, and is therefore inadmissible.

Whether if a slave voluntarily brought here, and with his own consent returning with his master, would resume his condition as a slave, is a question which was incidentally raised in the argument, but is one on which we are not called on to give an opinion in this case and we give none. From the principle above stated, on which a slave brought here becomes free, to wit, that he becomes entitled to the protection of our laws, and there is no law to warrant his forcible arrest and removal, it would seem to follow as a necessary conclusion, that if the slave waives the protection of those laws, and returns to the state where he is held as a slave, his condition is not changed.

In the case *ex parte grace*, 2 Haggards, ad. R. 94, this question was fully considered by sir William Scott, in the case of a slave brought from the West Indies to England, and afterwards voluntarily returning to the West Indies; and he held that she was reinstated in her condition of slavery.

A different decision, I believe has been made of the question in some of the United States; but for the reasons already given, it is not necessary to consider it further here.

The question has thus far been considered as a general one, and applicable to cases of slaves brought from any foreign state or country; and it now becomes necessary to consider how far this result differs, where the person is claimed as a slave by a citizen of another state of this union, that is, how the question as between citizens of different states, is affected by the provisions of the constitution and laws of the United States.

In article 4, section 2, the constitution declares that no person held to service or labor in one state, under the laws thereof, escaping into another, shall in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

The law of congress made in pursuance of this article, provides, that when any person held to labor in any of the United States, &c. shall escape into any other of the said states or territories, the person entitled, &c. is empowered to arrest the fugitive, and upon proof made that the person so seized under the law of the state, from which he or she fled owes service, &c. Act of Feb. 12, 1792.

In regard to these provisions, the court are of opinion, that as by the general law of this commonwealth, slavery cannot exist, and the rights and powers of slave owners cannot be exercised therein; the effect of this provision in the constitution and laws of the United States, is to limit and restrain the operation of this general rule, so far as it is done by the plain reasoning and obvious intent and import of the language used, and no further. The constitution and law manifestly refer to the case of a slave escaping from a state where he owes service or labor, into another state or territory. He is termed a fugitive from labor; the proof to be made is, that he owed service or labor, under the laws of the state or territory from which he fled, and the authority given is to remove such fugitive to the state from which he fled. This language can, by no reasonable construction, be applied to the case of a slave who has not fled from the state, but who has been brought into this state by his master.

The same conclusion will result from a consideration of the well known circumstances under which this constitution was formed. Before the adoption of the constitution, the states were, to a certain extent, sovereign and independent, and were in a condition to settle the terms upon which they would form a more perfect union. It has been contended by some over-zealous philanthropists, that such an article in the constitution could be of no binding force or validity, because it was a stipulation contrary to natural right. But it is difficult to perceive

the force of this objection. It has already been shown, that slavery is not contrary to the laws of nations. It would then be the proper subject of treaties among sovereign and independent powers. Suppose instead of forming the present constitution, or any other confederation, the several states had become in all respects sovereign and independent, would it not have been competent for them to stipulate, that fugitive slaves should be mutually restored, and to frame suitable regulations, under which such a stipulation should be carried into effect? Such a stipulation would be highly important and necessary to secure peace and harmony between adjoining nations, and to prevent perpetual collisions and border wars. It would be no encroachment on the rights of the fugitive; for no stranger has a just claim to the protection of a foreign state against its will, especially where a claim to such protection would be likely to involve the state in war; and each independent state has a right to determine by its own laws and treaties who may come to reside or seek shelter within its limits.—Now the constitution of the United States partakes both of the nature of a treaty and of a form of government. It regards the states, to a certain extent, as sovereign and independent communities, with full power to make their own laws and regulate their domestic policy, and fixes the terms upon which their intercourse with each other shall be conducted. In respect to foreign relations, it regards the people of the states as one community, and constitutes a form of government for them. It is well known that when this constitution was formed, some of the states permitted slavery and the slave trade, and considered them highly essential to their interests, and that some other states have abolished slavery within their own limits, and from the principles deduced and policy avowed by them, might be presumed to desire to extend such abolition further. It was therefore manifestly the intent and the object of one party to this compact to enlarge, extend and secure as far as possible, the rights and powers of the owners of slaves, within their own limits, as well as in other states, and of the other party to limit and restrain them. Under these circumstances the clause in question was agreed on and introduced into the constitution; and as it was well considered, as it was intended to secure future peace and harmony, and to fix as precisely as language could do it, the limit to which the rights of one party should be exercised within the territory of the other, it is to be presumed that they selected terms intended to express their exact and their whole meaning; and it would be a departure from the purpose and spirit of the compact to put any other construction upon it than that to be derived from the plain and natural import of the language used. Besides, this construction of the provision in the constitution gives to it a latitude sufficient to afford effectual security to the owners of slaves. The states have a plenary power to make all laws necessary for the regulation of slavery and the rights of slave owners, whilst the slaves remain within their territorial limits; and it is only when they escape, without the consent of their owners, into other states, that they require the aid of other states to enable them to regain their dominion over the fugitives.

But this point is supported by most respectable and unexceptionable authorities.

In the case of *Butler vs. Hoyer*, 1 Wash. C. C. Rep. 499, it was held by Mr. Justice Washington, in terms, that the provision in the constitution which we are now considering, does not extend to the case of a slave voluntarily carried by his master into another state, and there leaving him under the protection of some law declaring him free. In this case however, the master claimed to hold the slave in virtue of a law of Pennsylvania, which permitted members of congress and sojourners, to retain their domestic slaves, and it was held that he did not bring himself within either branch of the exception, because he had, for two years of the period, ceased to be a member of congress, and so lost the privilege; and by having become a resident could not claim as a sojourner. The case is an authority to this point, that the claimant of a slave, to avail himself of the provisions of the constitution and laws of the United States, must bring himself within their plain and obvious meaning, and they will not be excluded by construction; and that the clause in the constitution is confined to the case of a slave escaping from one state and fleeing to another.

But in a more recent case, the point was decided by the same eminent judge. *Eparte Simmons*, 4 Wash. C. C. R. 396. It was an application for a certificate under § 3 of the act of Feb. 12, 1793.—He held that both the constitution and laws of the United States apply only to fugitives, escaping from one state and fleeing to another, and not to the case of a slave voluntarily brought by his master.

Another question was made in that case, whether the slave was free by the laws of Pennsylvania, which like our own in effect liberate slaves voluntarily brought within the state, but there is an exception in favor of members of congress, foreign ministers and consuls and sojourners; but this provision is qualified as to sojourners and persons passing through the state in such manner as to exclude them from the benefit of the exception, if the slave was retained in the state longer than six months.—The slave in that case having been detained in the state more than six months, was therefore held free.

This case is an authority to this point; the general rule being, that if a slave is brought into a state where the laws do not admit slavery, he will be held free, the person who claims him as a slave, under any exception or limitation of the general rule, must show clearly that the case is within such exception.

The same principle was substantially decided by the state court of the same state in the case of *Commonwealth vs. Holloway*, 2 Serg. & Rawle, 305. It was the case of a child of a fugitive slave, born in Pennsylvania. It was held that the constitution of the United States was not inconsistent with the law of Pennsylvania; that as the law and constitution of the United States did not include the issue of fugitive slaves in terms, it did not embrace them by construction or implication. The court considers the law as applying only to those who escape. Yet by the operation of the maxim which obtains in all the states wherein slavery is permitted by law, *partus sequitur ventrem*, the offspring would follow the condition of the mother, if either the rule of comity contended for applied, or if the law of the United States would be extended by construction.

The same decision has been made in Indiana, 3 American Jurist, 404.

In Louisiana, it has been held, that if a person with a slave, goes into a state to reside where it is declared that slavery shall not exist, for ever so short a time, the slave *ipso facto* becomes free, and will be so adjudged and considered afterwards in all other states; and a person moving from Kentucky to Ohio, to reside, his slaves thereby become free, and were so held in Louisiana. This case also fully recognizes the authority of states to make laws dissolving the relation of master and slave; and considers the special limitation of the general power, by the federal constitution, as a forcible implication in proof of the existence of such general power. *Lunsford vs. Coquillen*, 14 Martin's Rep. 465.

And in the above cited case from Louisiana, it is very significantly remarked, that such a construction of the constitution and law of the United States can work injury to no one, for the principle acts only on the willing and *volenti non fit injuria*.

The same rule of construction is adopted in analogous cases in other countries, that is, where an institution is forbidden, but where for special reasons and to a limited extent such prohibition is relaxed, the exemption is to be construed strictly, and whoever claims the exemption, must show himself clearly within it, and where the facts do not bring the case within the exemption, the general rule has its effect.

By a general law of France, all persons inhabiting or being within the territorial limits of France are free. An edict was passed by Louis XIV, called "Le Code Noir," respecting slavery in the colonies. In 1716, an edict was published by Louis XV, concerning slavery in the colonies, and reciting among other things, that many of the colonists were desirous of bringing their slaves into France, to have them confirmed in the principles of religion, and to be instructed in various arts and handicrafts, from which the colonists would derive much benefit, on the return of the slaves, but that many of the colonists feared that their slaves would pretend to be free on their arrival in France, from which their owners would sustain considerable loss, and be deterred from pursuing an object at once so pious and so useful. The edict then provides a series of minute regulations to be observed both before their departure from the West Indies, and on their arrival in France, and if all these regulations are strictly complied with, the negroes so brought over to France shall not thereby acquire any right to their freedom, but shall be compellable to return; but if the owners shall neglect to comply with the prescribed regulations, the negroes shall become free, and the owners shall lose all property in them.—20 Howell's State Trials, 15, note.

The constitution and laws of the United States then are confined to cases of slaves escaping from other states, and coming within the limits of this state without the consent and against the will of their masters, and cannot by any sound construction extend to a case where the slave does not escape and does not come within the limits of this

state against the will of the master, but by his own act and permission. This provision is to be construed according to its plain terms and import, and cannot be extended beyond this, and where the case is but that of an escape, the general rule shall have its effect. It is upon these grounds, we are of opinion, that an owner of a slave in another state where slavery is warranted by law, voluntarily bringing such slave into this state, has no authority to detain him against his will, or to carry him out of the state against his consent, for the purpose of being held in slavery.

This opinion is not to be considered as extending to a case, where the owner of a fugitive slave having produced a certificate according to the law of the United States, is *bona fide* removing such slave to his own domicile, and in so doing passes through a free state, where the law confers a right or favor, by necessary implication it gives the means of executing it. Nor do we give any opinion upon the case, where an owner of a slave in one state, is *bona fide* removing to another state where slavery is allowed, and in so doing necessarily passes through a free state, or arrives by accident or necessity he is compelled to touch or land therein, remaining no longer than necessary. Our geographical position exempts us from the probable necessity of considering such a case, and we give no opinion respecting it.

The child who is the subject of this *habeas corpus*, being of too tender years to have any will or give any consent to be removed, and her mother, being a slave and having no will of her own and no power to act for her child, she is necessarily left in the custody of the law. The respondent having claimed the custody of the child, in behalf of Mr. and Mrs. Slater, who claim the right to carry her back to Louisiana, to be held in a state of slavery, we are of opinion that his custody is not to be deemed by the court a proper and lawful custody.

Under a suggestion made in the outset of this inquiry, that a probate guardian would probably be appointed, we shall for the present order the child into a temporary custody, to give time for an application to be made to the judge of probate.

VOLUNTEERS FOR TEXAS.

The Lexington (Ky.) Intelligencer of the 18th inst. contains the following address

TO THE PUBLIC.

The undersigned deem it an act of justice, not to themselves alone, but to the community of which they are members; more especially to those whose generous sympathies were so deeply enlisted in the cause of Texas, to make known the causes which have induced them to abandon an enterprise in which they embarked with so many fond and flattering hopes. They would have been glad to have been spared this painful task—they take no pleasure in the performance of an act, which may tend to check the universal current of kindness and sympathy which has been manifested by the people of Kentucky towards the people of Texas, from the beginning of their revolution down to the present time. They have too distinct a recollection of their own feelings when they quit their homes, to aid the cause, as they then thought, of civil and religious freedom, not to know that their return, and this brief expose of the *motives* which induced it, will cause a pang of mortification in many bosoms which now throb with exultation in the hope of Texian freedom. Nothing but a sense of duty—of the obligation which rests upon them to justify themselves to the world, would now impel them to expose the unhappy civil and political condition of Texas, or to declare, as they now do, their solemn convictions of her total unworthiness of aid or sympathy. We might perhaps be content with this declaration of our *opinions*, but we will proceed briefly to fortify those opinions by a detail of facts.

We will not dwell upon the false assurances made to us by men professing to be the accredited agents of Texas in this country. At a time when the cause of Texas was dark and gloomy; when Santa Ana seemed destined to carry desolation over the whole country, those men were prodigal of promises, and professing to be authorised to speak in the name of the Texian government, made assurances of ultimate remuneration which they knew at the time were false, and which time proved to be so. But of this hereafter.

The public were informed at the time, of our extraordinary delay at New Orleans. It was generally attributed to the neglect of the Texian agent at that place. There was a deeper cause. The battle of San Jacinto had been fought, and the president and cabinet believing that the war was at an end, thought there would be no use for more volunteers, and if we could be delayed beyond the 1st of July, we should lose the benefit of the provisions of the decree in council, that being the time for the ope-

ration of the act to expire. The president and council actually issued a proclamation prohibiting the coming in of additional volunteers. In the mean time, however, a rumor was circulated that the Mexicans were about to make another effort to regain the country, and were coming into Texas with 15,000 men, and we were then permitted to embark: captain Postlethwaite proceeding in advance with about one hundred troops on the second day of July; colonel Wilson remaining with the residue, expecting to follow in a few days, but was in the manner before related detained ten days. Col. W got off on the 12th of July, and arrived at Galveston after a passage of seven days. Captain P. had made his passage in four days. Captain P. being thus several days in advance of col. W. and having nothing to occupy him, concluded to visit Velasco, the seat of government, for the purpose of making a personal examination of the country, and to ascertain if possible its civil condition. On his arrival at Velasco, he was introduced to president Burnet by a friend, and presented a letter of introduction—which was opened, glanced at and thrown by without comment; captain P. not being asked to sit, or treated with common civility. Captain P. left president Burnet and returned to his hotel, where he had several distinct propositions made to him by officers in the Texian service, to join them with the men under his command, avowing their object to scour the country and take every thing valuable which they could find, until they had paid themselves; and then to return to the United States, as they said they did not expect the Texian government to pay them a cent for the services they had rendered, or the expenses they had incurred! Captain P. was then informed that the representations made by the Texian agents in Kentucky of the right of volunteers to lands were false—that all right to head right claims expired with the declaration of independence, and that no bounty lands would be given to any volunteers who arrived after the 1st day of July. Captain P. then returned to Galveston, at which place col. W. had arrived in his absence, and communicated to him all the material facts which he had become possessed of at Velasco. Captain P. at that time announced his resolution to return home—informed the colonel that he had become sufficiently disgusted with the state of things at the seat of government. Col. W. prevailed upon captain P. to remain at Galveston until he could himself make a trip to Velasco and see if something might not have occurred to change the aspect of affairs. The colonel proceeded to Velasco, presented his letter of introduction to the president, and was treated, if possible, with still more incivility than captain P. had been. Col. W. returned to Galveston and announced all the facts to his men—and told them that *he was willing to abide by their decision*; to wit: either to join the main army, or return with them to the United States.

This was the reception we met with. Those who recollected the difficulties we encountered in raising the corps, the high hopes with which we were inspired by the plausible and pathetic appeals made to us by Texian agents in this country; the deep enthusiasm which was evinced by the whole community when we bade adieu to our native country and homes may form some adequate conception of our personal chagrin and mortification, when we plainly discovered that our presence was regarded by the authorities of the country as an intrusion; when we seemed to be looked upon as men who had come to claim that which had been won by the valor of others. Let any honorable man put the question to himself, and say what would have been his feelings, and what course of conduct his own sense of propriety would have dictated? This however was personal to ourselves. We have said that Texas was unworthy of public aid or sympathy?

We now state what our personal observation and undoubted information enabled us fully to perceive.

1st. That the present population of Texas seemed wholly incapable of a just idea of civil and political liberty, and that so far as the extension of liberal principles is concerned, it is of little moment whether Mexico or Texas succeeds in the struggle.

2d. That the mass of the people, from the highest functionary of their pretended government, to the humblest citizen (with but few exceptions) are animated alone by a desire of *plunder*, and appear totally indifferent whom they plunder, friends or foes.

3d. That even now, there is really no organized government in the country; no laws administered; no judiciary; a perpetual struggle going on between the civil and military departments; and neither having the confidence of the people or being worthy of it. We will here state one or two facts which may tend to show the estimation in which they are respectively held by each other, and their capacity to enforce their orders. The secretary of war

came down with a quartermaster and steamboat to carry his loading, consisting of provisions, clothing, &c. to the main army. Captain Switzer, volunteer emigrant from Ohio (who had lately arrived) wanted some clothing for his men, and determined that *unless he was first supplied with such articles as he desired the expedition should not proceed*. He took possession of the fort under the command of colonel Morgan, loaded the cannon and prepared to fire on them if they attempted to move without his permission. He then sent a file of men on board and took the vessels into his own possession, and sent the honorable secretary with his quartermaster and steamboat back to Velasco! Again the president and cabinet appointed general Lamar to the chief command of the army; the army promptly refused to receive him, and the power and authority of the cabinet were contemptuously disregarded! The army then, doubtless after due deliberation, resolved that the cabinet was either *corrupt* or *imbecile*, (probably both) and it being necessary in their opinion to get rid of them, determined to do so by a summary process. They therefore sent an officer with instructions *forthwith to arrest them and bring them on to head quarters to be tried according to military usage*. This order however, was not executed, simply because the officer charged with its execution had not the physical force requisite.

These facts and others sufficiently demonstrate to us, that the cabinet was deficient in all the requisites as a good government, and that no one in his senses, would trust himself, his reputation or his fortunes to their charge or control. Charged with *treason, bribery and usurpation*, weak in their councils, and still weaker in power to enforce their orders; we perceived at once that we must look for safety and proper inducements elsewhere. We then turned our eyes to the army, and a scene still more disheartening presented itself; undisciplined, and without an effort to become so; not a roll called nor a drill; no regular encampment; no authority nor obedience; with plundering parties for self-enrichment, robbing private individuals of their property. We could see nothing to induce us to embark our fortunes and destinies with them. With these views and facts, we could but sicken and wonder at the vile deceptions which had been practised upon us; yet we were told that this people had risen up in their might, to vindicate the cause of civil and religious liberty. It is a mockery of the very name of liberty. They are stimulated by *that motive*, which such men can only appreciate, *the hope of plunder*. They are careless of the form of government under which they live, if that government will tolerate licentiousness and disorder. Such is a brief, but we sincerely believe a faithful picture of a country to which we were invited with so much assiduity, and such the manner in which we were received and treated.

We might multiply facts, in support of each proposition here laid down, to show the miserable condition of things in Texas, and the utter impossibility that a man of honor could embark in such a cause with such men. Should it be rendered necessary, we may yet do so; but for the present we will pause with this remark, that if there be any, in Kentucky, whose hearts are animated with the desire of an honorable fame, or to secure a competent settlement for themselves or families, they must look to some other theatre than the plains of Texas. We would say to them, *listen not to the deceitful and hypocritical allurements of LAND SPECULATORS, who wish you to fight for their benefit and who are as liberal of their promises as they are faithless in performance*. We are aware of the responsibility which we incur by this course. We are aware that we subject ourselves to the misrepresentations of hired agents and unprincipled land mongers. But we are willing to meet it all, relying upon the integrity of our motives and the correctness of our course. We left our native land, our peaceful firesides, with a solemn resolution to devote our undivided energies to stop the course of Mexican desolation, and build up a free and flourishing commonwealth. The very fact of our going, sufficiently indicates the depth and sincerity of our devotion to the cause. Our *return*, and the circumstances which caused it, equally proclaim our infatuation. That others may not be alike deluded, is an additional motive with us to make this publication.

EDWARD J. WILSON,
G. L. POSTLETHWAITE.

P. S. It may be here proper to state, the commission of general Chambers is not recognized in Texas. He derives his commission from the former governor, (Smith), whose acts have been officially declared null and void.

Lexington, Sept. 10, 1836.

We, the undersigned, volunteers in the cause of Texas, entertaining the highest sense of the con-

duct of col. Wilson, both as an officer and a gentleman whilst under his command; and entirely approving of the reasons which have induced him, *reluctantly, to return home*—are unwilling to take leave of him without this public expression of the regret that event occasions us—the sincere respect and esteem in which we hold him, and of the kind and friendly feelings on our part, which will always accompany him, however different may be the lots which fortune shall assign us.

[Here follow the signatures of one hundred and twenty-four volunteers.]

DINNER TO JUDGE WHITE.

From the Knoxville Register.

According to previous arrangements, on Wednesday the 31st ultimo, a portion of the citizens of Knox county, together with a number of invited guests, composing by far the largest assemblage we have ever witnessed here upon any similar occasion, sat down to a sumptuous table, spread under a shed erected in the grove near the old Methodist church. General SOLOMON D. JACOBS officiated as president, and colonel G. W. CHURCHWELL and major FREDERIC S. HEISKELL, as vice presidents. The cloth being removed, the following toasts were offered:

1st. *Our country*—In these times of corruption and danger she demands from her sons united and independent action.

2d. *Washington, Jefferson and Madison*—Time cannot touch the perfection of their excellencies or the immortality of their names. Posterity will never cease to revere their memory and their virtues.

3d. *Tennessee*—Her political creed has not changed; it is the same in '36 that it was in '24; too intelligent to be tricked; too independent to be led; she is deceived by no artificer; submits to no dictation.

4th. *The elective franchise*—It must and shall be as free as the air we breathe. Hands off; we spurn all direction and dictation, come from whom it may.

5th. *The president of the United States*—His memory is treacherous; he has forgotten his early friends and supporters, and listens only to the voice of flattery and the siren song of sycophancy. He misdirects his influence when he stoops to canvass for his successor.

6th. *Our distinguished guest and neighbor, the hon. Hugh Lawson White*—His public career has been no less conspicuous for its consistency, independence and usefulness than his private life for its propriety, purity and uprightness. Malevolence and persecution cannot prostrate him. Tennessee will sustain him firmly and fearlessly against the slanders of malice and the magic of the most influential name.

After the loud and reiterated bursts of applause with which this sentiment was received had subsided, judge WHITE rose and said:

GENTLEMEN: The sentiment just given, and the feelings with which it has been received, encourage me to do something more than make my acknowledgments for your undeviating support and continued confidence.

After an absence of almost nine months, seven of which were devoted to my duties in congress, upon my return home, to find my neighbors, the people of my own county, ready to greet me as a friend, and to declare, in the face of the world, that my character as a private citizen does not deserve reproach, and that my conduct as a public man meets their approbation, is a source of the highest gratification. More especially when I reflect how incessantly I have been assailed, and with how much industry the vilest slanders have been circulated, under the sanction of names, some of which I know are, and long have been, very dear to you, as well as to the great majority of my fellow citizens.

For eleven years I have, in part, represented Tennessee in the senate of the United States. Until the two last, my services, humble as they were, appeared to be acceptable to the great body of the people. Any complaints against me were made comparatively by a few, and they were, of those, decidedly opposed to the present chief magistrate and his administration.

Now the matter has changed, and I have been violently assailed by some of those with whom I have formerly acted, and several of those who were my bitter opponents on account of my attachment to the chief magistrate have become his zealous friends, while they still continue their hostility to me. Having resided in the state from my boyhood, and having, from the time I attained the years of discretion, been busy among the people in some capacity or other, I believed a large and over-

whelming majority of our fellow citizens were decidedly *Jeffersonian republicans*; and belonging to that school of politicians myself, when honored with a seat in the senate, I flattered myself that on all important questions, when I honestly carried out, in practice, my own political opinions, I would also faithfully represent the opinions of my constituents. I have neither solicited nor desired the birth, and could not have been induced to accept it, if a sacrifice of any of my principles had been required. At one period, domestic afflictions visited me in such rapid succession, and with such weight, that I had made up my mind to withdraw, and let my place be supplied by some one whose mind would not be doomed to brood so much over his own misfortunes; but abandoned the idea at the earnest solicitation of some, whom I, childishly, then thought my friends, and who are now, under the hypocritical pretence of continued friendship, my most deadly enemies.

In the great struggle to bring the present chief magistrate into office, it became necessary that his friends should proclaim and enforce, by all the arguments they could advance, their political principles; and what were they?

1st. All useless expenditures of the public moneys should be discontinued.

2d. All offices should be filled by men who were honest, capable, faithful to the constitution, and of business habits.

3d. That neither congress, nor any department of the federal government, had any power, except that which was expressly granted by the constitution, or was necessary and proper to carry into effect some power which was expressly granted.

4th. That the executive power should be so limited and regulated by law, that neither the president nor any officer appointed by, or dependent upon him, could use his influence or power to control or guide public opinion in elections.

5th. That the constitution should be so amended as to secure to the people the right of choosing the chief magistrate themselves; that the same person should not be elected for a second term, and that offices should not be filled with members of congress.

6th. That all surplus moneys which might accumulate in the treasury beyond the reasonable wants of the federal government, should be divided among the states by some fair ratio, to the end that the people, to whom it rightfully belonged, might have the benefit of it for internal improvements, education, &c.

7th. That all caucuses or combinations of men, whose object it was to create or control public opinion in the election of president and vice president, should be discountenanced and put down.

These were the great and leading principles for which we, in common with others, contended. The public voice sanctioned them by the election of the chief magistrate in 1828. In his inaugural address in 1829, and in his subsequent addresses, he has avowed and proclaimed several of them.

They are the very doctrines on which I have practised from that day to this, so far as my humble capacity enabled me; and I now challenge my persecutors to put their fingers on the cases in which I have departed from them.

How then has it happened, that, for the last eighteen months or two years, my humble name has, in a certain set of newspapers, and among a certain clan of politicians, been constantly coupled with some degrading charge?

Upon this subject, I can perhaps give you some facts, not heretofore generally known, and this I shall do, not for the purpose of injuring any one, but for the sake of making a just defence of myself.

The general assembly of this state sat in Nashville in the fall of 1833. At the commencement of its session, as is my habit, I was there. While there, the news reached us that the deposits of the public moneys had been removed by the order of the president from the bank of the United States. I immediately foresaw that this would produce a violent effort in congress to put down the administration. I ascertained that there was a wish among the members, before the session closed, to present my humble name to the people of the United States as a suitable person to succeed the present chief magistrate. To every member with whom I conversed, and to every other person who addressed me on the subject, I used all the arguments in my power to prevent them from doing so; and with some that I could take most liberty with, when coming away, left it in charge, should a nomination be attempted in my absence, to have it prevented.

At the close of the session, one of those gentlemen wrote me that he was censured as unfriendly for not concurring in the plan of a nomi-

nation. I immediately answered his letter, assuring him he had not only acted in conformity to my wishes, but in accordance with my request; and so sure was I that such a nomination would have weakened the president in congress, that if it had been made, I would have held myself bound to withhold my assent.

In the spring of 1834 I received communications from different quarters upon the same subject, proposing, if it met my approbation, there would be meetings of the people to nominate me. To this course I gave no encouragement. During that year the president visited Tennessee, our convention was in session; and after their rise, I was informed some of the members had wished to nominate me, but had abandoned the attempt after they ascertained it would incur his displeasure. On his journey to Washington he conversed freely with some of my friends, and remonstrated against any attempt to nominate me as president—said that there must be a national convention, that Mr. Van Buren ought to be nominated as president, I as vice president, and when his eight years were expired, I was young enough then to be taken up as president. All this was communicated to me, and the only answer I could make was, that either office was beyond my merits, but that I could not enter into any arrangement which would operate as a lure to induce any person to vote for myself, or for any other person, contrary to his judgment. Thus the matter stood when the session of congress commenced in December, 1834. During that winter many county meetings were held, at which my name was brought before the public, as well as by the legislature of Alabama.

Under a full belief that a system was about being put in operation which would destroy the freedom of election, which was intended to transfer all federal power into certain hands, who by like process would transfer it into the hands of others at their pleasure, and that the effect of this would be to give the operations of the government such a direction as would favor the interests of one class of citizens at an entire sacrifice of the interests of all others, I consented that my political friends might use my name, or not, as they believed would most promote the public interest.

In this I may have erred; but if I did, it was an honest error.

After giving this consent, and before the Baltimore convention, I was repeatedly forewarned what I might expect if my name was not withdrawn. These threats carried no terrors to me. Whatever of character I have was given to me by my country; and whenever it becomes necessary to risk the whole of it in defence of those principles which I think essential to the preservation of liberty, I willingly stake it all. I feel that I was not intended to be the slave of any man or set of men—that I have some mind, and that the author of my existence intended that I should exercise it—that I should form opinions as to politics and religion, and freely and fearlessly act upon them, without being intimidated by what either men or devils can do. Could I have hesitated for one moment in my course, I would have fancied that I heard myself addressed from the tombs in yonder church yard, (pointing to the place where his father and mother are buried), in language like this: My son, remember that the same principles are now involved which were proclaimed in July, 1776; that to maintain them I risked my life and every thing dear to man; that, after struggling through a seven years' war, with my compatriots in arms, we succeeded in the establishment of a free government—under it I lived happy and prosperous, and died without leaving a spot upon my name: that good name and that free government I left my children as an invaluable inheritance. And is it possible that for the lack of moral courage you will deprive yourself and your children of those blessings for which I toiled so long and risked so much? If I still doubted, a voice still more endearing, if that be possible, would salute my ears in accents like these: Can you for an instant forget the lessons taught by your mother? Remember you not only have your father's name in charge, but you have also that of my family. Do you not recollect how I used to encourage you and your brother to discharge your duty, as my only sentinels to watch and warn me when the Tories would approach our dwelling for plunder, in your father's absence in the tented field? That I would then inform you that my family were among the first to hoist the pole of liberty in the south, and among the most firm and fearless in defending it? And will you, who have not a drop of any but whig blood in your veins, hesitate as to the course you ought to pursue? To these questions I could give but one answer—Fear not for me. The same good name you have transmitted, and the same rich inheritance, shall be left un-

stained, and transmitted unimpaired to your grandchildren.

But to proceed: the Baltimore convention met, and in due form nominated a candidate for the presidency and vice presidency, against whom no man has heard me say one word. They have accepted the nominations, and I have no doubt, in doing so, acted on those principles which they think it right to maintain. As to myself, I solemnly declare that with the knowledge I have with the manner in which that convention was brought about, the object it was intended to accomplish, and the consequences expected to flow from it, had I been nominated by it for either office, such nomination would have been almost the only contingency upon which I would have prohibited the use of my name.

Let me not be misunderstood; I am very far from intimating it as my opinion that the whole of that assemblage, or a majority of them, were either dishonest or dishonorable men. Many of them are strangers to me, and I hope were governed by worthy motives, and I doubt not believed great good would result from their labor. I, on the contrary, think nothing but evil can result from a nomination by a set of men collected under the auspices of the executive, with a view to nominate an individual designated by him.

Notwithstanding this nomination, my name has been permitted to remain where it was before placed, and the threatened vengeance has been poured out upon my devoted head ever since. "Tray, Blanche, Sweetheart, little dogs and all," have been let loose upon me. I have heeded them not. It has been my aim to bear any and every thing. I have uniformly conformed my public conduct to my avowed principles, and what I believed the politics of my state. So far as the administration has acted on the principles which brought the chief magistrate into power, I have been, as I think, a uniform and steady, though very humble, supporter. If on any point he has changed his principles, it is unreasonable to expect me to change with him, unless I can be furnished with sufficient reasons for such a change.

Humble as my pretensions are represented to be, we all now see and know that my venerable old friend, the chief magistrate himself, in his own proper person, has openly, and in the view of the sovereign people themselves, turned out to control and regulate public opinion. This is a trouble which I am very sorry he had to take on my account. His acts are to live after him. He occupies the most dignified station upon earth. If any man living did more towards elevating him to that station than I did, it was because he had more influence. He has the efficient control of the whole fund of the nation—the disposal of our invaluable public domain—the appointment of all officers at home and abroad—the power to remove tens of thousands of officers, who have no means to procure subsistence for a day, if he chooses to remove them; they must do as he directs, or be turned loose to starve. All this power I zealously strove to give him, and I did so under a thorough conviction that he would only use it in accordance with the spirit of the constitution; that he would follow the wise example of Washington, of Jefferson, of Madison and Monroe; that, so far from openly interfering in the election of his successor, or encouraging any executive officer to do so, he would sternly prohibit it in others, and think it a high political and moral duty in himself to be perfectly "neutral," and lest he should disclose his preference, would "avoid conversing on the subject with his most intimate friends." In this I have been disappointed. I have been apprized that for twelve months past he has neither been sparing nor backward in his censure of me. It gave me no uneasiness; I was willing to bear it all without complaint. My only wish was that he might so conduct as to take nothing from the high character which, in common with others, I had for years endeavored to give him. Not content with this, he comes to our own state, among my own constituents, those in whose employ I now am, took a circuitous route through East Tennessee, so as to be in many villages, and is still on his tour through West Tennessee into North Alabama, openly denouncing me as a "red hot federalist," having abandoned his administration, and being as far from him as the poles are asunder, &c. Now, with great deference to the opinion of that highly esteemed and venerable man, I must be allowed to say he is entirely mistaken, I am not now and never was a federalist, in any sense of that term recognised by, or known to, the American people. I am now and ever have been a republican of Mr. Jefferson's school, so far as I have been able to comprehend the doctrines taught by him. The true way to test this matter is for each of us to put down the articles of his political creed, and see in what we disagree. I have given you mine: you and the American peo-

ple, who have taken the trouble to read what I have said, or to notice my recorded votes, know that I have practised on my professions. It is not with me to say whether the chief magistrate has practised on his or not. If we now disagree in any thing, I aver that I agree with the republican creed, and that he will be found on that side which leads directly to monarchy, although I hope he does not so intend it.

It is undoubtedly true that upon one point he and I are antipodes, as far apart as the poles are from each other. He thinks it an important point of his administration, before his time expires, to select his successor, and through the medium of a convention, got up under his own auspices, have the person thus selected recommended as a suitable candidate, to use all his influence and patronage to procure the election of the person thus recommended, and he denounces every man as a federalist, and as opposed to his administration, who will not vote for and support such person.

I disagree with this whole doctrine, and insist it is no part of his duty to select his successor, to have him recommended by a convention, or to use his influence or patronage to induce or coerce persons to vote for him. This is obviously the point of disagreement, and I willingly leave to the present generation, and to those who are to succeed us, to say which of us holds the republican side.

Suppose Mr. Adams to be now president, and his term about to expire, and he had designated Mr. Clay as his successor, and was using all his patronage to induce persons to vote for him, and was actually travelling through Massachusetts and elsewhere, haranguing the people and denouncing general Jackson as a red hot federalist because he would not withdraw his name and vote for Mr. Clay, what would be said by our venerable friend in such case?

With a view to bring this doctrine home to the comprehension of every man, suppose there were now a proposition to amend the constitution, and make it the duty of every president, before his term expired, to select the man, in his judgment, best qualified to succeed him—to have a convention called to recommend such person, and then to use all his patronage and influence to have him elected: is there any one man in America so stupid as not to see it would be taking from the people all choice, all power in electing their chief magistrate, and vesting it in the hands of one man? If such an amendment were to prevail, so far as the election of president was concerned, we would have to all intents and purposes a monarchy. Well; if we can be prevailed on to think this practice ought to be pursued, without such an amendment, practically the government is a monarchy; because the people will have given up their right of choice, and transferred it to one man. It is not me alone that is denounced, but every friend I have in congress from the state.—They are taken up one by one by name, and denounced by the president as federalists, and opponents of his administration. In what have they opposed his administration? Did they vote against his three millions, session before last? Did they vote against expunging the journals? Not they. Not one of them. Yet they are opposed to his administration, because they will not vote for the person he has selected as his successor. It is true as to one of them, Mr. Huntsman, when the president was asked how he was, he said he did not know, he was hanging on the fence, and it was doubtful which side he would fall.

In justice to that gentleman, I must be permitted to state, if there be any sincerity in man, he is as much on the Tennessee side of the fence as any of his colleagues. I have thought it right, on this occasion, to bring this point plainly and distinctly to your view, that you might every one see the reason why I and my friends are denounced as federalists, opposed to the administration and the antipodes of our esteemed and venerable chief magistrate.

The real offence which I have committed is not the abandonment of my principles, but because I would not abandon them. Not because I became the tool of the opposition, but because I would not unite with an old and valued friend in doing that, under evil and mischievous advisers, which, before God, I believe would rob the people of that freedom for which our fathers "perilled their lives, their fortune and their sacred honor," and bring reproach upon our memory, when we are numbered with the dead.

I have no controversy with the chief magistrate; I aspire to nothing which he wants. If there is any controversy, it is between my countrymen, who solicited the use of my name and him. They have solicited me to let my name be used as his successor, and I have consented. This is my whole offence. If there be any thing wrong in it, who is the cause of it? It is not me that is to be put down, and dis-

graced in this controversy, if Tennessee is either coerced or coerced to surrender her choice. It is the people who have placed me in the position I now occupy. The Savior of the world, when upon earth, found among the small number of his disciples one Judas who not only sold, but betrayed him for his thirty pieces of silver. It were vain for one of my humble attainments, who has nothing to offer but his best efforts to promote the public welfare, to hope that all who professed to be his friends would continue to act up to that character. Already have I found more than one Judas, who, by parting with their interest in me, have received, or expect to receive, more than twice their thirty pieces. I doubt not there may be more who will yet do so; but if it is the will of Providence that the use of my name shall be of service to my fellow men, it will be so ordered that, in place of such hollow-hearted and false friends, I will receive the aid and support of many honest men, who will desire nothing but that the government may be preserved in its purity: and if there lives the man who can induce a majority of the people of Tennessee to abandon their own principles and sacrifice an individual, whose name they have placed before the public to gratify his wishes, then will I admit that I never understood the character of the people among whom I have lived for almost fifty-two years.

My enemies have made a mistake. They imagine that, as I have determined not to advocate my own pretensions for the most dignified station upon earth, they may charge me with what misconduct they please, in my present station, as senator, and that I must remain silent, or lay myself liable to the charge of indecency in electioneering. I cannot and will not act on any such false delicacy. If I am unjustly accused—if I am charged with entertaining principles which do not belong to me, and these charges are made to my own constituents, by a character of the highest standing, it is due to you, it is due to the country, and it is just to myself, that I not only repel the charges, but disclose the motives of those who make them.

My political friends who have placed my name before the public are Jeffersonian Jackson republicans, professing and practising now the same creed they professed in 1828. Our motto is "not words but deeds." We determine to prove our "faith in our creed by our practices." If for this we are to be denominated "newborn whigs," we are content. Instead of being placed in the company of aliens and strangers, we will still be in the embraces and arms of our long-cherished principles. "Names are nothing," said our venerable chief magistrate in his letter to Mr. Monroe. Dress a tory in the garments of a whig, and he will be a tory still. As well might we expect to conceal the wolf by putting on the covering of the lamb, as to suppose that we conceal the conspirator who seeks to deprive the people of their right of suffrage, by throwing over him the name of a "good old Jeffersonian democratic republican."

All political power is vested originally in the great body of the people. It all resides there yet, except such portions of it as they have vested in their different agents, to be used for their benefit. They have reserved to themselves the right freely to choose the two highest officers known to the constitution, in that mode pointed out by it.

This right is the sure rock upon which the whole superstructure rests. Upon it I have planted myself. "The rains of slander may descend, the floods of calumny may come, the winds, the storms, and the tempests of denunciation may beat upon me," but there will I remain unmoved, until some political earthquake shall shiver both it and me to atoms.

In conclusion, permit me to add, that as to our venerable and esteemed chief magistrate, if in any thing I have said there is the appearance of unkindness or want of respect, it was certainly not intended. He has assailed me openly for my conduct while in your employ. One of the first laws of our nature is self-defence. I obey that law, as a freeman, whose rights and reputation are dear to him. We disagree in opinion on a most important subject. At our age, and every circumstance considered, it becomes us both to disagree in opinion, in good temper. In times past he has had his troubles, and in them he never was without a friend to justify or excuse his conduct when I was present. He has decreed that we shall separate, or I surrender that freedom for which my father fought. The first is the only alternative for a man determined to preserve his self-respect. He and I are poorly employed, if we lose our temper about human governments. In the course of nature they must soon cease to have any operation upon either of us. We must soon appear before a tribunal where the Judge himself will be the only witness. He cannot be misled as to our acts or our motives; and my prayer

is, that, instead of applying the rules of strict justice to either, our errors, vices and infirmities may find forgiveness in His mercy.

If thanks from the fullness of a grateful heart would avail you any thing for your unshaken confidence and steady support under every change and vicissitude of life, I would pour them out as long as my strength would permit: but I feel that I have detained you already too long. I offer you the following sentiment, in which I hope you will cheerfully unite:

Practices not professions—The republicans of Tennessee are now what they were in 1828—*Jacksonians, following the creed of that apostle of liberty, Thomas Jefferson.* Should this entitle them to a "new-born" name, they care not, provided they are left in the full enjoyment of their unalienable right of suffrage. They would rather have even a bad name with good principles, than bad principles concealed under a good name.

APPROPRIATIONS AND OFFICES CREATED IN 1836.

OFFICIAL PUBLICATION.

Report of the clerk of the house of representatives of the United States, in compliance with the "act to authorise the appointment of additional paymasters, and for other purposes," passed July 4, 1836.

Office of the house of reps. of the U. S. July 11, 1836.

In obedience to the 6th section of the "act to authorise the appointment of additional paymasters, and for other purposes," passed July 4, 1836, which requires "the secretary of the senate and clerk of the house representatives, as soon as may be, after the close of each session of congress, to publish a statement of all appropriations made during the session; and also a statement of the new offices created, and the salaries of each; and also a statement of the offices, the salaries of which are increased, and the amount of such increase," the clerk of the house of representatives submits the accompanying statements.

WALTER S. FRANKLIN,
Clerk house of reps.

Statements of appropriations made, new offices created, with the salaries of each, offices the salaries of which are increased, with the amount of such increase, during the first session of the 24th congress of the United States of America.

July 11, 1836. Prepared by the clerk of the house of representatives, in obedience to the sixth section of the act of July 4, 1836, entitled "an act to authorise the appointment of additional paymasters, and for other purposes."

Statement of appropriations made during the first session of the 24th congress of the United States of America, specifying the amount and object of each.

H. R. 51.

For the civil and diplomatic expenses of government for the year 1836.

For pay and mileage of the members of congress	\$556,480
For pay of the officers of congress	83,700
For contingent expenses of the senate	53,700
For contingent expenses of the house of representatives	200,000

H. R. 216.

For compensation to the president and vice president, the secretary of state, the secretary of the treasury, the secretary of war, the secretary of the navy, and the postmaster general	60,000
For clerks and messengers in the office of the secretary of state	19,200
For clerks, machinist and messenger in the patent office	5,400
For incidental and contingent expenses of the department of state, including the expense of publishing and distributing the laws	25,000
For contingent and incidental expenses of the patent office	2,000
For the superintendent and watchmen of the north east executive building	1,500
For contingent expenses and repairs of the buildings	3,350
For compensation to the clerks and messengers in the office of the secretary of the treasury	14,000
For the first comptroller of the treasury	3,500
For the clerks and messengers in the office of the first comptroller	18,850
For the second comptroller	3,000
For the clerks and messenger in his office	10,450
For compensation to the first auditor	3,000
For compensation to the clerks and messenger in his office	14,900
For compensation to the second auditor	3,000

For compensation to the clerks and messenger in his office	17,900	For messengers in the pension office	1,250	For compensation to the chief justice, the associate judges and district judges of the United States	81,400
For compensation to the third auditor	3,000	For contingent expenses	5,500	For the expenses of printing the records of the supreme court of the United States	3,000
For compensation to the clerks and messengers in his office	27,050	For the superintendent and watchmen of the north west executive building	1,250	For the salaries of the chief justice and associate judges of the District of Columbia and the judges of the orphans' courts	9,500
For compensation to the fourth auditor	3,000	For two additional watchmen to assist in watching the buildings of the war department	1,125	For compensation to the attorney general	4,000
For compensation to the clerks and messengers in his office	17,750	For the contingent expenses of said building	3,183	For compensation to the clerk in his office	800
For compensation to the fifth auditor	3,000	For compensation to the clerks and messengers in the office of the secretary of the navy	11,850	For a messenger in said office	500
For compensation to the clerks and messenger in his office	12,800	For the contingent expenses of the office	3,000	For contingent expenses of said office	500
For compensation to the treasurer	3,000	For compensation to the commissioners of the navy board	10,500	For the compensation to the reporter of the decisions of the supreme court	1,000
For compensation to the clerks and messenger in his office	7,150	For compensation to their secretary	2,000	For compensation to the district attorneys and marshals	12,900
For compensation to the register	3,000	For compensation to the clerks, &c. in their office	7,550	For defraying the expenses of the supreme, circuit and district courts of the United States, including the District of Columbia	345,000
For compensation to the clerks and messengers in his office	24,200	For contingent expenses of the office	1,800	For the payment of sundry pensions, granted by special acts of congress	1,350
For compensation to the commissioner of the general land office	3,000	For the superintendent of the south west executive building and the watchmen	1,250	For the support and maintenance of light houses	279,986 67
For compensation to the clerks and messengers in his office	20,500	For contingent expenses of said building	3,350	For a light house at or near Michigan city, Indiana	3,000
For compensation to the solicitor	3,500	For compensation to the two assistant postmasters general	5,000	For a light house on Pottawatamie island, at the entrance of Green bay, in lake Michigan	3,000
For compensation to the clerks and messenger in his office	3,950	For compensation to the clerks and messengers in the office of the postmaster general	40,350	For a light house or beacon light on one of the piers at the harbor of Oswego, on lake Ontario	1,200
For compensation to the secretary to the commissioners of the sinking fund	250	For contingent expenses of said office	7,500	For the removal of the light house now on the north end of Goat island, near the harbor of Newport, Rhode Island	8,700
For the contingent expenses of the several offices of the treasury department, viz:		For superintendency of the building	1,640	For erecting a frame building for a beacon light at the end of west pier, at the mouth of Black river, Ohio	2,600
For the office of the secretary of the treasury	12,500	For additional clerk hire for the year eighteen hundred and thirty-five	41,984 07	For finishing and securing the foundation of the beacon light at Cunningham creek, Ohio	225 50
For the office of the first comptroller	1,500	For the services of a topographer and map maker for obtaining materials	1,000	To make good a deficiency in the funds for the relief of sick and disabled seamen	15,000
For the office of the second comptroller	1,500	For the surveyor general in Ohio, Indiana and Michigan,	2,000	For expense in relation to the relief of certain insolvent debtors	3,000
For the office of the first auditor	800	For the surveyor in Illinois and Missouri	2,000	For surveying the public lands in Ohio	650
For the office of the second auditor	500	For clerks in the office of said surveyor	2,000	For surveying the public lands in the Michigan peninsula	15,000
For the office of the third auditor	600	For the surveyor general in Arkansas	1,500	For surveying the public lands in Michigan territory, west of the lake, and in Wisconsin territory	50,000
For the office of the fourth auditor	1,000	For the clerks in said office	1,800	For surveying the public lands in Illinois and Missouri	40,000
For the office of the fifth auditor	1,000	For the surveyor in Louisiana	2,000	For surveying the public lands in Mississippi	10,000
For the office of the treasurer of the United States	700	For the clerks in the office of said surveyor	1,500	For surveys south of the thirty-first degree of north latitude	2,500
For the office of the register of the treasury	3,000	For the surveyor in Mississippi	2,000	For survey of the Creek lands	1,000
For the office of the solicitor of the treasury	1,000	For the clerks in the office of said surveyor	1,000	For survey of the public lands and private land claims in Florida	16,450
For the office of the commissioner of the general land office	39,000	For the surveyor in Alabama	1,500	For survey of the public lands and private land claims in Louisiana	85,000
For tract books, other articles of books, and all other contingent expenses	9,500	For the surveyor in Florida	2,000	For surveying public lands in Arkansas	25,000
For translations, passports and sea letters	800	For the secretary appointed to sign patents for lands	1,500	For the salaries of keepers of the public archives in Florida	1,000
For stating and printing the public accounts	1,400	For the commissioner of the public buildings in Washington city	2,000	For the discharge of such miscellaneous claims not otherwise provided for	12,000
For compensation of superintendent and watchmen of the buildings occupied by the treasury department	2,100	For the purchase of books for the library of congress	5,000	For the salaries of ministers to Great Britain, France, Spain and Russia	36,000
For contingent expenses of said buildings	10,000	For salary of the principal and assistant librarians, and for contingent expenses of the library and pay of messenger	3,850	For the salaries of the secretaries of legation to the same places	8,000
For compensation to the clerks and messengers in the office of the secretary of war	12,650	For services rendered by Charles Meehan as assistant in the library	398	For the salaries of secretaries of legation to France, Spain and Russia, for the year eighteen hundred and thirty-five	6,000
For compensation to extra clerks when employed in said office	8,600	For compensation to the officers and clerks of the mint	13,900	For salaries of the charges des affaires to Portugal, Denmark, Sweden, Holland, Turkey, Belgium, Brazil, Chili, Peru, Mexico, Central America, New Granada, Prussia and Venezuela	63,000
For contingent expenses	3,000	For compensation to the laborers employed in the mint	21,000	For the salary of the dragoman to the legation to Turkey and for contingent expenses	6,500
For books, maps and plans for the war department	1,000	For incidental and contingent expenses of the mint	51,100	For outfits to ministers to Great Britain, France and Spain	27,000
For messenger in the bounty land bureau	400	For expenses of new machinery and apparatus	20,000	For outfits of charges des affaires to Mexico, Prussia and Peru	13,500
For compensation to the commissioner of Indian affairs	3,000	For compensation to the governor, judges and secretary of the Michigan territory	10,000	For the salaries of the agents for claims at London and Paris	4,000
For compensation to the clerks and messenger in his office	4,950	For contingent expenses of the Michigan territory	350	For the expenses of intercourse with the Barbary powers	12,000
For contingent expenses	800	For compensation and mileage of the members of the legislative council of Michigan, pay of the officers of the council, fuel, stationary and printing	6,425	For the relief and protection of American seamen in foreign countries	80,000
For compensation to the clerks and messenger in the office of the paymaster general	4,600	For arrearages of the expenses of the legislative council of the territory of Michigan	3,553 40	For completing "Digest of Commercial Regulations of Foreign Countries."	5,883 84
For contingent expenses	300	For compensation to the governor, judges and secretary of Arkansas territory	9,000	For completing the custom house at New Bedford	7,900
For compensation to the clerks and messenger in the office of the commissary general of purchases	4,200	For contingent expenses of the Arkansas territory	350		
For compensation to the clerks in the office of the adjutant general	2,950	For compensation and mileage of the members of the legislative council of the territory of Arkansas, including fuel, stationary, printing and distribution of the laws and journals	10,000		
For contingent expenses	1,000	For compensation to the governor, judges and secretary of the Florida territory	11,700		
For contingent expenses of the office of quartermaster general	600	For the contingent expenses of the Florida territory	350		
For compensation to the clerks in the office of the commissary general of subsistence	3,800	For compensation and mileage of the members of the legislative council of Florida, pay of officers and servants of the council, fuel, stationary, printing and incidental expenses	9,406		
For contingent expenses of said office	2,500	For arrearages of the expenses of the legislative council of Florida	908 60		
For compensation to the clerks in the office of the chief engineer	2,950	For allowances to the assistant counsel and district attorney in Florida	4,000		
For contingent expenses of said office	1,000				
For compensation of the clerks in the ordnance office	2,950				
For contingent expenses of said office	800				
For compensation to the clerk in the office of the surgeon general	1,150				
For contingent expenses of said office	400				
For contingent expenses of the topographical bureau	1,235				
For the salary of the commissioner of pensions	2,500				
For salaries of clerks transferred from the office of the secretary of war	4,900				

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or water; freight and ferriages; purchase or hire of horses, oxen, mules, carts, wagons and boats for transportation of troops and supplies, and for garrison purposes; drayage and cartage at the several posts; hire of teamsters; transportation of funds for the pay department; the expenses of sailing a public transport between the several posts on the Gulf of Mexico, and procuring water at such posts as from their situation require it	148,000
For contingencies of the army	8,000
For two months' extra pay to re-enlisted soldiers, and for the contingent expenses of the recruiting service	10,564 44
For arrearages prior to the first of July, one thousand, eight hundred and fifteen	3,000
For removal of the troops from Port Gibson to some eligible point on or near the western frontier line of Arkansas, and for a fort to be built upon the point selected	50,000
For completing the barracks, quarters, storehouses, hospitals, &c. at Key West	10,000
For hospitals at the various military posts at which they may be required by the proper officers of the medical department	100,000
For the national armories	330,000
For the armament of the fortifications	200,000
For the current expenses of the ordnance service	75,670
For the purchase of gunpowder	100,000
For arsenals	231,502
For supplying the arsenals with certain ordnance stores	188,575
For the purchase of cannon balls	29,488
For the medal heretofore ordered for gen. Ripley	300
H. R. 524.	
For the renewal of the gold medal presented to gen. Morgan, in honor of the battle of the Cowpens	150
H. R. 259.	
For the military academy of the United States, for the year eighteen hundred and thirty-six.	
For the pay of the officers, cadets and musicians	56,012
For subsistence of officers and cadets	39,566
For forage of officers' horses	1,152
For clothing of officers' servants	330
For the expenses of the board of visitors	2,000
For arrearages for the same in eighteen hundred and thirty-four and eighteen hundred and thirty-five	382 48
For fuel, storage, stationary, printing, transportation and postage	12,585
For repairs, improvements of buildings, grounds, roads, wharves, boats and fences	9,066
For pay of adjutant's and quartermaster's clerks	950
For philosophical apparatus	800
For models for the department of engineering	500
For models for the drawing department, apparatus and contingencies for the department of chemistry, and instruments and repairs for the mathematical department	1,285
For the purchase and repairs of instruments for the band	392
For incidental expenses of the department of artillery	50
For increase and expenses of the library	800
For miscellaneous items and incidental expenses	2,293
For completing the chapel	3,500
For compensation to the acting professor of chemistry	600
H. R. 264.	
For payment of volunteers, and for raising an additional regiment of dragoons or mounted riflemen	300,000
H. R. 374.	
For an arsenal in the state of North Carolina	45,000
H. R. 459.	
For arsenal at Charleston, South Carolina	20,000
H. R. 406.	
For the protection of the western frontier, by making military roads and constructing military posts	100,000
	\$4,607,286 92

H. R. 54.	
For certain fortifications of the United States for the year one thousand eight hundred and thirty-six.	
For the preservation of Castle Island and repairs of Fort Independence, Boston harbor	100,000
For Fort Warren, Boston harbor	200,000
For Fort Adams, Rhode Island	200,000
For Fort Schuyler, East river, N. York	200,000
For repairs of Fort Columbus and Castle William, and of officers' quarters on Governor's island, N. York harbor	20,000
For Fort Delaware, Delaware river	150,000
For Fort Calhoun, Virginia	150,000
For Fort Caswell, Oak island, North Carolina	60,000
For fortifications, Charleston harbor, S. Carolina, and preservation of the site of Fort Moultrie	150,000
For Fort Pulaski, Cockspur island, Geo.	170,000
For Fort Pickens, Pensacola, Florida	50,000
For the fort at Foster's bank, Florida	160,000
For incidental expenses attending repairs of fortifications, and for the purchase of additional land in their neighborhood	100,000
For contingencies of fortifications	10,000
For the purchase of land and the right of way on Throg's Point, in Long Island sound, being the balance of the appropriation of one thousand eight hundred and twenty-six, carried to the surplus fund	2,000
And the following sums, necessary to close accounts in the office of the third auditor, viz:	
For a fort on Cockspur island, Georgia	2,308 56
For contingencies of fortifications	61 08
For fortifications at Pensacola	1,223 31
For the armament of fortifications, in addition to the amount included in the bill making appropriations for the support of the army for one thousand eight hundred and thirty-six, including cannon, mortars, howitzers, gun carriages, howitzer carriages, mortar beds, powder, cannon balls, shells and for the transportation of the ordnance and ordnance stores; and for the purchase of twenty acres of land adjoining the Kennebeck arsenal, Maine; and the purchase of land inclosing the rear of the public ground with a brick wall and coping at the Frankford arsenal, Pennsylvania; and constructing a forging shop, one story high, seventy-five by forty feet, of brick, at the arsenal, Watertown, Massachusetts; and in the purchase of a steam engine of eight-horse power; and for the quarters of officers at Fort Monroe arsenal	400,000
For Fort McHenry, Redoubt Wood, and Covington battery, near Baltimore	50,000
For Fort Monroe	150,000
For the repairs of Fort Marion, and the sea wall at St. Augustine, Florida	50,000
For knapsacks and camp equipage for volunteers or militia	52,705
For accoutrements for the army	102,305
For the purchase of sites, and the construction of arsenals for the deposit of arms in Arkansas, Missouri, and at Memphis, in Tennessee	42,256
For the purchase of twenty-eight fire engines, and the necessary apparatus	22,400
For store houses at Newport, Kentucky	1,500
For purchasing seven acres of land, including the site of the powder magazine attached to the arsenal at St. Louis, Missouri	2,100
For erecting a piazza in front of the building occupied as barracks, by the troops at Augusta arsenal, Georgia	450
For barracks, quarters, storehouses, hospital, stables and materials for the same, at Fort Jesup, Louisiana	25,000
For rebuilding the wharf at Fort Wolcott, Newport, Rhode Island	500
For constructing a wood yard and wharf at Fort Monroe, Virginia	1,000
For constructing a wharf at Fort Severn, Maryland	1,000
For rebuilding and repairing barracks, quarters, hospital, storehouses and materials for the same, at Fort Brady, Michigan territory	5,000
For the purchase of land adjoining Fort Sullivan, and the buildings thereon	3,750
For the following objects, in addition to former appropriations for the same:	

For national armory at Harper's Ferry	77,897
For national armory at Springfield	45,000
For the purchase or manufacture of light brass and iron field artillery, and for construction of field artillery, carriages, caissons, and travelling forges	187,190
For the construction of furnaces for heating cannon balls	12,000
	\$2,907,645 95
H. R. 53.	
For the naval service for the year one thousand eight hundred and thirty-six.	
For pay of commissioned, warrant and petty officers, and of seamen	\$2,318,017 16
For pay of superintendents, naval constructors, and all the civil establishment at the several yards	68,340
For provisions	782,263 75
For repair of vessels	1,065,000
For medicines and surgical instruments and hospital stores	41,000
For the navy yard at Portsmouth, N. Hampshire	67,000
For the navy yard at Charlestown, Massachusetts	199,575
For the navy yard at Brooklyn, N. Y.	84,300
For the navy yard at Philadelphia, Pennsylvania	11,750
For the navy yard at Washington	37,500
For the navy yard at Gosport, Va.	167,000
For the navy yard at Pensacola	49,000
For wharves and their appendages at the navy yard at Pensacola, as recommended by the secretary of the navy	150,000
For powder magazine	17,000
For wall or inclosure of brick, three yards high, and a half-yard thick, as recommended by com. Dallas	24,000
For ordnance and ordnance stores	64,900
For sundry enumerated contingent expenses	\$21,600
For contingent expenses not enumerated	8,000
For completing the steam vessel building at Brooklyn	150,000
For completing the navy hospitals near New York and Boston, repairing the naval asylums, and all other hospitals, and for preparing suitable burying grounds	45,410
For completing the powder magazines near New York and Boston	19,200
For pay of the marine corps	163,077 25
For provisions for said corps, serving on shore, and for servants and washerwomen	32,517 72
For clothing	38,655
For fuel	14,589
For the purchase of sites, and the erection of barracks, near the navy yards at Charlestown, Gosport and Pensacola	150,000
For repairs of barracks near Portsmouth, New Hampshire, and for repairs at the other stations	8,900
For transportation of officers, non-commissioned officers, musicians and privates, and expenses of recruiting	6,000
For medicines, hospital stores, surgical instruments and pay of matron	4,139 29
For military stores, pay of armorers, keeping arms in repair, drums, fifes, flags, accoutrements and ordnance stores	2,000
For contingent expenses of said corps	17,977 93
For arrearages for defraying the extra services and expenses of the officers of the navy engaged in the survey of the coast and harbors of the United States	1,500
For a surveying and exploring expedition to the Pacific ocean and the the South seas	150,000
	\$6,276,312 10
H. R. 52.	
For the payment of pensioners.	
For the revolutionary pensioners	847,629
For the invalid pensioners	105,825
For pensions to widows and orphans, payable through the office of the third auditor	2,000
	\$455,454
[TO BE CONCLUDED IN OUR NEXT.]	

NILES' WEEKLY REGISTER.

FIFTH SERIES. No. 5.—VOL. I.]

BALTIMORE, OCTOBER 1, 1836.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED, BY WILLIAM OGDEN NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

☞ The president of the United States left the Hermitage on the 11th ult. for Washington, and is daily expected in that city.

☞ The majority of the Maryland senatorial electors continue in session at Annapolis, and manifest no disposition to adjourn—they have published a reply to the exposition of the minority, which is inserted in the present sheet. We also publish certain proceedings of the citizens of Baltimore at a town meeting held on Monday last in Monument Square, and the resolutions of the Van Buren central committee of Frederick county, recommending the withdrawal of the delegate ticket, and the card of the candidates on complying with the request. Contrasted with these latter proceedings, our readers will also find certain resolutions of the citizens of Allegany county, censuring the conduct of the recusant electors, and a card from the Van Buren candidates avowing their determination to remain in the field. In our next number, we will place on record a number of other important papers in relation to the late movement, that a full and impartial history of it may be preserved.

MARYLAND LOANS. The Annapolis Republican of the 27th inst. after stating that the executive council had adjourned, after having remained in session from Tuesday, the 20th, until Saturday last, says—They considered it, we believe, inexpedient, in the present posture of our state concerns, to appoint commissioners to negotiate the loans authorized by the act of the last general assembly. According to the tenure of that act, the treasurer of the western shore, on Friday last, being furnished with all the requisite vouchers, subscribed, on the part of the state, for the stock of the Baltimore and Ohio rail road. The means of fulfilling the obligation thereby contracted depends upon the credit of the state in the cold, calculating money market of the world. If a doubt is entertained as to the stability of government proposing to contract, the price of the risk is nearly graduated accordingly by those whose subsistence depends upon the interest of the money they lend. The law of last session, on the other hand, wisely limits the price at which a debt shall be incurred, and a premium is to be obtained which, when invested as a sinking fund, will be adequate to the discharge of the debt before it will become due. Unless these terms can be obtained, no loan is to be made. Our readers can form their own opinions as to the present prospects of the progress of our internal improvements.

SINGULAR COINCIDENCES. When, in 1787, the legislature of Pennsylvania had before them a resolution for calling a convention to deliberate upon the proposed constitution of the United States, the minority endeavored to defeat, or, as they said, to postpone the passing of the resolution, by absenting themselves from the house. That minority consisted of *nineteen members*. In the debate on the subject, a member, Mr. Clymer, remarked that three years before, a similar secession had taken place; that the same number of members, namely, *nineteen*, had then absconded, and there was the same number of laws ready to be compared on the table. The seceders from the Maryland college of electors are also *nineteen*. In the Pennsylvania case two of the recreant members were brought to the house, *volens volens*, by the citizens, but with as much respect as the occasion would allow, and a very amusing debate took place on the question whether they were present or not. The resolution, however, was passed, the convention called under it, and the constitution accepted by an overwhelming majority of the people. [U. S. Gazette.

CHOLERA AT CHARLESTON. The reports were, on 21st, 10 cases, 4 white and 6 black, 1 dead—1 more death of the preceding day's report; 22d, 10 cases, 2 whites, 8 blacks, 1 dead; 23d, 27 cases, 5 whites, 22 blacks, 9 dead—one death of the preceding day's report; 24th, 12 cases, 1 white, 11 blacks, 4 dead.

NEAPOLITAN INDEMNITY. Treasury department, September 30, 1836. Notice is hereby given, that the nett proceeds of the third instalment of the Neapolitan indemnity, will be paid on the 5th day of October next, by the bank of America, either in New York city, or at the Maine bank, (Portland),

the Commercial bank, (Portsmouth), the Merchants' bank, (Boston), the Girard bank, (Philadelphia), the Union bank, (Baltimore), or the bank of the Metropolis, (Washington), as may be most convenient to the holders of the certificates.

LEVI WOODBURY, secretary of the treasury.

EXTENSIVE INDIAN EMIGRATION. The Columbus Sentinel says the Creek Indians have nearly all been gotten under way, within the last week, for their destined homes at the west. Opothe Yohola's party, a party from the neighborhood of Wetumpka, the Ufaulas on the Tallapoosa, a party from the neighborhood of Gunter's landing, another from Taladega, and Tuckabatchee Hargo's party from Chamber's county, estimated in all at upwards of *thirteen thousand* souls, are now all on their way to the far west. Jim Boy and his warriors, with a few others from the lower towns, all under the command of colonel Lane, go to Florida, leaving their families at home until their return, when they will put off for the same destination. And thus will the Creek territory be entirely rid of this unfortunate but troublesome population.

BENJAMIN RATHBUN. A committee of the creditors of Benjamin Rathbun having arrived at Buffalo for the purpose of investigating his affairs, finding that his personal liberty was indispensable to their operations, directed their counsel, Samuel Dutcher, esq. of Albany, to make an application to the circuit court, then in session in Buffalo, to admit Mr. R. to bail. Mr. Dutcher, on Thursday the 22d ult. made a motion to that effect, assisted by H. K. Smith and Thos. T. Sherwood, esqs. counsel for Rathbun, which was argued at length and strenuously opposed by Geo. P. Barber, esq. district attorney; and the court in the afternoon determined to admit him to bail in the sum of \$60,000. On Saturday last the requisite security was given, and Mr. Rathbun returned to his family.

The Buffalo Commercial of the 24th ult. says that, the investigations already made have given confidence to the committee that the property assigned, will, under judicious management, extinguish all the claims on his estate.

MICHIGAN. The returns, thus far, of the election for fifty delegates to assemble at Ann Arbor, to express their assent or dissent to the late act of congress for the admission of Michigan, with the prescribed boundary, &c. render it certain that a large majority of delegates have been elected who are opposed to the stipulations of that act. In this event Michigan will have no senators or representative in congress at the next session, nor any vote in the coming election of president and vice president of the United States.

RAIL ROADS can be traced back, as it is stated, to the year 1690. At that period coals came to be a substitute for wood as fuel in London and other parts of England. The consequence was that from the increased demand at the mines, the greatest inconvenience accrued in conveying the coal from thence to the ships, as well as immense expenses for the horses and laborers employed; for the purpose of removing which, wagon roads were at first made, consisting of wooden rails or ledges, fitted to allow the wheels of the wagons to run upon them. By this improvement it was found that a single horse could easily draw on these rails, which had previously required three or more horses. In 1793 a farther improvement was made by substituting cast iron rails instead of the wooden ones. The old fashioned wagons, however, being still employed, were found inconvenient. These were dispensed with about the year 1770, and instead of one great wagon, a number of smaller wagons, each capable of containing one or two tons, were used, being linked together with chains. By thus diffusing the weight over a larger portion of the railway, the principal cause of the failure in the first instance was removed. From this time cast iron railways began to be constructed as branches to canals, and in some places as roads of traffic from one place to another.

AMERICAN AND BRITISH SHIPPING. The British house of commons at their last session, having appointed a select committee to inquire into the cause of shipwrecks in the British merchant service, that committee in August last made a long

and detailed report, which (says the N. York Times) we find in the London Courier of the 18th and 20th of August. The report contains the following deserved compliments to the mariners of the United States:

21. *Experiments in American vessels.* That the happiest effects have resulted from the experiments tried in the American navy and merchant service to do without spirituous liquors as an habitual article of daily use; there being at present more than 1,000 sail of American vessels traversing all the seas of the world, in every climate, without the use of spirits by their officers and crews, and being in consequence of this change, in so much greater a state of efficiency and safety than other vessels not adopting this regulation, that the public insurance companies in America make a return of five per cent. of the premium of insurance on vessels completing their voyages without the use of spirits, while the example of British ships sailing from Liverpool on the same plan have been productive of the greatest benefit to the ship owners, underwriters, merchants, officers and crews.

45. *American shipping.* That the committee cannot conclude its labors without calling attention to the fact, that the ships of the United States of America, frequenting the ports of England, are stated by several witnesses to be superior to those of a similar class amongst the ships of Great Britain, the commanders and officers being generally considered to be more competent as seamen and navigators, and more uniformly persons of education than the commanders and officers of British ships of a similar size and class trading from England to America, while the seamen of the United States are considered to be more carefully selected, and to be more efficient; that American ships sailing from Liverpool to New York have a preference over English vessels sailing to the same port, both as to freight and rate of insurance; and higher wages being given, their whole equipment is maintained in a higher state of perfection, so that fewer losses occur; and as the American shipping have increased of late years in the proportion of 12 1-8 per cent. per annum, while the British shipping have increased within the same period only 1 1-2 per cent. per annum, the constantly increasing demand for seamen by the increasing maritime service of the whole world, the numbers cut off by shipwreck, and the temptations offered by the superior wages of American vessels, cause a large number of British seamen every year to leave the service of their own country, and to embark in that of the United States, and these comprising chiefly the most skilful and competent of our mariners, produce the double effect of improving the efficiency of American crews, and in the same ratio, diminishing the efficiency of the British merchant service.

BRITISH SHIPPING IN 1235. Total number of ships cleared inwards and outwards in 1835—in foreign trade only, 16,531

Of which there were
British ships 11,740
Foreign do. 4,749
Tonnage in the foreign trade 2,952,854

Of which there were in
British ships 2,203,026
In foreign 749,828

The total number of ships belonging to Great Britain (small coasters not included) in 1832—was 24,655
Tonnage of the above 2,617,638

Of the above number of ships, there were belonging to Great Britain 19,684
To the British colonies 4,771

PUBLIC LANDS. The United States owns, at present, of surveyed lands, as follows: In Ohio, 4,100,492 acres; in Indiana, 11,459,156 acres; in Illinois, 17,234,001 acres; in Missouri, 17,443,429 acres; in Alabama, 22,586,058 acres; in Mississippi, 12,924,301 acres; in Louisiana, 9,683,526 acres; in Arkansas, 14,223,175 acres; in Michigan, east of the lake, 9,104,697 acres; in Michigan, west of the lake, 4,924,220 acres; and in Florida, 6,792,909 acres; making a totality of (in round numbers) about 132 millions of acres, now surveyed, of which 122 millions have been offered at public sale, and are now subject to entry, and about ten millions are new lands, lately surveyed, and ready to be proclaimed for sale. Besides this mass of surveyed lands, (it is, in fact, four or five millions more, for

the surveyed lands of this year are not included), the United States own, in the same states and territories, about 100 millions of acres to which the Indian title has been extinguished, but which is not yet surveyed, and about 80 millions of acres to which the Indian title has not been extinguished; and all this exclusive of the Des Moines purchase, an acquisition of great value and extent, west of the Mississippi and north of the state of Missouri, and which of itself will form a great state, and complete the line of states on the west bank of the Mississippi, from the Gulf of Mexico to the Falls of St. Anthony. Here, then, is an aggregate of about 340 millions of acres of public land within the limits of the states and territories, of which 132 millions are now ready for sale, and 100 millions more can be ready as soon as it can be surveyed.

[Globe.]

EASTERN AFRICA. A Mr. Isaacs has lately published in England an account of Eastern Africa. He left St. Helena a boy of sixteen, in 1824, with lieutenant King, on a voyage to Natal, on the south eastern coast of Africa, in quest of a lieutenant Farewell, who had years before sailed for that port, and was supposed to have fallen into the hands of the savages. The voyage was made in safety, till the vessel entered the bay of Natal, where she was wrecked. All on board were, however, saved, and the shipwrecked crew had the pleasure of meeting with Farewell's people, who had obtained the protection of the Zoola king, and had been treated by him with every mark of friendship. Mr. Isaacs landed in Natal in 1825, and during his residence penetrated some hundreds of miles into the interior, carrying on a bartering trade with the natives for ivory. He describes the country as very beautiful and well watered; the air as mild and genial; the soil as rich, loamy and productive; and the climate as healthy and agreeable to Europeans. The natives, particularly the Zoolas, are a fine race of people, and capable of social and moral improvement. The Europeans shipwrecked at Natal formed a settlement, in which they were assisted by the natives, who were docile, obedient, and much attached to the "Melangoes," or white men; and there is every reason to conclude that the place would have soon become the nucleus of a flourishing colony, but for the avarice and strife of the officers. While Mr. Isaacs lived there lieutenant King died, and lieutenant Farewell was murdered, while making an excursion in the interior. The former was a gallant, generous, noble-minded man, whose conduct procured for him the respect of his own people, and the veneration of the natives, who looked up to him as a being superior to all others.

[N. Y. Evening Post.]

SHIP BUILDING ON THE LAKES. The Buffalo Daily Journal states that the most approved plans or proportions for steam vessels built for the lakes, are as follows: In a vessel of from 180 to 200 feet in length, one foot beam to about six and three-quarters of length, with 12 feet of hold, &c. Therefore, to construct a vessel with a much less beam than 29 or 30 feet in 200, with a hold of 12 feet, would be thought impolitic, as the requisite strength or safety could not be long maintained under the operation of a heavy engine, and of course her attainment of a great velocity would be much lessened or impeded. We believe that some of the best boats which have been remarkable for great velocity, have been as 1 to 10; but, as before observed, their strength is thought insufficient to answer a good purpose on the lakes.

ADVICE OF WILLIAM PENN—extracted from one of his epistles to his emigrants, which we do not recollect to have seen publicly noticed:

"Now, for you who think of going to Pennsylvania, I have this to say to you, by way of caution. If a hair of our heads fall not to the ground without the Providence of God, remember your removal is of greater moment. Wherefore, have a due reverence and regard to his good Providence. Go clear in yourselves and of all others. Be moderate in expectation; count on labor before a crop, and cost before gain; for such persons will best endure difficulties, if they come, and bear the success, as well as find the comfort that usually follow such considerate undertakings."

AN ANTIQUE. A venerable and beautiful relic of old times has been disinterred, as one may say, from a burial of thirty years and more, in Norfolk. This is nothing less than the mace, employed before the revolution, by the borough court, as a symbol of authority. It is of richly wrought silver, three feet six inches long, and weighing eighty-six ounces. It consists of a polished staff, having a crown on the top, with the British arms, the rose

and thistle, and other devices. The crown weighs twenty-eight ounces. From an inscription on the staff, it appears that this beautiful piece of workmanship was presented to the corporation of Norfolk in 1753, by the hon. Robert Dinwiddie, then lieutenant governor of Virginia. In 1790, it was committed to the clerk of the borough court, for safe keeping, and by him deposited, in 1805, in the vault of the Virginia bank, where it has ever since remained undisturbed and almost forgotten.

SUPPOSED VOLCANO AT SEA. An intelligent ship-master writes from the coast of California, that on his passage out, "Thursday, April 9, 1835, in lat. 7, N. long. 99 West, we observed some little things floating by the ship, which on examination proved to be small stones, resembling pumice stone. From their appearance I should suppose they were of volcanic origin. We sailed upwards of fifty miles through them, thinly scattered over the surface of the sea.

We were about 540 miles from the continent, 600 from Gallipagos, and 600 from Clipperton rock. The north east trade winds prevail in these latitudes. I can form no satisfactory opinion whence they came, excepting from some volcanic eruption at the bottom of the ocean. As I send you specimens, you can forward part of them to the learned professor Silliman.

"The meteoric shower in November, 1834, was seen in California."

[Boston Daily Adv.]

CURE FOR CHOLERA. At Laybach, in Illyria, the cholera broke out on the 25th of June last, and in four days more than 400 of its inhabitants, out of a population of 20,000, died. On the 5th day, there was an earthquake,—from which moment the intensity of the disease was past. It may therefore be set down as a probable fact, that earthquakes are a cure for the cholera. Thunder and lightning have frequently been found to exert a similar influence in staying the progress of the epidemic. Desperate diseases require desperate remedies. Artificial thunder, or the firing of cannon, has sometimes been resorted to for the same purpose. But a mere shaking of the atmosphere does not occasion that radical change in it which is effected by the natural phenomena above mentioned. Nevertheless, the firing of cannon has sometimes seemed to be of use in dissipating the causes of the disease.

[N. Y. Jour. of Com.]

ITEMS OF FOREIGN NEWS

From Paris papers to the 24th and Havre to the 26th ultimo.

Accounts had been received at Paris of the formation of the new ultra liberal ministry in Spain. M. Isturiz, minister of foreign affairs and of the interior and president of the council. Gen. Soane, minister of war, Senor Galiano, of marine, and Salarte of finance. The minister of justice not yet appointed.

Gen. Evans was in daily expectation of a reinforcement of 1,200 Spanish troops, who had obtained leave to march through the French territory, and on their arrival it was supposed that he would make a vigorous attack on the Carlists. The head quarters of Don Carlos were at Villa Franca.

Reports were circulated in Paris that serious disturbances had taken place at Madrid, and that the queen had been compelled to reinstate M. Mendizabal; but no authentic intelligence of this nature had been received.

The French government had despatched another expedition in search of *La Lilloise*, from which no tidings have been received for three years.

It is said that Talleyrand was dangerously ill. The following is an extract of a letter from Rome. It is generally known that the family of Lucien Bonaparte reside at Canino, of which he is the proprietor. Two of his sons, giving way to the impetuosity of youth, engaged in a quarrel with the game keeper, when the latter was killed. The Roman government immediately sent a detachment of carabinieri to the spot, with an order to arrest the two princes; they, however, made resistance, and were joined by other young men of the neighborhood.—The officer commanding the detachment was shot dead by a pistol from one of the princes. The contest became general; several persons were wounded, and among others, the sub-lieutenant and two carabinieri dangerously so. The government force finally obtained the victory; one of the princes escaped, but the other was immediately sent under an escort to Rome, where he arrived on the 8th, shortly after the news of the event had reached government. It is said that the lieutenant who was killed is related to a prelate.

WAR IN FLORIDA.

The Tallahassee Floridian of the 17th announces the arrival of the Tennessee volunteers, and speaks

of them as a fine body of men, brave, handsomely equipped and well mounted. They are encamped about six miles from Tallahassee. Active preparations were making for the winter campaign, which will be directed by general Call in person, general Jesup serving as a volunteer. According to the Mobile Commercial Register, the force destined for the campaign consists of 600 regular troops, 500 marines, 1,600 Tennessee volunteers, and if deemed necessary 1,500 or 2,000 of the Alabama volunteers now in service. The force of the Indians is stated at 2,500 men, 1,500 of which are Seminoles (formerly Red Sticks from the Creek nation) 500 captured negroes, and 500 Creeks who have recently joined Oseola.

It is said that the Indian warriors engaged by general Jesup, confidently predict that there will be no fighting—that the Seminoles will surrender as did their people, when our troops were sent against them. The experience of the past is against this opinion, and we will not be disappointed if Oseola not continues to elude the vigilance of our troops (which cannot penetrate their fastnesses in the hammocks and cypress swamps without great loss) until the arrival of the warm weather, when the country, as recently, will be left exposed to his depredations. He is not a foe to be despised, and such is the discipline of his warriors, that an officer who has witnessed their conduct in the field, expresses an opinion that as soldiers and light troops they cannot be surpassed.

From the following extract of a letter, received at Jacksonville, E. F. it will be seen that Newnansville has been relieved:

On the 5th instant, a train, with a supply of provisions, arms, and ammunition, left Gary's Ferry for Newnansville, under the command of major Pierce. Expecting to encounter the Indians on the march, major Pierce directed all the effective force, of 12 companies to accompany the train. The command consisted of about 150 regulars and mounted Florida volunteers, and two pieces of artillery. It reached Newnansville on the evening of the 7th, and supplied that post with subsistence for two months, one howitzer, with 140 rounds of ammunition, canister shot and shells, and 10,000 musket ball cartridges, and as large a reinforcement of regular troops was also left as the commanding officer of that station considered adequate to its protection. It is highly gratifying to be enabled to state that Newnansville continues healthy."

Major Peirce had returned to Gary's Ferry. The following honorable testimonial of his conduct in the battle at Fort Drane was transmitted to him by governor Call. The major is a gallant officer, and enjoys the confidence of the troops and citizens in a high degree.

Tallahassee, Sept. 6.

SIR: I have received through col. Crane a copy of your official report of the battle at Fort Drane. Your conduct, and that of the officers and men under your command on that occasion, reflects on you and upon them the highest credit. To have beaten Powell, with one third of his force, was a proud achievement—and I take this occasion to tender my acknowledgment to you and to your command for this gallant service. I am sir, very respectfully, your obedient servant,

(Signed) R. K. CALL, commander-in-chief.
Major R. K. Pierce, U. S. army.

Major Pierce has been invested by gen. Call with the independent command of all the troops west of the St. Johns, with orders to col. Crane to send immediately all his disposable force from St. Augustine and east of St. Johns, to join maj. Pierce, who is to report to the governor direct.

We see it also stated, that gov. Call expects to be in the field by the 25th inst. with 1,600 Tennessee volunteers and the middle Florida militia, and that major Pierce is to join him with all the regulars west of the river St. Johns.

In a letter from lieutenant col. Mills, dated Fort Gilliland, 9th instant he says:—"An expedition under captains Beckham and Gilliland, (during my absence), on Sunday pursued a party of Indians, killed one and took six horses from them. No loss on our side."

Information was brought to New Orleans by the schooner Emblem, which arrived at that port on the 15th from St. Marks, that a fight had taken place on the 2d September near Tallahassee, between 104 men under major Sands, and 200 of Oseola's warriors, in which the latter were driven from the field leaving 12 of their slain behind. Major Sands had but one man wounded and none killed.

Since the above was in type we received the following:

Tallahassee, Sept. 18, 1836.

SIR: I have the honor herewith to enclose copies of my last letters to general Jesup and commodore

Dallas, which will explain to you fully my plans for conducting the war against the Seminole Indians. Since the date of those letters, I have had a personal interview with general Jesup, in which with great magnanimity, he declines the command of the army in Florida, and proposes to serve under my authority as a volunteer. It is gratifying to me to know that the country will have the benefit of his talents and experience, even though he declines the nominal command of the army. He will be in Florida by the 25th inst. with the forces under his command. I shall march to-morrow at the head of the Tennessee and a small number of the Florida volunteers, and hope to meet the enemy before the first of October. I am, sir, very respectfully, your obedient servant,

R. K. CALL,

Commanding the army in Florida.

The hon. Lewis Cass, secretary of war.

Extract of a letter to a gentleman in Washington, from an officer of the Tennessee volunteers, dated "Tallahassee, Florida, Sept. 18, 1836.

"On to-morrow morning we take up the line of march for the Wythlacoochee. Our brigade is 1,400 strong, under the command of general Robert Armstrong, of Nashville. There will be about 1,000 Floridians and 800 regulars, with 2 or 300 Indians in co-operation with us. We have great ambition and high hopes of putting an end to the war."

The Jacksonville Courier Extra is filled with the details of an inroad made by the Indians; a hot pursuit, and the Indians final escape. These barbarities have been perpetrated chiefly upon females.—The Indians have appeared within seven miles of Jacksonville. The house of Mr. Higginbotham was attacked. There the party in pursuit found two men (one of whom was sick) and two ladies on guard with guns in their hands. The Indians had not reappeared after their being beaten off before Mr. Higginbotham left to report in town. On a slight examination, they saw a number of bullet marks in the house made by the Indian's shots—and saw the clothes of the younger lady, through which the ball passed, grazing the skin of her person. She had arisen early, and going out towards a branch for water, when the attack was made upon the house, between which and herself were the Indians. The Indians fired at her, and one ball passed her side so close as to cut through all her clothes but touched not her body. She ran to the branch and seated herself therein, and subsequently made her way into the house, past the Indians, in safety.

After a little time spent in search, the party under maj. Hart found where the Indians encamped the night previous, not three-fourths of a mile from the house, and also the spot where the horses were tied while the attack was made on the house.—From that spot our party took the Indians' trail.—It struck the Tallahassee road, and these daring devils kept the road for 10 miles, riding at full speed as their trail showed, till they came to Mr. McCormick's house, then occupied by Mr. Johns and wife, on the road 18 miles from Jacksonville. Our party in pursuit reached this house about 4 o'clock, P. M. It was a smouldering pile of ruins. On examination, maj. Hart states that they found the calcined bones of a human being burned in the house. A piece of the back-bone was found with some flesh upon it. The skull was to be seen, but at the touch it fell in and crumbled to pieces. The bones were mostly reduced to ashes.

Near the house was a quantity of hair, to appearance that of a female. Thence the trail seemed to be still on the road, and our men pushed on with increased speed and anxiety, to overtake the murdering Indians. They expected to do so at the next house (Mr. Lowder's) 7 miles ahead. On arriving there they found the house abandoned by the two females and their children who lived there, but unvisited by the Indians. The inmates had evidently fled in alarm, as the dinner they were preparing was still at the fire and warm, of which our party partook—and then, doubtful of the trail they were on, set out for Mr. Sparkman's four miles distant. It was after night when they reached Mr. Sparkman's nor was it possible for them to determine whether they were on a trail or not. Great distress filled the house of Mr. Sparkman. There was Mrs. Johns—her arm laid open with a rifle bullet—a ball shot through her neck—and her scalp, so far as the hair extended over her head, most horribly and mangled taken off—and she still alive! Good God! who can hear the recital of such a deed, and not feel horror stricken at the cold-blooded barbarity! Who can hear and not feel a thirst to revenge such outrage?

She was able to state the circumstances of the attack upon herself and her husband. They were about twenty yards from the house, between 10 and 11 o'clock Thursday morning, when the In-

dians showed themselves by the corner of a fence close to them. The Indians fired and wounded Mr. Johns in the left breast. Both ran for the house, entered and closed the door. The Indians came up and fired on the house. They called out in English, and told them if they would come out they should not be hurt. The Indians looked in through the cracks (the house was made of logs) and told Mr. Johns and his wife to come out; but they did not consent to do so, but begged for their lives. The order was given in English to charge the house.

The Indians burst in—shot Mr. Johns through the head—he fell, and his wife fell upon his body. An Indian dragged her to the door, and said to "hi-e-pus-cha," "go." She asked where, and he pointed toward the head of Black creek. At that moment she saw another Indian level his rifle—she threw up her arm—the Indian fired—and the ball passed lengthwise through the flesh of her arm, passed through her neck.

She fell. The Indian came up—dragged her into the hall of the house, (the house is what is called a double log-house), and then taking out her comb and tearing the string from her hair, scalped her. He did not tear the scalp off, but cut it as butchers take the skin from a beef. During this operation Mrs. Johns was sensible to what was doing. She saw the Indian's scalping knife, and says it was a round pointed common butcher-knife—she lay as if dead. The Indians plundered the house, taking a pair of portmanteau containing \$100, and every thing of value—set fire to the house, and one Indian applied the torch to her clothes—left the house—gave a hoop, and hurried off in the direction, she thought from their noise, off the head of Black creek. She felt the fire of her clothes upon one leg, and as soon as she dared to move so much, grabbed in her hand a quantity of her own clotted blood, with which she put out her burning clothes. And then when the Indians were out of hearing, she got up—saw her murdered husband's body unscalped and unmoved from the position in which he at first had fallen except that the Indians had put one foot up on the edge of a table.

The house was on fire—she made her way out of it, fainting every few minutes. She reached the edge of a swamp—got some water, and there lay down, unable to get farther. There she remained till 10 o'clock, P. M. when three men, Mr. Johns, the father of her husband, Mr. Lowder, and McKinney came along. They saw the burning house all fallen in, except the corners of the logs, the body therein burned—and discovered her, whom they took to be an Indian at first, then a squaw. On advancing to her, what must have been the feelings of her father-in-law, to recognize in the butchered, bloody, almost lifeless woman, his daughter-in-law—and to know that the burned human frame in the house was that of his son! These three men carried her to Mr. Lowder's, and, giving the inmates of the house the alarm, and taking them, the two females and their children, went on to Mr. Sparkman's—where our party in pursuit of the Indians found them, as above stated.

It was the trail of these men that was mistaken for that of the Indians. The Indians were all mounted, and the trail was therefore easily mistaken.

That these cursed butchers, so bold as to come within seven miles to commit their depredations, should escape from so ready, rapid, and hot pursuit, and that, too, from men of known bravery and perseverance, and determined at every hazard to overtake and chastise them, gives us great mortification and pain. They did all that man could do, except running, only 20 strong, and without any forage, into the nation after them, which would have been folly and rashness.

SON OF RAMHOUN ROY. A son of the celebrated Indian prince, Ramhoun Roy, has been for some years in England, where he is receiving an education, with a view of ascertaining the fitness of the Hindostanee character and mental capacity to fill civil offices in India. He is about eighteen or twenty years of age.

THE WESTERN FRONTIER.

It appears by information derived by the St. Louis Bulletin from the Arkansas papers that a requisition has been made by gen. Arbuckle on the state for troops to quell the disturbances existing among the recently emigrated Creeks and Cherokees, originated, as is supposed, by the rival claims of Roly McIntosh and Nea Mathla to the chieftaincy of the nation. Under the impression that the conflict might become one of a sanguinary character, and involving the safety of the frontier, gen. Arbuckle has made the requisition, and it is believed that in no other emergency than an actual infringement of the rights of the border settlers, will the general consider himself authorized to interfere.

The troops ordered into service, together with the governor and his aids, proceeded, on the 25th, to Fort Towson, where they are to be armed and equipped, and will doubtless be ordered across to Fort Gibson, to await general orders. No one seems for a moment to entertain the idea that these troops will be required on our Mexican frontier.

The last Arkansas Gazette says: "We learn, by a letter from an intelligent gentleman residing in one of the Indian nations west of Arkansas, that the Indian country, at this time, is in a state of considerable excitement. The Creeks and Cherokees have held a secret council, at which it is believed, they formed an alliance, to sustain the present Creek chief, Roly McIntosh, in authority, against the claims of Nea Mathla, who was the second chief all the Creeks east, and is now at the head of a numerous band of his people approaching their new country west. A great national ball-play took place, a few days ago, in a remote part of the Cherokee nation, where it is supposed their plans were developed to the great body of the Cherokee people. But nothing has yet happened, or is likely to happen, to disturb the slumber of the good people of Arkansas."

TEXAS.

By an arrival at New Orleans, in 4 days from Galveston island, information is received that the Texian army (3,000 men), had removed their encampment to the Garcite, near Matagorda bay.—The trial of Antonio Lopez, for attempting to rescue Santa Ana, was to take place in a few days. The election for president took place on the 5th instant. General Samuel Houston was elected president, and M. B. Lamar vice president.

Another attempt, which proved unsuccessful, has been made by a Spaniard, of the name of Payes, to rescue Santa Ana. Upon being examined he stated that he was employed for the purpose by the Mexican consul of New Orleans.

The New Orleans Bulletin of the 15th contains the following proclamation:

From the Red River Herald, 5th Sept. 1836.

PROCLAMATION.

Nacogdoches, Texas, 29th Aug. 1836.

TO THE CITIZENS OF TEXAS: From reports which have reached me, I am induced to believe that our situation is unsafe: some Cherokees with the native Castilians, have returned to the Cherokee village from Matamoras, and say that the Indians of the Prairie and a Mexican force are about to attack this portion of Texas. The counties of San Augustine, Sabine, Tanahaw and Beval, as well as Nacogdoches, will forthwith organize the militia of each county. The following requisitions are made to sustain the United States force at this place, until reinforcements can arrive at this place from general Gaines, viz:

Sixty-four from San Augustine, 56 from Tanahaw, 56 from Sabine and 33 from Beval. The troops will repair to this place with the least possible delay, and report to the commanding general as soon as they arrive.

This call is made through the judges of the several counties, and must be regarded as the law of the land; the troops will only be detained a few days, as soon as gen. Gaines can send reinforcements to this place they will be discharged.

Let arms and ammunition be brought; at least one hundred rounds are requested. The commander-in-chief will be with the freemen of Texas. If they have to meet an enemy all the men of Texas must have their arms in order—to have liberty, we must be watchful.

(Signed)

SAM. HOUSTON,
Commander-in-chief.

MICHIGAN.

The following letter from Mr. Schoolcraft, in reply to one from John S. Norvell, one of the senators elected from Michigan, contains much valuable information in relation to the new territory annexed to Michigan, by the recent act of congress.

Detroit, Aug. 5, 1836.

DEAR SIR: My reply to your note of the 2d inst. respecting the extent and value of the territorial domain annexed by congress to Michigan, must necessarily be brief, and will exclude some data, which I could not well introduce, without reference to my manuscript notes. I have no hesitancy, however, in stating such facts as can readily be embodied, nor have I any objection to express my opinions of the value and character of the region in question, whether they may accord with, or are opposed to public opinion. Little time and search are required to show, that congress have conferred a territorial boundary of magnificent extent upon the people of Michigan, presenting very prominent geographical features, and of varied value. Portions of it are the mere development of sublime

scenery, which appertains to that comparatively elevated portion of the continent. Mountains and lakes, plains, rivers and forests, spread over it, with a boldness of outlet, which may be said to constitute almost a peculiar type in North American geography. This division embraces the mineral district of the region. Much of it falls under the influence of causes, which render it of little or no value in an agricultural point of view; but it may in future be regarded as the seat of mining operations.

Extensive ranges of the looser sand rock have been broken down, in some former changes, and redeposited at a lower altitude, in extensive plains and ridges; which are now covered with forests of pine. These sandy plains are crossed by rivers, having a free descent towards the lakes, and afford the requisite power of converting the logs into lumber. Millions of acres of such land, which have suffered comparatively little by fire, stretch out between the sources of the Wisconsin, Montreal, Ontonagon and St. Mary's; and it is probably within the limits of a just estimate to say, that several hundreds of mill seats, of adequate power, are furnished by the district.

Such is the aspect of the larger portion of the lake Superior lands. They extend southerly, to a point undetermined, between the waters of that lake and of lake Michigan. The line of their termination is the point of junction between the agricultural limestone lands of the west, and the marine sand plains, and the pine heights, above indicated. Accuracy, with respect to either kind of the soil, either in acres or in miles, must be the result of explanation and survey. The northern shores of lakes Michigan and Huron, as far as point Detour, are exclusively limestone, where rock is at all visible, and this rock is characterized by the usual indications of gypsum or brine springs.

The growth of trees in the newly acquired boundary is as various as the soils, and is, in general, an accurate index of its fertility. The sugar maple is interspersed throughout the tract, being separated by the sand plains, the mountain masses, and by tracts of spruce lands. The tree forms, however, so considerable a portion of growth, that the natives can always, by a timely removal of their camps, rely on the manufacture of sugar. The beach tree is found as far north as Point Iroquois, at the outlet of lake Superior. I regard the white oak, however, as a surer test of soil and climate together, than any other of our forest trees. I doubt whether this tree attains to any size in a climate that is not decidedly congenial to agriculture.—The rock maple and the red oak are found, at intervals, throughout the northwest. I have seen both species at the source of the Mississippi, but have not observed the beach north of the locality mentioned, nor the white oak north of the straits of Michilimackinac.

The entire area comprehended within the state limits, west of lakes Michigan and Huron, cannot be stated with accuracy, in the present unsurveyed state of the country; but I cannot, if I have used proper data, vary greatly from twenty-two millions of acres, about six millions of which were ceded by the lake Indians in the treaty concluded with them at Washington in March last. Five-sevenths of the whole area can be visited in vessels, such as ordinarily navigate the lakes. The interior abounds in minor lakes, and enjoys a singular advantage of communication by its streams and portages. The area included between the three great lakes, north of Mackinac, which will probably hereafter be denominated the upper peninsula of Michigan, embraces the present settlements at Michilimackinac and Sault Ste. Marie. Taking the whole extent of the annexed territory, from Menomonee river, following the curves of the coast to the northwest limits of the state at the mouth of the Moniauw,* or Montreal river of lake Superior, it affords not less than 720 miles of additional coast navigation; and embraces in the distance, several large bays and excellent harbors. About forty large and some sixty small streams discharge their waters into the three lakes constituting portions of the boundary.

Lake Superior lies at a level, estimated to exceed a fraction of 40 feet above lake Huron, and is connected with it by the straits of St. Mary's. The principal fall is to be overcome at Sault Ste. Marie, where the river sinks its level about twenty-two feet in three-fourths of a mile. Vessels can ascend to this position. Three ship locks, of about seven feet lift, would open a communication with the lake above, adding, according to the various estimates of the circumference of lake Superior, from 1,200 to 1,600 miles of the coast navigation to the voyage from Buffalo. The structure of the country is favorable to the execution of the work, at a reasonable

expense. The soil is clay and gravel, underlaid by sand stone.

The number of fishing stations about the coast is numerous, and the points where fish are taken are annually increasing, under the incipient enterprise of the inhabitants. It would be difficult to estimate the present value of the trade or commerce. Several thousand of barrels of fish are put up annually. One thousand barrels were brought from lake Superior the present season. The waters of this lake are probably destined to yield an exhaustless supply of this article. Twenty thousand dollars worth of fish may be expected to be barreled in the upper lakes the present year. An adequate capital vested in fishing vessels, nets and other articles, would increase the amount indefinitely. There is reason to infer, that the present reproduction of fish annually exceeds the number taken.

Leisure does not permit me to continue these remarks. It is proposed to resume them at the earliest possible moment after my return to the upper lakes, and to give short notices of the several topics to which you have done me the honor to request my attention. I am, sir, with much regard, yours, &c. HENRY R. SCHOOLCRAFT.

Hon. John Norvell, Detroit.

THE JUGGERNAUT PAGODA.

From the *London Nautical Magazine* for August.

The town of Pooree, in which the Juggernaut Pagoda stands, is situated about a mile from the sea, and is enclosed by jungle; the general feature of the immediate country being extensive sandy plains. It is a most perfect Hindoo town, considered very holy, and at present contains ten thousand inhabitants. These are mostly connected with the services of the temple, and at the arrival of the pilgrims are fully occupied in affording lodging, &c. The houses are just a remove from huts, except a few belonging to the priests or rich farmers. The fronts are mostly daubed with rude outlines of their gods, all monsters; some with five arms, and others without any; some with elephants' heads, and these are intermixed with peacocks and Hindostanee characters. Then there are numerous pagodas and hospitals for sick pilgrims, which, together with the temple, and other curious buildings within its surrounding walls, truly present a most singular mass; a jumble of squalid superstition and vague idolatrous grandeur.

The whole population, men, women and children, elephants and favorite cows, are all marked on the forehead with various colored paint; the painting seems to be arbitrary, and to depend on the caprice of the priest. The colors employed are red, yellow and mud, and they are placed in dots, lines and curves. This general daubing, which is common all over Hindostan, takes place on mornings and evenings; and, thus secured from evil, the people go forth to their labors with confidence and alacrity. I witnessed a mahout, or driver, with his elephants, in the act of being marked. The man had first dots and lines placed on his forehead, and a stripe down his nose; then the elephant, kneeling down, received his portion, being similar to the mahout's, a yellow stripe running the whole length of his trunk; his tusks were capped with brass, and certainly when he walked towards a piece of water close by, he looked a most noble animal. On reaching the margin of the tank, he set up a loud shout, and commenced spouting the water up, seeming highly delighted.

The town roads are very deep and filthy, being several feet lower than the houses, the ascent to which is by steps cut out of the sides or walls of the road, and a family may at times be seen walking up the steps, followed into the house by their favorite cow. These Bramanee cows are mostly white, and delicately formed, having deer-like legs. Their owners take delight in having their bodies fancifully tattooed, and their horns brass-tipped.—They are indeed highly favored throughout Hindoo India.

The temple of Juggernaut, or of "the lord of the universe," stands immediately without the town on its N. W. side. It is in latitude 19 deg. 48 min. 40 sec. N.; longitude 85 deg. 53 min. E. and lies nearly S. W. from Calcutta, above 250 miles, allowing for the windings of the Hooghly. Its entire height is 220 feet, and the hill on which it is built has a considerable elevation. This, with other minor temples and shrines, form the inner court; the walls being twelve feet high. Outside these walls are numerous other buildings, viz: temples, cook-houses, &c. and the whole stands within a square enclosure, with walls twenty feet high, and half a mile in extent. In the centre of each side of the square is a large gate; the principal one, facing the east, has a lion couchant on either side; hence it is called the Gate of the Lions. They are very rudely formed, and in point of sculpture are fit asso-

ciates for the great idol god, Sri Jee, and his companions. The greater part of the exterior walls of the temple are covered with representations of numerous Hindoo gods, and other objects of idolatry; the walls of the courts and gates are also similarly ornamented.

In front of the Gate of the Lions is an open space, in the centre of which is a handsome basaltic pillar, and here the bazaar is held; from this there is a good road to the westward, over a fine level piece of ground bordered with numerous shrines, two large tanks or lakes, and a pleasant country.—It is along this road that the procession of the cars pass. There are several festivals held during the year; but the Rutt Jatra, or the feast of the cars, is the most celebrated, and attracts multitudes from the remotest part of Hindostan. The idol at this festival is brought to the Gate of the Lions, and placed on a stupendous car, from forty to fifty feet high, supported on cumbrous wheels. The car has all the tinsel and gaudiness, flags and other decorations, befitting barbaric grandeur.

The idol, a misshapen block of wood, being clothed and decorated, and the whole being rendered as imposing as possible, crowded with priests and their satellites, and preceded by richly caparisoned elephants, bearing flags and tinkling bells, is dragged forward by hundreds of men, women and children, amid the shouts and yells of a countless multitude, the horrid din of the noisiest and rudest description of music, and forms altogether such a scene of excitement and confusion as is beyond description. In this manner the car rolls heavily over the road above mentioned, leaving deep indents in its track, and wooing any excited victim to be crushed beneath its wheels, the car proceeds to a distance of a mile and a half, when it stops in front of a pagoda, with enclosures, &c. similar, on a smaller scale, to the one it left. At this pagoda the idol is feasted and remains some time.

Self-immolation, I was informed, is now of very rare occurrence, and that only three had taken place during the last two years; it was supposed one of these was an accident.

The car, or rath, I examined, had sixteen heavy solid wheels, the axletrees of the extreme wheels being the shortest, and gradually increasing in length to the centre axle; the two front and hind wheels were the nearest, and the centre ones the farthest apart.

The tax levied by government, (company's) on the pilgrims at this festival, is very considerable, being from five to three rupees each, according as they come from the northward or southward, and two rupees, 8 annas; for every week they remain.—The priests and their agents are also paid several rupees; the expense of which, with that of purchasing holy food and lodging, is felt as a heavy exaction on the greater number of these poor people, thousands of whom struggle onwards, with only the necessary tax secreted on some part of their persons, depending for subsistence, during their long and weary pilgrimage, on the precarious charity of the country through which they have to pass. Hundreds, who are unable to raise the required sum, are, by permission of the proper authorities, admitted gratis. Several Hindoo princes maintain hospitals for sick pilgrims, and otherwise contribute to the support of Juggernaut.

The great loss of life attending this festival, which takes place during the sickly season, either in May or June, is sufficiently manifest, the surrounding sands being thickly strewn with human bones. The great scavengers of India, the vulture, adjutant and crow, the jackall and Parian dog, here feast to satiety. Hence, during the greatest mortality, which, when cholera steps in, is awfully great, the atmosphere is scarcely tainted. A few hours are sufficient to strip a body; ants and other insects, with a scorching sun, quickly complete the skeleton; and the sand, moved by every breeze, in a short time covers the whole; and this home of death exhibits not a trace of the extraordinary scenes so lately enacted.

The Juggernaut festival is also celebrated, but on a very minor scale, at Trincomalee, Madras, near Calcutta, and other parts of India; and it is to be feared that there is very little, if any abatement, in the enthusiasm connected with this popular superstition, than which a more unintellectual or profligate system, perhaps never debased the human race.—Pooree being the fountain-head of this idolatry, offers a noble field for missionary labors; and a station being established there, may be of incalculable benefit.

Fifteen miles to the eastward of the temple, and at about its distance from the sea, are the ruins of the Kunnarecor, or Black Pagoda. This was formerly a place in much estimation, but having been struck with lightning, was in consequence desecrated. It may be known from seaward by its resem-

*So called by the Indians.

blance to a black building having a high spiral chimney, such as we often see in our manufacturing towns. On the coast to the westward of the temple, and at the distance of six miles, is the Narsingapatam Pagoda; it is very small, and its white top is just visible above a cluster of trees. Still farther to the westward is the Manikpatam Pagoda.

ATTACK ON JUDGE BERMUDEZ.

The following are the particulars of the horrible affair in New Orleans, alluded to in the last "REGISTER."

On Monday the 5th of September, judge Bermudez, let to bail a Mr. Giquel, who was imprisoned under a charge of having murdered a Mr. Brux in an affray which occurred, a short time previous, in one of the streets of New Orleans. It was apparent, says the New Orleans Bulletin, that public opinion was against the decision of the judge, and that some excitement was occasioned by it. Little, however, did we imagine that it would extend so far as to produce the lamentable results of Monday night. On this night it appears that some personal friend of Mr. Brux, who had been killed by Giquel, in company with several other individuals, feeling exasperated at the release of Giquel, and the judge who had been the author of it, proceeded to the residence of judge BERMUDEZ, with a view to *lynch him*, or to inflict some severe punishment upon his person.

"They knocked at the door of his house, which upon being opened by him, some individuals demanded if he were judge BERMUDEZ, and if he were, that he must go along or march with them. One of the individuals, Mr. Bailey, we are informed, put his hands on the judge, using some force, with a view to get him along, in consequence of which a scuffle ensued, which resulted in the death of Mr. Bailey, he being stabbed with a sword. A Mr. EAGAN was at the same engaged in an attack on the judge, and was killed by the discharge of a double barrelled gun, by a young man passing the night in the house of the judge. Upon the death of these individuals, the others in front immediately left. These are in substance the particulars of this lamentable business, so far as we have heard. That two young men of fine prospects, and holding a highly respectable standing in society, with a large circle of relatives and friends, to lament with bitterness their death, should have lent themselves in an evil hour to those most unfortunate and illegal measures, is to us a source of unaffected grief.

The New Orleans American of the 8th ult. says: "MERIDA, who was wounded on Monday night at the house of judge BERMUDEZ, has since died [making three killed on the occasion]. Woodlief, who was taken prisoner on the same night, has been liberated on bail."

The coroner's inquest which was held on the bodies of the killed, returned a verdict of "justifiable homicide."

It appears from further facts developed, connected with the death of the individuals who attempted to lynch judge Bermudez, that his wife performed a principal part in the scene, having with her own hand slain one of the deceased.

"Had it not been for her timely interference the assailants would have succeeded in their nefarious purpose. Four of them had seized the judge, and whilst he was struggling, she rushed into the room with his sword, with which he killed one, when he was almost down, by a back-handed stroke. She herself grappled another. A negro is also stated to have fought most furiously for his master and mistress. Bailey, one of the slain, was from Boston, and Eagan, the other, from St. Thomas. The judge is described as a very active man, somewhat above the middle size, and about 35 years old."

NEW GRANADA.

The following is an extract from a letter written at Bogota the first day of July last:

"The congress of New Granada adjourned the 29th of May, and in the course of their session took up the subject of internal improvements upon a grand scale, having passed an act making large appropriations of land for a rail or Macadamized road across the isthmus of Panama, with the exclusive privilege for forty-five years. This contract was obtained by col. Charles Biddle, a citizen of the United States, in conjunction with a few capitalists here, and promises, if completed, to be of immense importance to our commerce, and indeed to that of the whole world, as it must become, in a few years, the highway of nations to the Pacific ocean, and will enable our whaling ships to make their return every six months, instead of three years, as well as save a dangerous voyage around Cape Horn. In this matter the charge of the United States (gen. McAfee) gave all the aid in his power.

"A company has also been organized to make a road from Popayan to the Pacific, a distance of about thirty-three leagues; and, also, another company to construct a similar road from Buena Ventura, on the Pacific, to Cali, on the Cauca river, thirty leagues distant, which will open that rich valley (of Cauca) to our trade across the isthmus. Exertions are also making to open the canal from Barranca to Cartagena, which will connect all this part of the country, and that watered by the Magdalena, with Cartagena. If these projects succeed, this country will be open to our commerce in every direction.

"The congress also have passed a new decree, admitting our barrels, hogsheds, staves and hoops free of duty. This passed at the session of 1835, but was unfortunately encumbered with the *alcabala* duty on the last day of the session, which defeated the intention of congress. This is now removed, and will, of course, open the way for the exportation of sugar and molasses.

"A decree to sustain the public credit passed, which provides for the payment of the third part of the interest on the whole public debt. This decree sets apart the tobacco and public lands, as well as an eighth part of the customs.

"The payment of our claims on Colombia are deferred until the three states (Venezuela, New Granada and Quito) settle their proportions, which will not take place very soon, unless a mediator or arbitrator is called upon to decide, and the United States are the only nation likely to be called on.

"An attack was made upon one of our merchant vessels, called the Tuscarora, near Porto Bello. Satisfaction has been given in consequence of the interference of our charge. The offenders have been punished, and an order given that the goods which had been taken shall be restored. The representation of the charge was promptly attended to, and is a proof that this government intends to act with decision in relation to outrages committed on friendly nations within its borders." [Globe.

REFORM OR REVOLUTION IN MARYLAND.

TO THE PEOPLE OF MARYLAND.

The present momentous crisis evidently demands of the undersigned, twenty-one of the electors chosen by you on the first Monday of the current month, to elect, under the provisions of the constitution, a senate for the state of Maryland, that they should submit to your calm consideration the causes which have thus far prevented them from discharging their solemn trust, and the principles and views by which they have been governed in their endeavors to accomplish it.

Sincerely desirous of performing with scrupulous fidelity the duty devolved upon them, the undersigned, in conformity with the practice of every prior college of electors since the 14th day of August, 1776, determined to take for their sole and exclusive guide the constitution under which alone the office was created, its duties prescribed and themselves elected. Recurring to that instrument they found the 15th section to be in these words—"That the said electors of senate shall meet at the city of Annapolis or such other place as shall be appointed for convening the legislature, on the 3d Monday of September, 1781, and on the same day in every fifth year forever thereafter; and they, or any twenty-four of them, so met, shall proceed to elect, and by ballot, either out of their own body or the people at large, fifteen senators, (nine of whom to be residents of the Western, and six to be residents on the Eastern Shore) men of the most wisdom, experience and virtue, above twenty-five years of age, residents of the state above three whole years next preceding the election."

They also found that by an amendment of the constitution proposed by the act of 1822, ch. 204, and confirmed by the act of 1823, ch. 116, each elector of the senate, before he could act as such, was bound to take the following oath of office—"I do swear (or affirm as the case may be) that I will be faithful and bear true allegiance to the state of Maryland, and that I will, support the constitution and laws thereof; and that I will to the best of my skill and judgment diligently and faithfully, with out partiality or prejudice, execute the office of elector according to the constitution and laws of this state." And by the 18th section of the original instrument which is so far unrepealed, that such oath was to be taken by the electors immediately on their meeting. These provisions were too plain to be misunderstood—They are obvious as every organic law especially should be, to the dullest capacity; with our duty so clearly and specifically defined, we assembled in compliance with universal usage in the senate chamber at Annapolis, on Monday last, the third Monday in September, at 12 o'clock, and immediately qualified by taking the oaths of of-

fice—as however only twenty-one (the undersigned) did so assemble and qualify, as the constitution by its letter seemed to require that twenty-four should be present at the election of a senate, we waited patiently for the other nineteen members elect to join us—We knew that they were in the city and confidently anticipated that they would take the oaths of office in the course of the day and organise the college—A report however soon reached us that they had resolved not to unite with us, in the performance of a common manifest duty, except upon conditions, to be previously prescribed by them.

At first we did not credit the rumor. We did not believe it possible that any mere agents of the people of Maryland, selected for a specific purpose, the performance of a single and well defined duty, would gravely determine to make it depend upon any thing else than a fair construction of the constitution and the laws. We could not suppose that we, who were known to be under the most sacred and solemn obligation to execute a trust faithfully and conscientiously, could be approached with a proposition of bargain touching the performance of our duty. We never for a moment entertained the idea of trafficking upon such a subject; and a proper self-respect, together with the palpable obligations of duty, precluded all of us from listening to such a proposition coming from any quarter, however respectful in its language; and still less could we receive it from any other than a member of the college, duly qualified as such. Our duties were most clearly pointed out by the constitution, and we were not only bound as good citizens to support it, but our very oath of office made it our particular and sacred duty to uphold it in all its integrity.—The votes we were to cast for senators were not to be given as our votes, but as those of the people of Maryland. They had by their constitution laid down the rules, and the only rules, which were to govern us; and we should have been false to them, and false to our oaths, if we had permitted any other to be prescribed to us.

We soon ascertained that there was too much truth in the rumor to which we have referred, and that a misguided partizan feeling was threatening the state with anarchy and its terrible results. Hoping for a returning sense of duty, we continued in session nearly the whole of each day, until Wednesday last, the third day of our session, when, without taking the oaths of office, the whole of the nineteen electors left the city of Annapolis, and the state without a senate. Whether they are to return or not, depends upon you. It becomes you to act promptly and decidedly. Be not deceived by the cry of reform. Many of the undersigned, and those by whom they were immediately elected, are in favor of reform to a certain extent and by constitutional means. Revolution is not reform. The history of the world reads us awful lessons of the former. Nothing can justify it, except, in the language of your bill of rights, "the ends of government are perverted and the public liberty endangered, and all other means of redress are inefficient." Can these things be predicated of Maryland, of a constitution adopted by men as pure, free and patriotic as ever lived? Time may have rendered some of its provisions unsuitable to the present condition of the state. Some changes are proper and necessary, but who can say that liberty is manifestly endangered, and that all other means of redress are ineffectual, but revolution.

It is for you, freemen of Maryland, to decide upon the destiny of your state, whether she is to continue the pride and boast of her sons, or be involved in all the horrors of revolution. Do not deceive yourselves; the moment an effort is made, unauthorised by the constitution, to organize a different government—the moment it is understood that we are resolved into the original elements of society—the moment it is attempted to force upon the people a new constitution, in any other mode than that provided by the existing instrument. Maryland ceases to exist. Once gone, she will be no more, forever.

We now propose briefly to examine the grounds upon which your nineteen agents seek to justify their conduct. They are found in an address for the first time published in the city of Baltimore, after they had abandoned their trust at Annapolis. You are there told that it is not the purpose of these gentlemen to meet us in college, and that the power which was delegated to them is surrendered into your hands, and that no senate, because of their absenting themselves, can be constitutionally chosen, or will hereafter exist in Maryland under the present constitution.

Waving, for the present, all question as to the right of such agents to surrender their office, what are the reasons given for their conduct? we have a right to examine them, because they are designed to cast upon us the responsibility of the present

alarming crisis of affairs. We are told that they would have been willing to have gone into the election, to have made a senate whose powers would have been necessarily limited by the constitution as it is, if before doing so the undersigned should have given them a pledge to vote for eight persons as senators to be named by them, and this pledge they assert they had a right to exact, because they received a majority of all the votes taken at the electoral election, and desired some radical changes in the constitution and form of government. Passing by, for the present, the question whether electors of the senate could, consistently with their oaths, and the nature of the trust confided to them, give any such pledge, let us see the results to which the principle of the nineteen would lead.

In the first place it involves a subversion of the very constitution we had sworn to support by the virtual substitution of numerical for constitutional majorities. It requires of the majority of the college to surrender their judgments and their oaths to the will of a minority. It destroys the only ground upon which a representative republic can be maintained, and consequently aims a fatal blow at all our forms of government, state and general. This might be shown by a variety of illustrations. One will be sufficient. A candidate for the presidency (Mr. Van Buren for instance), might be elected by a very large majority of the electoral votes, a constitutional majority, and his right to office would be clear beyond all doubt. By recurring, however, to the votes given in the different states, at the same election, it might be that an overwhelming numerical majority was against him. For example—Suppose the following states to vote for Mr. Van Buren, in the order, and by the majorities given, to wit:

New York	40	electors by 500 majority.
Pennsylvania	30	500
Virginia	23	500
Kentucky	15	500
Ohio	21	500
Tennessee	15	500
Massachusetts	15	500
	158	3,500

Here would be 158 electors, a considerable majority of the whole number, elected by a majority of only 3,500 votes. Now suppose all the other states, New Hampshire, Rhode Island, Connecticut, New Jersey, Delaware, Maryland, North Carolina, South Carolina, Georgia, Vermont, Louisiana, Indiana, Alabama, Mississippi, Illinois, Maine and Missouri, were to elect their 130 electors, all opposed to Mr. Van Buren, by majorities in each of 5,000 votes, or in all 85,000, there would be a numerical majority against him of 81,500 votes. Now what would be thought of the one hundred and thirty minority electors, if they were to require of the president elected by a constitutional majority to resign in favor of the candidate of their choice, because they had been elected by a large numerical majority of all the votes given in the union, and that to such majority he was decidedly obnoxious.

What would the nineteen, who, as they proclaim to you, now refuse to unite with us upon such a ground alone, say to such a proposition and above all what would be said by every good citizen, every lover of his country, if, failing in the election of their own candidate, the states electing the minority electors should refuse to perpetuate the constitution of the United States, by refusing to send senators or delegates to congress? Can any man doubt that such a course of conduct would receive, as it would deserve, the indignant reprobation of every freeman in the land? It is unnecessary to give any other example of the dangerous tendency of such a doctrine. Give it full force and the government of the union and of every state composing it, is destroyed. It is at war with the theory and practice of all representative republican governments. They cannot exist an instant under its influence, and we solemnly warn you against giving it a momentary sanction.

But, in this particular case what becomes of the principle of the nineteen, as applied to themselves. Which of the undersigned was elected by so small a popular vote as the elector from Annapolis, and yet he is one of those claiming the right to dictate to a majority of the college, because he and his associates, as they say, represent the larger part of the white population of the state. Now which of the counties has not more than double the population of that city? They maintain that the undersigned do not represent the people of their respective counties, and should not therefore, select senators from such counties, except at their nomination. If this doctrine be sound, what reason can be assigned why any elector has the right to vote upon his own judgment and conscience for any other senator of the whole fifteen than the one who may

be selected from his own particular county? Why is it that we are not as much the representatives of the people of Baltimore, as are the electors, from Caroline county, or as much entitled to choose a senator for Frederick county as are the electors from Queen Anne's. We find these four gentlemen, a part of THE NINETEEN, representing the smaller counties and elected by fewer popular votes than many of the undersigned, and yet they are of the number who claim to dictate terms to us, upon the gratuitous assumption that they represent the larger portion of the population of the state. It is impossible, not to perceive the gross injustice of such pretensions. What public reason can exist, why greater power should be allowed to them than to the majority of the college? Or what propriety is there in considering them the especial representatives of the more populous part of the state? Is it because there is some magic influence in being an advocate for the election of Mr. Van Buren to the presidency of the United States. Will a mere party name invest electors, chosen under their own state constitution, with powers utterly subversive of the very constitution, which, if they qualify, they swear to support? Have his partisans the uncontrolled right to violate clearly defined constitutional duties, to destroy long established forms of government, if it is believed his election will be thereby promoted? The honest friends of that candidate, and doubtless he has many such, may hereafter deeply deplore the excesses into which, in times of high political excitement, some partisans seek to involve them. The question now in Maryland is infinitely above all mere questions of presidential preference. It is a question of constitutional freedom. If the state government is to fall by the means now taken to overthrow it, the calamity will be felt long after the names of Harrison, White and Van Buren shall have been forgotten. We never can acquiesce in the demands of the nineteen unqualified electors. Our rights and powers are known to and derived from the constitution alone. The whole body of electors represent the people of the whole state, elected from separate districts, on a particular day, and in a prescribed form.

They are not elected to subvert the views of any political division of the people of any county or city from which they may respectively come, but bound by the most solemn obligations to their country and their God, to be faithful, and true allegiance bear to the state of Maryland, by supporting her constitution—as it is, they are not invested, nor was it designed that they should be invested with any power to render negative a single one of its provisions.

If they have a right to disregard any one article, they may with equal propriety refuse to acknowledge the whole. If any nineteen of them refuse to elect a senate because the majority will not violate their own plain and palpable duties, by permitting them to select a majority of the senate, they may, with like reason, hereafter, upon a similar plea of numerical majority, deny to the Eastern Shore her constitutional right to six members of the body. In a word, there is not a single wholesome provision by which the territorial rights of the two great sections of the state are secured by the present constitution, which may not, and in all probability will not, be subverted by this heresy of the absolute and controlling power of a numerical majority, and the mere agents of such a majority may disregard the plain written words of the constitution, to accomplish their immediate purpose—ruin, inevitable ruin, must be the consequence.

But if the nineteen had no other object in view, and as yet they have avowed none other, than the election of a senate favorable to a reform of the constitution, why did they not come into the college, take the oaths of office and vote for such a senate? Who can say that a senate of that description would not have been elected? It was perfectly well known that there were amongst the undersigned many favorable to reform, and if nothing more was desired by the nineteen than the selection of a reform senate, their plain course was to have met the college and united their votes with those of the undersigned who are constitutional reformers. Many of us desired to see material changes in the constitution, and are not now for the first time expressing that opinion, as will appear by our recorded votes as members of your house of delegates. Indeed there is not one of us who is not willing that such amendments of the constitution should be made as are just and necessary; but we desire to see them accomplished in a peaceful and constitutional mode, without a gross usurpation of power on our part, or a violent disruption of the bonds, which for upwards of sixty years, have so happily united the people of Maryland in peace and security. All that we can do to ensure your safety, we are solicitous and de-

termined to perform. It is our business to elect fifteen men of the most wisdom and experience and virtue in the state to constitute one branch of your legislature. It is not our province to blot a letter from the constitution. Our power is in no sense a legislative one. It is the senate, together with the co-ordinate branch of the legislature, the house of delegates, acting under a proper sense of duty, guided by an enlightened public opinion who can, alone, constitutionally legislate for your wishes or your wants. All that we are selected to accomplish is the choice of as capable and virtuous a senate as we can make—that done, our functions are at an end, and in our opinion not until then. We assert no right to resign the trust you have imposed upon us—it is a duty we have assumed for the public good under the sanction, of the constitution which no elector can, in our opinion cast off at pleasure, more especially when he has sought the office at the hands of the people. Should we decline its exercise, we have no doubt that the laws might be appealed to against us—It is impossible that the mere agents of the people—trustees appointed to do an act necessary to the continuance of their government, can with impunity decline the trust and thereby possibly involve the state in all the horrors of anarchy.

PEOPLE OF MARYLAND, the crisis is an awful one—the times are big with the fate of freedom—If the revolutionary spirit, now stalking abroad amongst us, is not promptly subdued by the majesty of your power, upon you will rest the fearful responsibility of being the first in the country of Washington, to give to liberty a mortal wound.—We shall to the last endeavor faithfully to perform our duty to you, and to ourselves—we have remained patiently at the seat of government, keeping the college open from day to day to the present time, and here we are resolved to continue until all hope is lost of the return of the absent electors. We are determined that, if confusion, anarchy and ruin are to come upon us, if all the bright hopes of the people of Maryland are to be forever blasted, and our once fair and happy land is to become a scene of desolation and terror, we will have the consolation of reflecting, in the midst of our afflictions, that we have faithfully performed our duty.

GEORGE S. LEIGH,
BENEDECT I. HEARD,
GEORGE VICKERS,
JAMES P. GALE,
JAMES KENT,
JAMES A. D. DALRYMPLE,
HENRY BRAWNER,
WILLIAM D. MERRICK,
SOLOMON DICKINSON,
GEORGE DUDLEY,
WILLIAM WILLIAMS, jr.
SAMUEL J. K. HANDY,
WILLIAM W. LAKE,
THOMAS H. HICKS,
GEORGE W. DUVAL,
THOMAS G. PRATT,
THOMAS A. SPENCE,
HENRY FRANKLIN,
EPHRAIM GAITHER,
RICHARD BEALL,
ANDREW BRUCE.

Annapolis, September 24, 1846.

GREAT PUBLIC MEETING.

From the *Baltimore American* of Tuesday last.

One of the largest and most respectable meetings ever convened in the city of Baltimore, was held at Monument Square on Monday, the 26th instant, at 3 1-2 o'clock, P. M. On motion of Columbus O'Donnell, esq. the meeting was organized by the appointment of general William McDonald as president.

On motion of Daniel Cobb, esq. the following gentlemen were appointed vice presidents—John McKim, jr. Solomon Etting, John Dushane, Luke Tiernan, Robert D. Millholland, William H. Conkling, Jacob Wolfe, Solomon Betts, Samuel Hoffman, John Gibson, Joshua Wall and Joseph W. Patterson, esqs.

On motion of S. Owings Hoffman, esq. the following gentlemen were appointed secretaries—Thomas W. Hall, William Crawford, jr. Osmond C. Tiffany and William G. Harrison, esqs.

The object of the meeting having been stated by the president, John V. L. McMahon, esq. offered the following address and resolutions, which he sustained in a strain of unsurpassed eloquence and force.

He was followed by David Stewart, esq. who moved their adoption in a speech fraught with noble and republican sentiments.

They were thereupon unanimously adopted: We, the citizens of Baltimore, opposed to revolution and anarchy, and the supporters of law, or-

der and constitutional reform, have in town meeting assembled, to consider the recent attempts of some of our public agents to break up all the foundations of our government, to cut society loose from all its moorings, and to put us, our wives, our children, our institutions and all we hold dear, adrift upon the troubled sea of revolution. We are here assembled to lift up our voices in denunciation of these attempts, and to call upon our fellow citizens here, and throughout the state, to come up with us to the rescue, to rally around the banner of peace and order, and by the instant and energetic adoption of the constitutional and peaceful measures which yet remain to us, to snatch our hitherto happy and favored state from the horrors of anarchy.

The crisis to which we have arrived, forces upon us the most painful and revolting contrasts. Placed by the hand of a bountiful Providence in a central and commanding position on the Atlantic border of our country—the untiring energy and enterprise of the inhabitants of our beloved city in past times, have conducted it in the lapse of little more than half a century, from the humble station of a fishing village, to the third city of the union. They accomplished this under many difficulties and in the face of much opposition—with rival cities on either side, who had started far ahead of her in the contest for the prize of the great and hourly growing commerce of the great west, Baltimore had not lagged behind in the race, but with gigantic strides continued to approach her competitors. Each day of the contest only made more manifest her advantages in position over all her rivals, and gave her the promise of assured victory, if the state of Maryland, whose proud emporium she was, would but follow and sustain her in the race. For years sectional jealousies, fomented by many of those who now stand prominent in urging her to the measures of revolution, continued to retard her progress. Local interests which were natural allies in the cause of state improvement, were artfully arrayed against each other by adversaries, who rejoiced in thus effecting the overthrow of all. The seeds of mutual distrust between city and county, were thus sown: Baltimore was represented as the self-aggrandizing capital, who sought to centre all the power, influence and wealth of the state in herself, and the counties were, in turn, denounced as so many petty communities clothed with undue political power and wielding it all to the injury of Baltimore. Many of us well remember the results of those causeless distrusts and jealousies, and the recollection of them forces us all to hope they may never return. A few years since state pride, aroused from her long sleep, and touched by her impulses, from that period to this, our local jealousies have been disappearing; the demagogues who sought to inflame the people of our state by exciting in the different sections of it, mutual distrusts of each other's power and influence in the government, were passed by disregarded; and we seemed at length to have become in feeling brethren of one great political family, in every section, intent only upon the welfare and advancement of our common state, and proud of the growing wealth and prosperity of this, its commercial metropolis. All have seen the workings of this change. Baltimore, under the shelter and fostering aid of the state, undertook with Herculean energy, the prosecution of her great works of internal improvement: and at the last session of our general assembly, when our city seemed to be tiring under the effort to continue them, the legislature at one bound provided all the means necessary for their completion, and for the elevation of our city to the pinnacle of commercial prosperity. All our hopes for her welfare seemed at length gratified in prospect. In anticipation, we already beheld her the queen of the commercial cities of the east, the *Zenobia* of American commerce. Fired by the prospect, the energy of our citizens sprang up to fresh exertions, inactive wealth poured itself out from the coffers where it had long lain into the lap of industry, and the eye of enterprise every where throughout our land was turned to our city. High in credit, rich in our internal and expected resources as a people, our city during the past summer has every where presented the evidences of a rapidly growing and prosperous population.

At this very moment, when we are just about to reap the fruits of state aid to our great enterprises, and when with all the evidences of present and prospective prosperity around us, flowing from the beneficence of our state government, one would suppose we were filled with grateful recollections, the cry of *revolution* is raised amongst us, the hand of the disorganizer is uplifted to strike down our state government and all its institutions: and we are called upon at the bidding of men, unknown to us in all our efforts for the advancement of our

city, or known only as hostile to it, to dash the cup of prosperity from our lips; to suspend all our works of internal improvement; to break our government into fragments and go back into a state of nature to recombine it, and to rekindle in the struggle over its formation, and in the contests for relative political power under it, all the petty, local and sectional jealousies which so long retarded our prosperity. Nor is that all—without a single developed plan, adopted or likely to be adopted for our future government, and agreeing amongst themselves in nothing but the intention to destroy the present, these disorganizers, whose schemes of government are so various that even the lifetime of a Sisyphus could not manufacture constitutions enough to meet them, would have us to take no thought for the future; and having brought us to the brink of revolution would plunge us off and tell us to trust to the accidents of the future for our escape from the gulph of anarchy.

Before we consider this extraordinary proposition, we would ask:

"Who are they who have forced it upon our attention?" This bold proposition to overthrow the whole government at one blow, and to leave us in a state of nature and to the chances of the future for the establishment of a new one, is submitted to us by nineteen individuals, who were chosen electors of the senate of Maryland on the first Monday of September last, and who, in that official capacity, affect to have the right to propose it. They were elected to that office under the provisions of the 14th article of our constitution; and their powers are defined by the 15th, 16th and 17th articles.—The 15th article, as it now stands, declares: "That the said electors of the senate shall meet at the city of Annapolis on the third Monday of September, 1781, and on the same day in every fifth year forever thereafter, and they, or any twenty-four of them, so met, shall proceed to elect by ballot, either out of their own body or the people at large, 15 senators, 9 of whom to be residents of the western and 6 to be residents on the eastern shore—men of the most wisdom and experience, above twenty-five years of age, and residents of the state above three whole years next preceding the election." The 16th article having thus declared in the strongest terms the obligation of those electors to perform this duty, the 16th and 17th articles direct the manner in which they shall qualify and conduct their elections. *This is the office which these individuals sought under this constitution; the office of the people's agent under it, selected for the single purpose of electing a senate to continue the government under it.*—They stand, therefore, in the attitude of individuals who sought at the hands of the people an office having but a single duty to be performed under it—the election of a senate; and they therefore stood pledged to their constituents, to the people of the state, and to the constitution of their country, to make that election, by the very act of asking the people to devolve upon them the *known* duty of electing a senate. They stand in the attitude of individuals who knew, when they offered themselves to the people, that they were asking them to put upon themselves the *solemn duty* of electing that senate. They stand in the attitude of individuals who, by asking the office of an agent under the constitution, stood pledged to their country to act *under* that constitution, and not *against* it. Men may sometimes assume offices which cast upon them duties they had not anticipated, and sometimes unexpected duties which put their own judgments in conflict with that of their constituents—we stop not to speak of the propriety of surrendering their official power in such cases, as there is no parallel between such and the case of these electors. Every elector, before he was elected, knew the exact amount of influence he would have in electing a senate: he knew that he could have but one vote out of forty; that, if he was elected, the constitution required that he should elect a senate, and that twenty-one electors, elected from any section of the state, great or small, had, under the constitution, the majority of power in the electoral college. If the power which the constitution gave him when elected was too little, he knew it, and, by accepting it with this knowledge, he agreed to take it and exercise it as the constitution gave it to him, and in no other way.—And even if it were for a moment admitted that, when the power is accepted with a knowledge of its extent, the agent could turn back from the exercise of it upon the pretence that it was not large enough, this is a question the consideration of which belongs solely to his constituents, and with which he has not the least right to meddle. His constituents elected every elector to give his vote under the constitution as their vote, and not as his own: and until they had expressed their discontent with the power they had given him, and enjoined him not to exercise it, it was his bounden duty to act it out as

he found it. We do not admit that a constitutional duty thus assumed could even then be properly disobeyed. The people who gave the power under the constitution, and the agent who so took, are alike bound by that constitution to the rest of the state, to exercise it as that constitution gives it.

This being, in our view, the character of the office accepted by these nineteen electors, they repaired to Annapolis at the time appointed for the election of a senate; and, instead of proceeding to discharge their duty of making the election, they refuse to qualify, and, thus declining the duties of that office, they yet claim, by virtue of it, that the other 21 electors shall surrender to them the exclusive right of electing a majority of the senate, and if this be not yielded, refuse to act as electors, upon the sole ground that the very power to which they were elected is not as great as it ought to have been. Of these nineteen, thus acting, a large majority acted wholly without even the color of instructions from their constituents; and we say, without the fear of contradiction, that several of those electors acted not only without such, but, on the contrary, in direct defiance of the will of their constituents, as manifested on every occasion in all past times since the formation of the constitution. Passing by all the rest, the recorded votes of Annapolis, Caroline, Queen Anne's and Montgomery have ever been found rallied in support of the present constitution: and the rights which these have under it are the very rights which were most assailed in this proceeding. Yet these counties furnish six of "*the illustrious nineteen*:" and if these six, or any three of them, had discharged their duty, the senate would have been now elected. To such a proposition, coming from such a quarter, there could be but one reply from the electors who had qualified. The men who made it had refused to assume their duties, and had therefore no more right to make it than any other individuals in the community. It was a proposition which, on the part of several of the nineteen, struck at the dearest rights of their constituents, and violated their will, as manifested by all their public acts and votes in all past times. *It was a proposition which required the twenty-one electors to commit wilful and deliberate perjury, and (in violation of the solemn obligations of their oaths to exercise their own best judgments in the selection of a senate) to elect for a majority of that body such senators as the nineteen might be pleased to select for them.* Such a proposition was, of course, not even received: and upon its declension, "*the nineteen*" turn their backs upon their constitutional duty, refuse to elect, and gravely maintain that "*the constitution expressly secured to any seventeen of them the right to defeat the election of a senate,*" or, in other words, that the constitution, in *expressly* saying that they shall go in and elect a senate, gives the right to keep out and refuse to elect. Having thus, as far as in them lay, plunged us into revolution, and conceiving that they had thus pulled down in ruins, at one fell swoop, our whole government, they call upon us to come forward and follow them in the work of rebuilding another. *These are they, who, without a thought for the future,—having, as they conceive, at one blow, cast down, to its very foundations, the government of a people, who, one short month since, never even dreamed of the possibility of this mad experiment,—now claim to be our pioneers, and undertake to dictate to us in what mode we shall escape from the consequences of their rashness and misconduct, by obeying their instructions in the endeavor to keep peace and order amongst us, and to get up some scheme to protect our lives, liberties and property, and to avert a state of anarchy until the people can agree upon a new government.*

Fellow citizens! to you we appeal to answer the question, "*where did these destructives find their warrant for this mischievous experiment upon our government? who gave them the power to pull down and build up governments at their pleasure, as if they were the toys of an hour? who authorised them to plunge us without a moment's warning, into a condition where, by their own admission, our lives, our liberties, our property, the security of our homes, the sanctity of our firesides, the honor of our wives and our children, are at the mercy of the lawless and the depredator, unless you, the people, will step in and rescue us from this condition, by some temporary provisions for the protection of all these.*" They advise you to assemble in November next, to select a provisional government, "*clothed with full powers to extend the authority of all civil and military officers now in commission, until a convention, hereafter to be chosen, can be convened, to amend the old or form an entire new form of government for the people of Maryland.*" We quote their language: and in it you find their own impression of the consequences of their own acts if persisted in, in the necessary inference that if

this be not done, your courts are prostrate, your laws have ceased to operate, your governor and all subordinate officers are no longer in authority, and your persons and property left to self-protection, without the aid of laws, courts or officers. Where, fellow citizens, we repeat the question, did these men find the warrant for the attempt to hurry the people of this state, without even a warning into such a condition? They pretend to have found it in your recent elections—will they tell us where? will they point to that county where they even dared to hoist the banner of *revolution*, or whispered that they sought office to proclaim us in a state of *anarchy*?—we appeal to you, fellow citizens throughout the state, to answer the question, “did any of them ask you to elect them for such purposes?” We are aware that in several of the counties of this state, as well as in this city, there has been a great and growing desire to reform some obnoxious features of our constitution, and that in these places, at the recent elections, this subject was much agitated—yet, will any of the destructives pretend that even the subject of *constitutional reform* was touched in one half of the counties of this state? Did the people of Somerset, or of Worcester, or of Dorchester, or of Caroline, or of Talbot, or of Kent, or of Queen Anne’s, or of Charles, or of St. Mary’s, or Calvert, or of Prince George’s, or of Annapolis, or of Anne Arundel, hear any thing in those counties of the necessity even of *constitutional reform* from the candidates, for their suffrages, at the late election, and more especially from the candidates there, agreeing with the “illustrious nineteen” in their presidential preferences? Did the people of Montgomery or of Allegany hear any thing of the intention of their electors to diminish their representation, and at their expense to increase that of the larger counties? In the remaining counties of Frederick, Washington, Baltimore and Harford, was the design to change the whole form of government even there fully disclosed? It is fresh in all our memories, that one of these very “nineteen,” Mr. Fisher, of Frederick, upon being questioned through the press, immediately after he became a candidate, as to his friendliness for constitutional reform, in a card published in the papers of that county, stated to the people, that “having been brought out against his wishes, he would not consent to be catechised on that subject,” and thus remaining mute in this great reform county, he was nevertheless elected. In fine, fellow citizens, wherever reform was agitated, it is known to you all that it was advocated as reform to be made through the constitution, and by your constitutional agents: and that even where thus advocated, it was used as the vague and undefined watchword of parties, without even a definition of what it meant. And if plans of reform ever were proposed, like the Chamelcon, they took their color from the soil they were placed upon.—In Allegany they meant one thing, in Montgomery another, in Washington and Frederick another, in Harford another, in Baltimore city something very different from all the rest. Yet, admitting the design of reform to have pervaded these counties, did any of you, fellow citizens of the counties, ever hear of reform to be accomplished by *revolution*?—Did you, the people of Allegany, or Washington, or Baltimore, ever hear of the design to break down your government, to suspend all your great improvements until you could get a new one, to revive all your old sectional squabbles and jealousies about relative powers under it, and to check the high tide of your prosperity until these could be adjusted amongst yourselves and with your sister counties, and then to take your chances under the new government, for regaining all the benefits already secured to you by the law of the last session, and lost to you without the sanction of the new government, if the measures of the destructives be persisted in? Did you, the people of the slave counties of this state, embracing nearly all, ever hear of the design of a revolutionary reform to be based upon an attack on federal numbers?

Fellow citizens, shallow as this pretence of the *destructives* is, there is yet another feature which reveals more fully the secret purposes of the *anarchists*. Reform (until this attempt) has always been advocated as a measure into which party considerations were not to enter; and even now the attempt is to be made to lull us by that cry. In the great county of Frederick, particularly, it was conducted avowedly upon that basis: and many whigs there and elsewhere are enlisted zealously in the cause. Now, however, reform can be entrusted only to *Van Buren* electors: and revolution we are to have in all its dreadful consequences, unless the twenty-one, will not only consent to elect a reform senate, but also a reform senate, the majority of which is to consist of *Van Buren* electors.

Fellow citizens of the *Van Buren* party, we speak to you with more sincerity than have hither-

to these pretended friends of reform without distinction of party, when we say to you, the question which these destructives have presented to you, is one far above all party considerations, and we know that many of you will so regard it. Whatever office seekers, men who have nothing to lose and every thing to gain by revolution, men who scruple at no means to accomplish their ends, men who hate peace and riot in change, may think of our present crisis, we know that there are amongst you as amongst us, many actuated by a sincere desire to act uprightly in all things, and to advance the welfare of our common state and the happiness of its people. Behold this measure of revolution therefore, exhibited in all its nakedness, as a mere expedient to gain a temporary party advantage! Are you prepared to sanction such a measure? Are you prepared to justify a high public officer in willfully violating a high public duty involving the very continuance of your government, for the hope of a momentary party triumph? Are you prepared, in the effort to promote the elevation of a *New York* candidate for the presidency, to blight for the present all the fair prospects of your own state, and your own city, to give a dangerous if not fatal stab to the credit of your state and city by shaking all confidence in the security and stability of your institutions, and to commit yourselves and all you hold dear, to the hands of such revolutionists? It may suit the views of *New York* to produce all these results, at this moment when with gigantic strides your state is reaching at the commerce of the west. It may suit her views at this moment, when it is known to you all that the people of the south irritated at the continued attempts from that quarter to inflame their slave population, are turning to Baltimore as free from the disorganizing spirit. What are presidential questions to you, compared with the preservation of peace, law and order amongst you, with the constant and steady inculcation of respect for these, with peace and security at home, with tranquillity and prosperity throughout your state? A few short years hence, and the very presidential preferences you feel will be forgotten. But the step of revolution once taken on such pretext, the sense of public or private security once shaken by such a measure, who can tell the impression it will make upon all the future prospects of your state? The downward step to anarchy and tumult is easy: but once taken, who can tell the time of your recall from it?

But fellow citizens of all parties—friends of law, order and religion, to you we appeal to mark the crisis at which this revolutionary attempt has uplifted its head amongst us—*The beginning of the end now is*—The enemy of all republican government is amongst us—It comes, as it ever has come in all such governments, under the guise of jacobinism—with great affected respect for the rights of the people, it strikes at the very root of their security by inculcating insubordination to our laws and institutions, and substituting the lawless and licentious impulse of the moment for the well regulated liberty of the freeman—with great pretended regard for the poor, under a government which opens to every man and to every man’s children the door to the highest offices and stations of the nation, it strives by its base appeals to envy, to excite discord in the relations of employer and employed, and to make these relations of mutual benefit and protection, sources of social strife—Property acquired by honest industry is held up as a cause of jealousy and offence; and a sincere desire for the peace, order and stability of society is denounced as warring against the supremacy of the people—It is the cardinal maxim of such a spirit that there is no right of personal liberty or private property so sacred, that it ought not to be subject to instant demolition, at the will and bidding of any demagogue who can excite and turn upon it a momentary odium. To restrain such a spirit all governments are established: and in the anxious care and numerous provisions of the constitution of the United States, and of all your state constitutions, to protect the government, themselves and all rights of person and property under them from the hasty inroads or lawless assaults of faction or violence, and to subject them only to the calm, deliberate and settled action of the people through their laws and authorities, you find your fathers of the revolution manifesting their horror of that spirit—they knew that such a spirit, unhinging all public and private morality, diffusing distrust and jealousy through all society, and inculcating habitual disregard for every thing like the authority of government, was the sure forerunner of social and political anarchy; and that from such a state there was but one step to despotism. Already is the bold and decided action of this spirit manifest in two of your sister states, in the open assault upon rights of private property as much protected by the constitu-

tion of your country and the laws of the states as any right of any of you to any property you have. Admitting as its chief advocates do, that the rights of prosperity thus assailed are *expressly* protected by the constitution of the United States, and that legislatures cannot and ought not to spare them because they are rights of private property originating in and protected by contracts and the laws of the land.

A convention is to be the process by which the gordian knot of public truth and honor, public law and private rights is to be averred—Even here by some amongst us, the doctrine is already proclaimed, that private rights of property are to be at the mercy of this process amongst us—We ask you then, to whom we make this appeal, to go with us a little further in marking the traces of this spirit in the revolutionary movement of the destructives in our own state.

Assuming that the case justifying instant revolution in our state government has arisen, the destructives affect to rest their right to bring it about upon the assertion of the right of revolution, in our bill of rights—of that right we shall speak hereafter: and we now only ask: whose right is there asserted?—the right of the people, or the right of mere officers and agents under the government? Who gave these insubordinate and disobedient agents the right to proclaim revolution? The sole right resides in the people of the state to change their government: and when have the people delegated to them the right to make revolution? They elected them to make a senate: do they find in that the power to overthrow the government? They elected them as officers who were to be sworn to act and elect under the constitution: do they find in that the warrant to demolish it all at one blow? No, fellow citizens, disguise it as they will, they know that in this step they have acted the parts of the sheer usurpers of your rights: and having as they conceived by one rash step plunged you into revolution without authority or notice, they want to father the bantling of their mischief upon you. We recognize amongst them several who have heretofore filled high stations under our state constitution, and took their official oaths to support that very constitution: and who, therefore, in our judgment had still less right to attempt its overthrow.

But, fellow citizens, what is the right of revolution? Is it a plaything to be wielded in every moment of excitement? Is it an instrument to be used whenever party expediency may require it; or discontented office seekers may lament the temporary loss of power? Is it not on the other hand, the last fearful resort of a free people, when all other means have failed; when every spark of hope is extinct; and when it is calmly and deliberately settled after the fullest consideration, that they are suffering *actual practical* tyranny and oppressions from the government under which they live, of so intolerable a character, that it is better to incur all the evils of anarchy than continue to endure them, and when there is a rational hope that by the step of revolution they may relieve themselves from such oppressions?

In a word, it is like the thunder of Jupiter, only to be wielded on these great occasions of elemental strife between society and government. What rational man ever dreamed of precipitating a people into revolution for mere theories in government; for mere improvements in its form, or in a word, for any thing but *actual and intolerable oppression*? Government is not an end but a means. It is a mere instrument to protect the rights of the citizen, and advance the happiness and prosperity of the people; and the causes of its overthrow in our favored land are to be found only in its utter prostration of these.

Fellow citizens, before we speak of the pretended necessity for revolution alleged by the destructives, we deem it proper to say that we are the friends of constitutional reform in our state government, and that we believe it may and ought to be improved by amendments in several particulars.—Whether we will agree with the destructives in all their contemplated reforms, we are unable to say; for to this day reform has been “*THE VEILED PROPHET*,” which they call upon men to fall down and worship, and yet will not show us its features. If they desire to change the representation in the house of delegates, they will not tell us whether they mean to adopt representation according to population, so as to place Baltimore at the head, or whether they will take arbitrary numbers, which only put Baltimore with twice the population, on a level with Frederick county, and thus by adopting a rule without any fixed basis of representation engraft the very same inequality in the new constitution, to be a subject for future squabble and perhaps attempts at revolution. If they seek to break down the se-

nate, where we have almost always had two senators, or two-fifteenths of the power of that body, to give us in its stead one senator out of twenty, or one-twentieth of its power; they will not tell us whether they will make up this loss in that body by a proportional increase in the house of delegates. And so it is with every proposed reform. "Reform" means "reform," and that is the only definition we can get from them. The destructives have however given us an insight, into their views, or views of some of them as to the proper ratio, in their modest request to us to go into an election on the first Monday of November next, to elect for their conservative by six delegates from each county and city; or in other words, from Annapolis, with her three hundred voters, as well as from Baltimore with her ten thousand, and twelve from Frederick county, as she too has a city in her limits. This is called reform!!!

But, fellow citizens of the counties, whilst we who address you, agree in the propriety of moderate and constitutional reform, and will co-operate with the majority of the people of the state, in the endeavor to procure the amendments they may desire in the proper mode, we are not amongst those who call you our tyrants and oppressors. If you have sometimes by your legislation acted injuriously upon our interests and against our remonstrances, yet we deny that your course to us has been one of systematic, wanton and long continued oppression—were we to make this assertion, the millions which you have poured out by your legislation for the last eight or ten years, to aid us in works of improvement, all leading to our own city, would stamp upon it the character of a libel—we remember the period when, as we have already said, sectional jealousies infested our state, to the great prejudice of Baltimore: fomented too by many who are now leading in the cause of destructive reform—And yet at that period when Potomac interests, and Eastern Shore interests, and country interests, generally, were sought to be arrayed against Baltimore, and the want of due power in the legislature was most felt, did any of the pretended reformers cry out "revolution," much less attempt it—Where were they found in the counties?—For the most part, in the ranks of demagogues, inflaming country jealousies, and railing at propositions merely to increase the delegation of Baltimore to four!—But in the last eight or ten years we have perceived and hailed with pleasure the gradual subsiding of all these causeless jealousies of us, and have seen you with delight taking a pride in the advancement and welfare of our city, as identified with the prosperity, power and happiness of the state.

And, fellow citizens of the Eastern Shore and of the lower counties on the Western Shore, we cannot but remember that at the last session of our legislature when the counties of Baltimore, Frederick, Washington, Harford and Cecil, either in part or in whole, were all agitated either in hostility to the aid of the state to our improvements, or to clog it with restrictions, to your generous and public-spirited support were we indebted for that aid—Nor can we trace your hostility to us in the legislation of the last eight or ten years—If our chartered rights to appoint the inspectors of flour, or whiskey, or fish were wrested from us, we know that it was the work of the great reform counties of Frederick, Washington, Baltimore, Harford and Cecil, constituting in their combined action for these purposes what was factiously termed by one now a revolutionist, "the holy alliance"—If our auction duties were taken away in 1827, we know that it was the act of the representatives of a large majority of the people, led on by the now very head and chief of the revolution-party of Frederick and of the state. If the right to regulate your markets was assailed, the blow came from Baltimore county, aided again by the large and reform counties—These are not injuries we can trace to your having too much power in the government: for the recorded votes on all these subjects show that with any representation which any plan of reform would give us the large counties, would still have accomplished all these measures—The legislation of Maryland for the last eight or ten years shows conclusively that instead of being our peculiar oppressors, the action of the small counties towards Baltimore has been more kind and beneficent than that of the large counties.

But even upon the subject of reform, where did these destructives find the proof that every possible hope of amendment without revolution had failed—You are all aware, fellow citizens, that our constitution embodies in itself the mode of its amendment: and that that mode is by a law passed at one session, then published and submitted to the people of the state for their consideration before the next election, and then confirmed by the next legislature. One legislature proposes the amendment to the people: and the next legislature either adopts

or rejects, according to the will of the people as ascertained at the election when it is submitted—We know that it is the fashion in these days, with some of the revolutionists, to deride and laugh to scorn our forefathers of the revolution, the men of '76, who rescued us from tyranny, who gave us a name among nations, and built up for us the government under which we live—Whatever we may think of their mode of amendment, we respect their opinions and reverence their memories; and the times are sadly out of joint, when coarse sneers upon them and their works, such as some of us have recently heard amongst us, could not only pass without censure, but even receive applause. In adopting that mode, the men of '76 have handed down to us their opinion that every amendment of a constitution ought to be specially submitted, well considered and deliberately sanctioned. Now what has been the course of many of the reformers towards the legislature—Have they, or a majority of the people or their representatives ever gone forward to the legislature at any time presenting specific propositions of reform, and asking their adoption in the constitutional mode? Have the majority of the people or their representatives ever yet distinctly told the legislature the exact reform which they want?—Nay have the majority ever been able to agree even amongst themselves as to the reform they desire?—Have reform conventions themselves been as yet able to agree upon any definite plan of amendment?—Whenever a majority of the people of this state shall distinctly and unequivocally declare to the legislature the amendments they desire, we cannot but believe that full justice will be yielded to them—We know that our brethren of the smaller counties are animated with a very different spirit from that of the destructives, and would not involve us in discord and revolution rather than make reforms which might involve a sacrifice of some of their political power—And if those of the nineteen from the smaller counties have truly represented their constituents, there is at once a sudden accession of power to accomplish such amendments from sections of the state hitherto in the front ranks of opposition to reform.

In the face of all these facts, what language, fellow citizens, can characterize this measure of revolution. In a moment of general tranquillity and prosperity, when the citizens of the state were dwelling together in most perfect amity, and each day was drawing all of them nearer to each other in feeling and in interest; when the proper steps were just about to be taken to conduct to speedy consummation our great works of internal improvement, on which all the future prosperity of our city depends, when every citizen was in the full, secure and uninterrupted enjoyment of every right of person and property, the firebrand of revolution is hurled amongst us, like the thunderbolt from a clear sky. We hope the rash men who have done this, have ere this felt regret for their step. They have, in our judgment, not only degraded a high duty, but have also committed a high misdemeanor against our laws. But if deluded by the excited purposes of party feeling, their consciences whisper no reproaches for the step they have taken, we know there is a tribunal to whose award they cannot be indifferent—public opinion is the greatest of all reformers. Let but the people of Maryland speak but in their majesty: and we have no doubt these towering revolutionists will sink into obedient public agents. An occasion for the people so to speak is at hand. On the first Monday of October next an election for delegates takes place under our constitution. On that day, let all the friends of law, order and government; let all who fear revolution; let all who desire reform by peaceable and proper means; let all who would preserve for their families, themselves and their fellow citizens protection and security; let all who love peace and hate anarchy, rush to the polls, and with united voices proclaim that they are not revolutionists. By their votes and proceedings on that day let them make that manifest. This done, we have no fears for the future. These agents, who have attempted to subvert the government, will then know their duty beyond the possibility of doubt; and if knowing they still disregard it, we know there is yet redeeming power enough in our judiciary to enforce the performance of a high public duty, thus made manifest even to the agent. He will then learn that high public trusts involving the very continuance of the government, cannot be abandoned at his pleasure.

For ourselves, fellow citizens of Maryland, under the stripes and stars of the glorious old thirteen, we take our stand in the defence of our government and institutions—we want no revolution, and least of all such as these would bring us—we are here assembled to pledge ourselves one and all to that men can do to save us from anarchy. On the first Monday of October next, we hope to shew you that

Baltimore is not for revolution—Our motto is "constitutional reform and no revolution."

Therefore resolved, by us citizens of Baltimore in town meeting assembled, That the nineteen electors of the senate, in their refusal to elect that body, in our judgment have disobeyed the express command of our constitution; have disregarded a high public trust involving the very continuance of government, and the security of our persons and property; have committed a high misdemeanor by their wilful abandonment of a high public duty to the discharge of which they stood pledged by their acceptance of it, and merit the severest reprobation of the people of Maryland, and of the friends of liberty, order and good government throughout the union.

Resolved further, That in their attempt to overthrow the government of this state, and to introduce anarchy and revolution in its stead, the said nineteen electors have warred against the peace, order and happiness of society; have sacrificed the best interest of the people of Maryland, have endangered the present prosperity, and blighted for a time all the fair prospects of this city; and that in so doing, they have proved themselves destructives, and forfeited all claim to the title of reformers.

Resolved further, That in their proclamation of revolution, and in their attempt to dictate to the people of this state the manner in which they shall form a new government to escape the consequences of anarchy, the said nineteen electors have usurped the sovereignty of the people of Maryland, and put in jeopardy the vital principle of all republican institutions.

Resolved, further, That in the attempt, and by the disregard of a high public duty, to prostrate the government, laws and institutions of this state, for the accomplishment of mere party ends, the said nineteen electors have forfeited all claim to the support of the virtuous and patriotic of all parties, who abhor the use of wrong means to accomplish any end, and who hold the welfare of their country and the permanent prosperity and happiness of their state and city above the mere expedients of party.

Resolved, further, That the twenty-one electors of the senate, who have qualified for the discharge of their duty, and who are still continuing their sessions at Annapolis from day to day, for their endeavors to preserve to us the inestimable blessings of peace, order and government, are entitled to the confidence and affections of the people of Maryland; and that it is the most earnest wish and request of this meeting that the said electors will there remain prepared to discharge their duty of electing a senate, until the people of Maryland shall have had time, by the power and majesty of public opinion, to quell revolution, and to return their agents to the post of duty.

Resolved, further, That the said 21 electors, in refusing to receive propositions coming from individuals who would not assume the office under the color of which they professed to act, and propositions, too, involving a degrading surrender of their duty, and asking nothing less than the commission of deliberate perjury in their surrender of their own right of choice, have acted the part of honorable men and faithful public servants.

Resolved, further, That we are for reform, and against revolution.

Resolved, further, That, to make manifest to the people of the state, and to our fellow citizens throughout the union, that Baltimore prefers peace, order, good government, stable institutions, and inviolate public and private credit, to faction and revolution, this meeting will proceed forthwith to nominate two suitable persons as candidates for the office of delegates from this city to the next general assembly of Maryland: and that, for that purpose, the president of this meeting be requested to nominate forthwith a committee of 12 to select and report to this meeting for their approbation two suitable individuals for those offices.

Resolved, further, That, from this period until the first Monday of October next, we will devote our time and energies in the endeavor to make manifest, by the success of our candidates, "that Baltimore is against revolution:" and that that day we will set apart as a day sacred to the cause of peace, order, and the preservation of our institutions, persons and property, and, on that day, closing our shops, our stores and our offices, and abandoning all other avocations, we will devote ourselves to the endeavor to secure the success of the candidates whom this meeting may select.

On motion, a committee was appointed by the president, consisting of S. C. Leakin, J. Frazier, Wm. H. Conkling, Thomas Kelso, Thomas Wildey, G. R. Gaither, A. E. Warner, F. Tensfield, Thos. Sheppard, Joshua Dryden, Thomas W. Hall, and Joshua Medtart, esqs. to consider and report suitable persons to be nominated as candidates for the

legislature. The committee, having retired, reported the following resolution, which was unanimously adopted:

Resolved by this meeting, That SAMUEL JONES, jr. and SAMUEL THOMPSON be and they are hereby nominated as delegates from this city to the general assembly of Maryland, and that we pledge ourselves to use all fair and honorable means to secure their election.

WM. McDONALD, *president.*
VICE PRESIDENTS.

John McKim, jr.	Jacob Wolfe,
Solomon Etting,	Solomon Betts,
John Dushane,	Saml. Hoffman,
Luke Tiernan,	John Gibson,
Robt. D. Millholland,	Joshua Wall,
Wm. H. Conkling,	Jos. W. Patterson.

Secretaries.
Thos. W. Hall, O. C. Tiffany,
W. Crawford, jr. Wm. G. Harrison.
Baltimore, Sept. 26, 1836.

The Van Buren central committee of Frederick county, in the present condition of things, deeming the election of a delegate ticket inexpedient and useless, have, as will be seen by their proceedings, recommended the withdrawal of their ticket,—and that their candidates have, accordingly, withdrawn.

Monday evening, 26th Sept. 1836.

Central committee met, Henry Nixdorff and John Kunkle in the chair, and Wilson W. Kolb and Michael Baltzell, secretaries.

Whereas, by the arbitrary and arrogant demand of the representatives of a small minority of the people of this state, the spirit and letter of the constitution of the state have been violated, and the election of a senate has been frustrated by their refusal to allow the representatives of a large majority to participate in the creation of one branch of their legislature, arrogating to the minority the right to choose one entire branch of the legislature. And whereas there is not the most remote probability of any of the representatives of the majority succumbing to the unreasonable demands of the minority, and that consequently no senate can be chosen for the state of Maryland. And whereas, under such circumstances, the election of a delegate ticket is inexpedient and useless; therefore,

Resolved, That we, the central committee of Frederick county, in view of all the circumstances above rehearsed, recommend that the republican Van Buren delegate ticket for this county be withdrawn—at the same time we thus recommend to the republican party to withdraw their delegate ticket, we would suggest to the people the propriety of attending the polls, not only for the purpose of electing a sheriff, but to carry out the measures recommended in the address of the nineteen electors.

Resolved, That we not only approve of the course pursued by the nineteen electors in the discharge of their duties as representatives of the people in the electoral college, but that we also recommend to all good citizens to carry out the measures proposed by them in their address, by repairing to the places of holding their respective elections in the districts, on the first Monday of October next, for the purpose of holding meetings, to appoint delegates to attend a county convention in Frederick, on the second Monday of October next,—which convention is to nominate six persons to represent this county in a convention to be held in Annapolis, as recommended by the nineteen electors, and approved by the republican meeting at this place on Saturday last.

Resolved, That these proceedings be signed by the chairmen and secretaries, and published in the papers of the county friendly to reform.

HENRY NIXDORFF, } *chairmen.*
JOHN KUNKLE.

MICHAEL BALTZELL, } *secretaries.*
W. W. KOLB.

TO THE PUBLIC.

The undersigned, having been nominated as candidates for a seat in the house of delegates of this state, avail themselves of this mode to withdraw their names from the canvass, in obedience to what they believe the wishes of a large majority of the party who nominated them, and in accordance with the recommendation of the republican central committee of this county.

The reasons which have induced the party to suggest, and us to comply with the suggestion, being contained in the preamble and resolutions adopted by the central committee, supercedes the necessity of our recapitulating them.

ISAAC SHRIVER,
HENRY KEEFER,
JOHN SIFFORD,
JOHN W. GEYER.

In Allegany county, the Van Buren party, as appears from the following card from their candi-

dates for the legislature, are opposed to the course pursued by the members of that party in Frederick, and are resolved to keep their ticket in the field.

TO THE VOTERS OF ALLEGANY COUNTY.

As we are candidates before you asking your support for a seat in the next general assembly of Maryland, it is your right to ask and know our views on the prominent measures now agitated in the state; the more especially when various rumors are industriously set afloat misrepresenting our sentiments on these important topics.

1st. Then, we are and have been the warm and undisguised friends of internal improvements.

2d. We are decidedly reformers: but be it distinctly understood, that we do not advocate or support representation according to population or numbers: that we are deeply interested for the welfare and best interests of Allegany county and the state, WE ARE DECIDEDLY OPPOSED TO ANY MEASURE TENDING TO REVOLUTION BY ANY PARTY.

JOHN M. BUCHANAN,
JEREMIAH BERRY, Jr.
THOMAS PERRY,
HENRY HAMMILL,

Van Buren candidates for the house of delegates.

The following preamble and resolutions were also passed by the citizens of Allegany county.

THE VOICE OF ALLEGANY.

Large meeting of the constitutionalists. In pursuance of public notice given to all parties, an unusually large assemblage of the citizens of Allegany county convened at the court house in the town of Cumberland, on Saturday evening the 24th September, 1836. The meeting was organized by calling John Hoye to preside, assisted by David Shriver and John Gephart, and appointing Thomas J. McKaig and Joseph Shriver, secretaries.

The object of the meeting, which was to express the sentiments of the people in relation to the recent revolutionary proceedings at Annapolis, was then fully set forth by B. S. Pigman. S. M. Semmes then, after some appropriate introductory remarks, offered a preamble and resolutions for the adoption of the meeting, which, upon full discussion, in which many of the citizens joined, were with some amendments, separately and deliberately adopted without a dissenting voice, as follows:

Preamble and resolutions, adopted by a meeting of the citizens of Allegany county, held at the court house, in the town of Cumberland, on Saturday evening, the 24th September, 1836.

WHEREAS, from information received of the proceedings of a portion of the senatorial electors, recently chosen by the people to elect a state senate, it appears to this meeting that an important crisis has arisen, not only involving our character and standing in the estimation of people abroad, but the very existence of our government itself; and whereas, it is the unanimous voice of this meeting, that all such violent measures merit the strongest disapprobation of every good and peaceable citizen; and that, in order to protect their right and liberties, it is incumbent upon the people every where to assemble and unite in discontinuing all proceedings of a revolutionary character; Be it therefore,

Resolved, That we are ready, at the risk of our lives and our property, to sustain the constitution and laws of the state.

Resolved, That the course of the twenty-one electors, who met and were ready, in fulfilment of the law, to do their duty, is highly approved of by this meeting.

Resolved, That in the opinion of this meeting, it would be wise in the people of the several districts of this county, to meet and organize, so as to be ready at the first warning, to carry into effect such measures as may be deemed most advisable to protect the rights of property and to preserve the liberties of the people.

Resolved, That the president appoint a committee of vigilance for the Cumberland district, consisting of nine members, whose duty it shall be to communicate information of any revolutionary movements to the several committees appointed in other districts, and to advise with them as to the best course to pursue.

Resolved, That these proceedings be forwarded to the electors from this county, and that they be requested to lay the same before their colleagues.

Resolved, That the proceedings of this meeting, signed by the officers, be published in the newspapers of this place, and forwarded for publication throughout the state.

The following gentlemen were then announced by the president as the committee of vigilance:

B. S. Pigman,	John J. Hoffman,
S. P. Smith,	Saml. M. Semmes,
Thos. J. McKaig,	Alpheus H. Gross,
Gustavus Beall,	George Rizer.
Joseph Shriver,	

On motion, the meeting then adjourned.

JOHN HOYE, *pres't.*

DAVID SHRIVER, } *vice pres'ts.*
JOHN GEPHART, }

Th. J. McKaig, } *secretaries.*
Joseph Shriver, }

It is stated that the Van Buren ticket in Anne Arundel county has also been withdrawn.

The following handbill is circulating in Anne Arundel and the other small counties.

TO THE PEOPLE OF MARYLAND.

A handbill has been circulated and is now going the rounds in the several counties of the state, which is a gross libel upon the democratic citizens of Baltimore. It charges them with desiring to obtain for themselves a representation in the house of delegates proportioned to the population of the city.

The reformers of Baltimore look for nothing more than a representation adequate to their wants, one which will render irresponsible lobby members [those bane of just legislation] unnecessary.—They wish to see the palpable abuses of the old constitution abated, and will be content with whatever a fair reform convention shall grant them; they know that it will be their duty to submit to the will of the majority, and they have full confidence in the justice of their fellow citizens of the counties. We believe that a representation for Baltimore, equal to that to which the largest county will be entitled, would be acceptable to her people, and that their fellow citizens throughout the state could not and would not object to it.

On behalf of the democratic general committee of Baltimore.

WM. KREBS, *president.*

J. J. GRAVES, } *vice presidents.*
JOSHUA TURNER, }
SAMUEL LUCAS, }
WM. H. COLE, }

M. H. Keene, } *secretaries.*
James R. Hayman, }

Baltimore, 27th Sept. 1836.

MILITARY CONTROVERSY.

It seems to be necessary to a proper understanding of the merits of the controversy involving the names general Scott and general Jesup, and an individual in this city not officially connected with the army, that we should copy from the official paper the subjoined publication. We insert it as we find it, comment and all, that the parties concerned may have the full benefit of their united statements.

[Nat. Intel.]

From the Washington Globe.

GEN. SCOTT AND GEN. JESUP.

Some time after the publication of general Jesup's note to the editor of this paper, (which was made necessary by the aggravated misrepresentation of its contents and objects by the Courier and Enquirer), we were informed that its publication was considered unjust to general Scott, inasmuch as the character of the transaction presented by gen. Jesup's note was calculated to prejudice the former, containing as it did the opinion only of one of the parties interested, without the correspondence to which it referred, and which contained the views of both the parties. We understood that this circumstance would probably prompt general Scott to make a publication embracing the correspondence. This intention, it appears, was not persisted in, and was probably deemed superfluous by general Scott after the elaborate anonymous article put forth in the National Intelligencer on his side, but without his knowledge. This paper most shamefully traduced the president, general Jesup and the individual who had committed no offence save that of receiving and delivering general Jesup's letter. It was our purpose to have replied to the calumnies of the labored anonymous article of the Intelligencer, but finally concluded that it was proper to leave the vindication of the truth, and the motives of those who were impeached by the Intelligencer's communication, to the facts which would be elicited before the court of inquiry which is to pass upon the subject.

We communicated the course we had resolved upon to general Jesup, but suggested that, in justice to himself, as well as to general Scott, we thought it would be proper that the letters of general Scott to him, and his reply, should be laid before the public. In consequence, we suppose, of general Jesup's multifarious engagements, we received his reply to our letter only a few days since. We lay it, and the copy of the correspondence we asked of him, before the public. The explanatory notes accompanied the copies of the letters.

Tallahassee, (Alabama), Sept. 3, 1836.

DEAR SIR: I regret that I should have been the cause of bringing you into difficulty. I wrote to

you at the moment information reached me, that general Scott had not only sent copies of his extraordinary letters to me to the war department, but that he was representing me in his conversations as having deranged his plan of campaign, and brought a starving corps of two or three thousand men to consume the small quantity of subsistence and forage which he had collected for the Georgia volunteers and regular troops. Writing under the influence of the exasperated feelings produced by the wrong which I believed he had done me, and which I shall be able to show at the proper time he did me, I used language stronger, perhaps, than I should under other circumstances have thought necessary; but the language used expressed my opinions then; it expresses my opinions now.

Occupied with my public duties, I have no time for defence; and as I do not meddle with the politics of the country, I would not consent to be defended on party grounds. The questions in regard to the campaign should be decided on their own merits. I wrote to you, not as a party man, but as a private friend. It is true, I wrote to you because you happened to be the editor of the *Globe*, in the columns of which I expected to see general Scott's letters spread before the public. I requested you to show my letter to the president, as a measure of defence against the charges contained in general Scott's letters. The result was such as I neither expected nor desired. My command having been halted by general Scott when in the presence of the enemy's principal force, I believed the Indians would disperse into small parties; and that in place of fighting their force united, we should have to hunt their parties through the swamps, as had been necessary in Florida. Having been censured for that which I considered the true course of operations, and believing I could render no useful service to the country in chasing small parties through the swamps, I desired, at the time I wrote, to be withdrawn from the army. I informed general Scott officially, on the 20th of June, that I should apply to the president to be relieved, and should demand a court of inquiry. On the evening of the 23d we met, and an explanation took place. About ten o'clock that night, he put into my hands a letter addressed to the secretary of war or the adjutant general, I do not remember which, to part of which I objected in the presence of his aid and mine. On the morning of the 24th, he informed me he would ask to withdraw from the files of the war department the offensive letters; and on the 25th I addressed a letter to the secretary of war, in which I expressed my readiness to continue under his command until the close of the campaign. I considered all personal difference at an end; but I believed, and so expressed myself to those around me, that the government owed it to the country to have the whole subject of the campaign investigated. I considered it no longer a question between general Scott and me, but between him and the country, or me and the country. Respectfully, your obedient servant,

TH. S. JESUP.

Francis P. Blair, esq. Washington city.

Head quarters, army of the south,
Columbus, (Geo.) June 16, 1836.

SIR: Since I wrote to you on the 12th, I have heard of the arrival at Hawkinsville and Macon of most of the supplies I had ordered via Darien.—These are now in wagons, and within two, three and four days of this place. I have also just heard that the muskets ordered from Augusta may be expected here perhaps to-morrow. With these arms and the 1,800 accoutrements from Hawkinsville, nearly the whole of the Georgia line may be fitted for the field. At present, of the 2,200 men maj. gen. Sanford has in his camp on the other side of the river, only about 400 are armed. All the other armed men have been detached below to guard the river, and which, as yet, from the want of men, is but very imperfectly guarded.

After writing to you on the 12th, I received your letter of the 8th. This would completely have mystified me, but for the explanations given by some of the Georgia gentlemen who accompanied you from this place. For example, you wrote to me on the 6th that you were just about to set out for Montgomery, and yet I find you back at Tuskegee on the 8th. You do not tell me that you had been absent so far as Live creek, and that you there had met the governor. You are silent as to any interviews you had had with him, either at Live creek or at Tuskegee, to which place, I understand from others, he followed you. Some difficulties you undoubtedly experienced in getting the command of the Alabama troops; but what those difficulties were, you carefully conceal from me. You content yourself with saying: "I have not yet obtained the command of the troops, but if I obtain it

at all, I shall probably enter on duty to-morrow."—But why you had not at first obtained the command of the troops, and why the doubt whether you would obtain it at all, you again carefully conceal from me.

In a subsequent part of your letter you say: "I learn from the governor that gen. Moore will," &c. How did you learn this from the governor? You do not tell me that you had met him at Live creek, and that, turning back yourself, he had followed you to Tuskegee. It might have been by letter.*

Allow me to say that the whole letter is mysterious and enigmatical in the extreme, and that it is not such a communication as you ought to have made me." If the governor made the difficulties about placing you in the command of the troops, that important fact ought not to have been concealed from me; and if he did not, who else interposed difficulties?

You further tell me that "if a movement be determined on, I will send you information of it by a runner." A movement to be determined on by whom? The Alabama commanders, or those in conjunction with yourself? Either you were placed in command, or you have not been. In the first place, you would certainly determine on no scheme of offensive operations without my previous concurrence and readiness to co-operate; yet, without receiving any runner from you, or communication of any kind, since the 8th instant, a passenger in the stage by the upper route, just arrived here, reports that you, at the head of about 3,000 Alabamians and 1,000 friendly Indians, were about to march upon Neo Mico's band, and to commence offensive operations on a grand scale! I have no doubt there is a gross mistake in this report. You may, perhaps, have been about to make some defensive movement or operation to clear a frontier settlement of a portion of the enemy; but I will not believe that you have declared your independence of my authority.

It is certain that brigadier general Moore, of Alabama, has commenced a course of offensive operations, from Irwinton up the country. From this fact, I have rather inferred that you have not even yet been invested with the command of the Alabamians, or you certainly would have stopped his premature and isolated [movement]. These doubts and conjectures, in the absence of all direct intelligence from you, are sufficiently harassing. I mean to be explicit and precise on my part. I desire you instantly to stop all offensive movements (if you are in command) on the part of the Alabamians, until the Georgians are ready to act, say on the 21st instant, when the greater number of them will be armed and ready for the field. By that time, too, there will be on the frontier the greater part of the regulars and marines ordered from the north. On that day, if the movements of general Moore shall not render a modification of my plan necessary, I shall begin to assemble the troops on this side of the nation, somewhere in the neighborhood of Irwinton, and operate up the country. It is my desire that you meet me about that time and place, and that you bring with you any disposable force you conveniently can, or that you hold the whole of the Alabamians in defensive positions on the frontier settlements till I shall bring the war into their neighborhood, when you can come into the general line of operations with me.

No quartermaster has arrived here but Dr. Waite. Captain Page says that, under his instructions from the war department, his presence in this quarter is indispensable. No flints and no ammunition have yet arrived.

I have heard of shipments from New Orleans of army supplies, but none have arrived. Subsistence, with arms and accoutrements, from Hawkinsville, will begin to come in to-morrow.

I shall cause a large deposite of subsistence to be made at Irwinton, another at Fort Mitchell, and a third at this place. I am inquiring, and may establish a fourth depot at some convenient point between Irwinton and Fort Mitchell.

Six companies of regulars have arrived here to-day, and Munro's three days ago; they are sent to guard the Indians at Fort Mitchell.

I remain, with undiminished confidence, yours, most respectfully, WINFIELD SCOTT.

Major gen. T. S. Jesup, U. S. A. com. &c.

Head quarters army of the south,
Columbus, (Ga.) June 17, 1836.

SIR: I have this moment received your two letters of the 15th and 17th instant.

(Note furnished with the copy.)

*So the fact was communicated, the importance of adding that it was communicated by letter or orally cannot be perceived.

I am infinitely astonished and distressed to hear of your near approach, and in a starving condition,* to Fort Mitchell. You knew that your forces were not wanted there; you knew that no supplies could reach even Irwinton from New Orleans earlier than the 21st instant, if so soon; and you knew, by my letter of the 10th, that nothing had arrived as high as Hawkinsville, upon the Oakmulgee, and consequently nothing could have reached this place by the present date from that river. I also ought to add that you knew when you left here that the troops, daily increasing, were living from hand to mouth on the precarious supplies of the neighborhood. Under these circumstances, imagine my astonishment to learn that, instead of marching the disposable force of Alabama upon Irwinton, with subsistence for at least ten or five days in advance, to hear that you have come through the heart of the Indian country, seeking private adventures, which, if successful, could hardly have advanced the war, and against my known plan of operations, to Fort Mitchell, forty-five miles out of position! It is precisely general Gaines's movement upon Fort King, where there was no subsistence; and there is none, as you ought to have known, at Fort Mitchell.† My grief and distress are at their utmost height.—This strange movement you have made without giving me the slightest notice. You had not informed me, you do not even now tell me, that you are in command of the Alabamians, and your last letter, of the 8th instant, stated that it was doubtful whether you would even be invested with that command. All this is infinitely strange, and was the last thing in the world that was to be expected from you.

Well, to prevent starvation, I have called for the quartermaster and commissary, and demanded from them what rations and forage they could supply. Lieutenant Waite, the quartermaster, had, with great difficulty, provided some corn for my movement, at the head of the Georgians, on the 21st or 22d, and lieutenant McCrabb had just nearly exhausted the market to obtain two or three days' rations for the troops already at Fort Mitchell. At the risk of starving the troops on the river, (the Georgians and regulars), I have ordered the quartermaster to send you five hundred bushels of corn, and the commissary to move heaven and earth to send two or three days' subsistence for the troops brought with you. To prevent, however, all further erratic movements, I desire you to encamp your forces somewhere in the neighborhood of Fort Mitchell till further orders, or until I can see you. We will keep your forces, and those previously on the river, from starving, if possible, till the arrival of the Oakmulgee supplies, which I suppose will precede those from New Orleans by some days.

The first, and one of the worst effects of your arrival, will be to prevent a movement of the Georgians and regulars as early as I intended. The former have pushed their impatience for active operations almost to a state of mutiny; a result which I may not be able to prevent, if they should learn that the arrival of the Alabamians is to hold them in a state of inglorious activity many days longer.

I wrote to you yesterday, and despatched the letter by a runner from Fort Mitchell. I shall endeavor to visit Fort Mitchell to-morrow or the next day. Though in grief, I still remain yours, with great regard, WINFIELD SCOTT.

Some wagons with subsistence are despatched to-night, but cannot arrive, I learn from Mr. Waite, till to-morrow morning. Some corn (two hundred and fifty or three hundred bushels) will be down by ten o'clock to-morrow, in a boat. W. S.

Head quarters second army corps, southern army,
Camp on the waters of Halchechubbee, June 17, 1836.

GENERAL: I have this instant received your letter of yesterday. I regret that my operations have met your disapprobation; but they were commenced, and have been continued, for the purpose of staying the tomahawk and scalping knife, and pre-

(Note furnished with the copy.)

*When general Jesup arrived at Fort Mitchell, on the night of the 18th of June, he found a steamboat with seventy thousand rations, which he had ordered from New Orleans before he left Washington city, and he found in the neighborhood several thousand bushels of corn, which he had directed captain Page to secure early in June. He was surely entitled to some small share of the benefits of his own arrangements. If general Scott was not acquainted with the resources at his command, it was not the fault of general Jesup.

†General Jesup knew that the navigation was good, and he expected the arrival of steamboats with supplies at Columbus by the 15th of June. He had subsistence sufficient for the troops under his command to the 22d of June.

venting the devastation of entire settlements or neighborhoods on the frontier. They have had the effect of tranquilizing, in some measure, the frontier people, and of inducing them to remain at their homes. I regret the censure implied in your remarks, because it is unmerited. I acted in accordance with what I believed to be the spirit of your instructions; but, even were my conduct in direct opposition to your instructions given at a former period, the altered circumstances of the country are, I should think, a full justification. I consider it so, for I have none of that courage which would enable me to remain inactive when women and children are daily falling beneath the blows of the savage. Writing in the open field, where I am interrupted every moment by matters of detail of every kind, even to the placing of a wagon, I cannot now explain the remarks in my letter which you have considered so enigmatical, further than to say, in justice to governor Clay, that he made no opposition to my assuming command, but made every effort to sustain me; and to add that, if successful in my present operations, I shall owe much of that success to his able arrangements. The troops, or rather a part of them, were opposed, not to me personally, but to any officer of the United States taking command of them; and I would take command of militia and volunteers on no other terms than their consent. I would resign my commission first.

I am now within five miles of Enea Mathla's camp, with twelve companies of volunteers and four or five hundred Indian warriors. Eleven hundred warriors, under Hopothle Yoholo, will join to-night, and perhaps five hundred volunteers from Alabama. I made such arrangements for the defence of the settlements in my rear, that I feel assured of their entire security. I would have struck the enemy to-night, but for your letter; if he is not struck to-morrow morning, he will escape for the present, but the force I have in the field is sufficient to pursue and reduce him.

With every disposition to perform their duty, the volunteers and militia are necessarily extremely irregular in their returns, &c. I am not, therefore, able to send you a return in form of the force under my command. I am, sir, respectfully, your obedient serv't,
T. S. JESUP, major gen. com.
Maj. gen. Scott, com. of southern army, Columbus, Ga.

RECEPTION OF THE PRESIDENT AT NASHVILLE.

From the Boston Morning Post.

The Nashville Union states that the president, on his journey to the Hermitage, accompanied by maj. Donelson, and a few friends who had previously joined him, was met about thirty-five miles from Nashville, by the citizens' committee and by the young men's committee of the city and county, early in the morning of the 4th ult. on the road about three miles east from Lebanon. When the citizens' committee approached him in form. The hon. George W. Campbell, their chairman, saluted him by the delivery of an eloquent and appropriate address, of which we give the following brief epitome.

Impressed with a lively sense of the great and important services which the president had rendered the country, in the various exalted stations in which he had acted, they were happy in this opportunity to express to him and the world the high estimation in which they held them. In regard to his military achievements, they had already become the property of the nation, and of the civilized world. But the speaker would refer to some of those peculiar traits of character which have not always attracted the notice which they deserved. Among these, he mentioned a readiness to risk all dangers, at every personal hazard, when the good of his country required it. Thus, when, during the late war, gen. Jackson marched with raw troops against the savage Indians, when harrassed by the superior numbers of the enemy, destitute of supplies, which occasioned indications of a mutiny among his men, he hazarded life and reputation, sustained his ground, and shared their wants and offerings until supplies and reinforcements arrived—then attacked and demolished the savage enemy.

His enemies at that time were disappointed, and no, a few of those who acted a reprehensible part then, appear to form the nucleus of the party in Tennessee who are most opposed to the measures of his administration. Again, when a powerful force landed in New Orleans, to seize that city, general Jackson hastened to the rescue with an inferior force, to attack the most distinguished troops of Europe, and saved the city preparatory to the great victory of the 8th of January. Great clamor was raised against him for adopting martial law in the defence of New Orleans, which, however, proved ultimately the best expedient that could have been

adopted. This was another proof of a patriotic recklessness of self. The victory of the 8th of January, over a force vastly superior to his own, has not only immortalized his military fame, but greatly elevated the American character. It was viewed in Europe as the most brilliant achievement of modern times, and placed the American character on a level with that of the noble Roman. Since general Jackson has been chief magistrate of the nation, he has realized the most sanguine expectations of the people, and signally disappointed his enemies, while every effort has been made to embarrass him. His first veto upon the right of the general government to make internal improvements within the jurisdiction of the states, has been sustained by the people by increased majorities at the ballot box. The next great work of his administration, which was also sustained by the approbation of the people, both friends and foes, was the strangling of the doctrine of nullification. His measures against the bank have likewise been approved ultimately by the people, notwithstanding the embittered clamor of the opposition. The result was universal prosperity. The extraordinary censure of a majority of one branch of the national legislature will finally be annulled by the expunging resolutions, and be remembered only to show the injustice and recklessness of its authors. Another great work of his administration is the rallying of the democratic party, and the restoration of the great practical principles of Jefferson. Those who formerly belonged to the democratic party, but who have opposed the present administration, will, it is believed, ere long, repent the course they have pursued. The distinguished acts of his eventful life will be handed down to the most distant posterity when his enemies are forgotten. The speech then closed with expressing the joy which the citizens then felt in the opportunity of doing (to use the words of Jefferson) "honor to him who has filled the measure of his country's glory."

After Mr. C. concluded his remarks, the president replied as follows:

Sir: I am at a loss for words to give utterance to the feelings which have been excited by the terms you have employed, on this occasion, in tendering me the welcome of my neighbors and friends. Availing myself of a short respite from the cares of office, I left the seat of government entirely from a wish to look into my private affairs, which, after a long separation from them, required a little of my personal attention. So general and lively a manifestation of the respect of my fellow citizens as this is, and as I have received frequently on other occasions throughout my journey, was therefore unexpected. It is, however, not the less acceptable—on the contrary, I regard it as one of the most flattering evidences I have ever received of the interest the people take in the operations of the government; and I should be callous indeed, if, after the events of the last seven years, when my conduct has engaged so much of the public attention, I did not feel profoundly and gratefully the obligations which belong to the assurance that those for whom I have labored to do justice, not only to my intentions, but far more than justice in the extent they are pleased to give to their approbation of all the leading measures of my administration. That this assurance, sir, comes from you, as the organ of so numerous and respectable a portion of the citizens of Nashville and its vicinity, enhances its value. You have been acquainted with my public and private life. You have filled elevated and responsible stations in the public service, particularly in the administration of Mr. Madison; and you have been a uniform supporter of the principles of the republican party which brought that illustrious statesman into power.

You have adverted, sir, to some of the most prominent acts of my military and civil career, but have traced in terms of too much partiality to me the considerations which gave them a claim to the notice of my country. In the most of them I was but the agent of the power derived from the masses of brave and intelligent citizens who were associated in the service with me—in all of them, the co-operation and assistance necessary to give them success show how small can be the claim of a single individual to the applause which may be due to them, as causes of the public good. That those acts should have met with opposition from those who doubted their justice or policy, was natural, and that it should have been directed at me personally, in the spirit of fairness and candor, was to have been expected. In proportion, however, as this opposition has singled me out as the mark of unsparing abuse—in proportion as it has sought by unfair means to degrade me, for the purpose of rendering inefficient and odious the results of a service called for by the interests of the country, have I felt myself unduly honored. Such a course of opposi-

tion could not weaken the sentiments of justice and magnanimity in the bosoms of my countrymen, and it could therefore do no injury, except to make me an object of too much favor in their affections.

In respect, sir, to those portions of my military conduct which arrayed against me the power you have described as not without a political influence in the present day, it affords me pleasure to find that your approving voice does justice to the patriotic sacrifices of the brave men who were my companions in arms. The steps which were necessary to put an end to the ravages of the tomahawk and scalping knife, and free our territory from foreign invasion were pursued with energy and were crowned with success. If, in their execution, there were those, who from feelings of mistaken humanity, could not yield their co-operation, or from other causes, could not sanction the means pursued by me, it was for the country to judge how far they were right or wrong. To this tribunal I cheerfully left the judgment which the historian will record, and it will be honor enough for the gallant spirits whose prowess was signalized in the Indian forest and on the plains of New Orleans, to know that it is in accordance with the favorable judgment you have expressed on this occasion, and may forget that there ever was an attempt made to cast a shade over their actions. It is true, sir, that in many of these operations my conduct for awhile was misrepresented to my countrymen, and my character was denounced as an object of execration. I was held up then as a violator of the public law, and as a tyrant and usurper; but the intelligence and virtue of the people could not long tolerate the prevalence of error and prejudice, and shielded by their power, I was soon placed beyond the reach of the shafts of calumny and detraction.

It may be too much, sir, for me to cherish the expectation that such will be fate of all the bitter effusions which are now directed at me because of the manner in which I have performed the duties of the presidency. Your flattering language, however, on this occasion, and the support already given to the leading measures of my administration, make my obligations on this score to the discernment and firmness of the people, far greater than those I have acknowledged in the humbler relations of my life.

At no period of our political history have there been questions of deeper import to the union and perpetuity of our free institutions than those which have arisen under my administration. This was the natural effect of the long peace which prevailed, and of the great stimulus it communicated to the numerous sources of our national and individual wealth and prosperity. Hitherto the recollections of the revolutionary struggle, and the impulses of our war with Great Britain, had brought into action chiefly those influences which guarded us against foreign invasion. These influences tended to harmonize all the sections of our confederacy as long as the situation of the country gave them a claim to the popular attention. But the time had arrived when thirteen millions of freemen ceased to feel much apprehension about the power of foreign nations, and the public mind necessarily turned its chief attention to domestic affairs, and to the various schemes calculated to develop their improvement. In this state of things, the internal action of the government had to be tested in many aspects that were new, and principles heretofore considered plain and undisputed, became complicated and confused in their application to the various interests which sprung up in the different sections of the union. Under such circumstances, it was not to be expected that I could avoid difficulties in the administration of the government. That I have treated, in the manner the best calculated to reconcile them to the public good, and prevent their weakening the bonds of our happy union, is more than I can hope; but I trust that my conduct, when impartially examined, will be found to have been controlled at least by an anxious desire to preserve the principles of the constitution, and to keep the general government within the limits of its legitimate authority. Those difficulties have doubtless in some instances been rendered more embarrassing by the acts of factious politicians, but in the far greater number of cases, as you have justly intimated, they have sprung out of the radical difference which has ever distinguished the republican and federal parties.

There was a time, sir, when I thought the democratic principles of our system might be maintained with less of the rigidity, in the policy which excluded their opponents from a leading influence in the councils of the government than had been observed by some of the administrations which preceded mine. Experience, however, soon satisfied me, that in the latitude in which I indulged this opinion, I did not give due weight to the causes

that influence the conduct of public men. I could not fail to learn by the circumstances to which you have alluded, when tracing the means resorted to by the bank of the U. States, and by the advocates of nullification on the one hand, and of consolidation on the other, that it will be almost impossible to obtain an administration true to the constitution and faithful to the great trusts it creates for the good of the people, unless the people themselves exercise the most sleepless vigilance, not only in respect to the measures of government, but to the agents they employ to carry them into execution. It is true that the chief interest of the people is in the measures of the government. But measures cannot be carried into effect without agents, and they must from the nature of things fail unless these agents are faithful representatives, and give their hearts as well as their promises to the constitutional objects of their appointment. Practically, therefore the difficulties of an administration consist less in knowing and adopting what is just and proper in itself, than in being able to obtain that co-operation through agents which is necessary to secure to the people the advantages they have a right to expect from a government established for their good alone. Thus whilst we have seen, in the system of local improvements by the general government—in the encroachments and corruption of the bank of the United States—in the resort to disunion through the process of nullification—in the attempt at consolidation by the exercise of power defined only by the discretion of congress—the various forms through which the old enemy of republicanism has attempted to engraft new features on the constitution, and make it by construction and implication what the people never intended it to be; we have also seen how greatly the dangers of this foe can be increased by its power to interest in its cause those who owe their elevation to the people, and who have professed an attachment to republican principles in the very acts of their betrayal of them.

If, sir, by the course which I have pursued, I have disappointed this secret, but ever active foe to the true and lasting interests of the country, and shall have awakened the people to a more vivid and salutary sense of the importance of their vigilance and union, in digesting and executing the measures calculated to perpetuate a system of government founded upon their supreme will and authority, I shall deem myself fortunate indeed. The consciousness, at least, of having labored assiduously to produce this effect, and the assurances I have already received of the public approbation, will render powerless the attempts which have been made to misrepresent my acts and calumniate my motives.

I was aware of the responsibility devolved upon me when the people elevated me to the presidency, and I was not long in perceiving that the attempts to curtail their rights and privileges would have to be met by bold and energetic measures, differing in the extent of their importance and delicacy of their execution from those which I had been called on to pursue in the military service, but similar in the risks to which they exposed me. To be now called a dictator and a usurper can therefore be no new terrors to me, whatever impressions such epithets may make for the moment. I have too much confidence in the virtue and intelligence of my countrymen to suppose that their judgment will ever be founded on any other considerations than those of truth and justice.

Allow me to thank you again, sir, for your kindness on this occasion and to assure my neighbors and friends, so many of whom are within my hearing, that I shall always feel proud of their confidence and attachment.

After the president had done speaking, Andrew Ewing, esq. of the young men's committee, then greeted the president by the delivery of a handsome and appropriate address—peculiarly appropriate, as coming from a son of one of general Jackson's esteemed friends, now no more. The president replied to Mr. Ewing briefly, but in an eloquent and dignified manner. General Jackson was then escorted, by the committees, to the Hermitage, stopping to breakfast at Lebanon and dining at Mayson's, where he was met by a large concourse of friends, on whose behalf he was addressed by captain Peter Mosely, which was delivered in all the warmth and sincerity of old friendship.

DINNER TO MR. CALHOUN AND GENERAL THOMPSON.

From the *Pendleton Messenger*.

The dinner to Mr. Calhoun and general Thompson, on Friday last, was well attended. Indeed a considerable number of the citizens of the district supposing probably, that it was to be a barbecue, or dinner out of doors, assembled in the village,

and as it was altogether certain that not the fourth part of those present could be accommodated, even in the large room where the dinner table was to be provided, it was suggested to gen. Thompson that an address from him previously, would be very acceptable, which all might have an opportunity of hearing. This request he promptly complied with, and previous to the arrival of Mr. Calhoun, addressed his constituents for an hour or more, on the general topics which occupied the attention of congress at the late session. He gave an eloquent and startling account of the corruption and political profligacy of the times, and we have no doubt, awakened the attention of some who had not been before aroused, to the dangerous and rapid strides of abolitionism at the north. The passage of the bill distributing the surplus, and thus taking away from the government the means of corruption he alluded to as the only bright event of the session. The address was listened to with great attention and manifest approbation.

Near a hundred persons sat down to the dinner in Dr. Reese's long room; col. *Edward Harleston* acting as president, and capt. *Jacob Warley* as vice president of the day. Among the regular toasts was the following.

Our distinguished senator in congress, the hon. John C. Calhoun—His long political career has been characterised by devotion to the best interests of his country; and he now stands pre-eminent among the advocates of the rights of the states and the people, and the opponents of irresponsible power and misrule.

After the applause which followed this toast had subsided, Mr. Calhoun rose and addressed the company with great animation, for half an hour or more. The following is the substance of his remarks.

SUBSTANCE OF MR. CALHOUN'S REMARKS.

Mr. C. said: After 25 years, fellow citizens, of interrupted service in the councils of the union, in various capacities, and during a most trying period of our history, that I should receive the cordial and unqualified approbation of my neighbors and immediate friends, who had the best opportunities of judging of my motives and character, could not but be highly gratifying to me. In responding to the general approval of my public conduct, contained in the sentiment just offered, it would hardly be expected that I should enter into a general recapitulation of my political course, beginning with a second war of independence, the first measure of importance in which I bore a prominent part, after I became connected with the general government, and ending with the deposit bill, which has just received your warm approbation. But I may say of these measures, the first and last in which I had an effective agency, that as wide apart as they stand in point of time, and as dissimilar as they might seem to be, yet in one important particular they are identical. They had a common object, the preservation of the constitution and liberty of the country, endangered at the former period by a foreign foe, and at the latter by a domestic. And let me add, as great as the danger was in 1812, it was not half so formidable as at the present time. It is true, that then our ships were seized, our sailors impressed, our commerce recolonized; yes, as completely so as it was before the Declaration of Independence, and this by the most powerful nation on earth, for such she proved to be in after events. To submit to such outrages, long continued and daily increasing, without any prospect of termination, would have been followed by national degradation, and by consequence, contempt for our institutions, to the debasing effects of which such cowardly submission would have been attributed. This was seen and felt at the time. If such was the danger of longer submission, that of resistance to such a foe, under the circumstances in which the country was then placed, seemed not much less formidable. It was at this moment, when our affairs stood between these dangerous alternatives, I took my seat for the first time in the councils of the union. The war session, as it is called, was my first session. I then was a young man without experience, having never served previously, excepting two short sessions in our own legislature, in any deliberative body. Circumstances placed me at this critical juncture, young and inexperienced as I was, at the head of the committee on foreign relations, the most important at the time of all the committees. I saw to the full extent the danger and felt the responsibility, but did not hesitate.

The country was unprepared, almost without ships, without fortifications, without munitions, without an army, and without a revenue, with a party powerful for talents, wealth and numbers, opposed to resistance; yet these difficulties did not intimidate. If to resist was full of danger, to submit was not less so; with this striking difference,

which, with me was decisive, that if we failed in the former we would fail like men honorably and nobly resisting wrong, and struggling to maintain our independence and institutions, instead of basely sinking like slaves in humble submission, the scorn and contempt of the world. Fortunately for the country manly councils prevailed. The danger was met and surmounted, and a rich harvest of renown and prosperity followed. The peril of the contest was indeed great, but the danger was without. The country was free from corruption. The people were patriotic and the public morals untainted. However violent party spirit may have been at the time, no party, nor any public character of any party, was suspected of corruption; but now the danger is within. The foe is in the bosom of the country, and in possession of the government. A powerful faction, (party it cannot be called), held together by the hopes of public plunder, and marching under a banner whereon is written, "to the victors belong the spoils," has made successful war on our institutions, and converted all the power and influence of the government into instruments of gain. Ampler means for this purpose were scarcely ever placed in the hands of a dominant faction. With available means, five times greater than is required by the legitimate wants of the country; with the administration of a boundless public domain; with the unlimited control, till the passage of the deposit bill, over the public funds, and through them over the currency and banking institutions of the country, with 100,000 dependants on the bounty of the government; and, finally, with an organized, rigid and severe system of discipline, having its centre in Washington and extending in every direction over the wide circle of the country, a scene of speculation and corruption has been opened, reaching from the capitol to the extremities, embracing the high and the low, those in and those out of office, the like of which has scarcely ever existed under the most despotic and profligate governments. It is this powerful and corrupt combination, in actual possession of the government, against which the honest and patriotic have now to wage war. It is against them, that the deposit bill was levelled. I shall not venture to say, that the blow will be effectual. It may be, that corruption has struck its roots too widely and deeply to be eradicated; but I do assert, that without the measure, there would not be the slightest hope of reform. Leave the immense surplus in the hands of the government, with the means of controlling the circulation and the banking operations of the country, and of making whatever disbursements it pleased with the view to purchase states or individuals, and how idle would be the hope of reform! but as it is, divested of the surplus, with the public deposits and deposit banks placed under the protection of law, and beyond the control of the executive, the patriot may still hope. It is indeed a dawning—a gleam of light to those who love the country and its institutions. If we had no other evidence of its efficacy, the stern and bitter operation, I will not say of the party, but of its more prominent leaders, headed by the president himself, and the loud and continued wailing of all the organs of the faction ever since the passage of the bill, would of themselves afford sufficient. With such an opposition it is wonderful that the measure was adopted; but let me add, as an act of justice, that the more wonderful the passage of the bill, the more honorable to the independent and sound portion of the administration party in both houses, by whose co-operation it was effected. When I saw so many in the ranks of the party standing firm, and sacrificing party attachments to love of country, on this great occasion, under all the pressure which was brought to bear on them, new hope for our country and its institutions revived in my bosom.

But, whatever may be the success of the measure, whether it be destined to open the way to thorough and complete reform of our political system, or to prove by its failure that the disease is too far gone for medicine, there is one view of the subject that brings it home to us, and which cannot fail to excite an interest in the breasts of all who hear me. The act is the consummation of the Carolina doctrines, carried out in their practical consequences. It would be idle, before such an audience, to discuss the nature of these doctrines, and the object we had in view in their practical assertion. It is sufficient to say that our leading object was to arrest the tariff or protective system, with the view, first, to throw off an oppressive and unconstitutional burthen, which weighed down all the springs of our prosperity, and was rapidly reducing us to poverty; and, next, to reform the government by drying up the sources of a revenue, which we saw would so overflow the treasury on the payment of the public debt, as to corrupt the government and destroy our liberty, unless diminished by a great and decisive re-

duction of the tariff. These were the motives which governed us—motives, let me say, worthy of our patriotic and gallant state. Fixed and resolved in our determination, we were in no haste to act. We waited patiently till it was announced the debt was paid, till the act of 1832 was proclaimed on both sides, by the administration and the opposition, as a final adjustment of the tariff in the new state of things consequent on the payment of the debt,—an act which we clearly saw at the time, and which all must now acknowledge, fell far short of applying a remedy to the fatal disease against which this state contended. It was then, and not till then, the state interposed its sovereign voice—wisely and patriotically interposed, as every impartial observer, enlightened by after events, must see, and so posterity will with one voice admit. But, as powerful as was the remedy, it could not of itself at once arrest a disease so inveterate and deep.—There is in the nature of things an interval—a convalescent state, between disease and health, both in the physical and political world. It is not in the power of the most potent medicine to restore the patient to instant health, nor of the most effective measure to restore the body politic, when diseased, at once to a sound condition. Time had to be allowed for the reduction of the duties to the point which the constitutional wants of the country might require. A sudden reduction would have prostrated the manufacturers with the loss of an immense amount of capital and skill, and the danger of a reaction that might prove fatal to the country. We intended no war against the manufacturers. We wished them no ill, and were at all times, both then and before, willing to allow ample time for a reduction so gradual as to avoid a shock, both to them and the country. This was effected by the compromise bill, which, while it repealed all the duties on articles which were thought to require no protection, allowed eight years for the reduction of the duties on protected articles.

I saw at the time, that, notwithstanding the vast amount of the reduction, (as I shall hereafter shew), there would be a considerable surplus, and that, as much as it would comparatively be, yet it would be sufficient to perpetuate power in the hands of those in possession of the government, and who had by their past acts left no doubt that it would be used for the corrupt and dangerous purpose to which it has since been preferred. I stated my impression to the distinguished senator from Kentucky, who acted a part so honorable to himself and useful to the country on the occasion, with the view that, in the adjustment of the details, the evil might, as far as possible, be guarded against. He was not insensible of the danger; but could not, in his opinion, consistently with what was due to the interest he represented on the occasion, and without losing its support, do more than was done.

What I anticipated followed. It became apparent the next year there would be a surplus, and my attention was, at an early period, directed to the subject, with the view of devising and applying some measure which might in its effects anticipate the action of the compromise act, and thereby apply a remedy to a disease which could not be fully reached at once, for the reasons stated, by a simple reduction of the duties. With this view, I moved, session before the last, for a special committee on the subject of executive patronage. A numerous and able committee was appointed, selected from the three parties in the senate, which, with other measures, reported a bill to regulate the deposit banks, and a resolution to amend the constitution, so as to authorize the distribution of the surplus revenue among the states during the operation of the compromise act. It was too late in the session for definite action then.

I reviewed both at the last session, and had the good fortune to succeed in passing them in one bill, in the form which they finally assumed in the deposit act. The effect will be, to restore to the states, as the immediate representatives of the people, all the money not needed by the government; and, of course, so far as the diseased state of the government depends on a surplus, at once eradicate the disease as effectually as if the duties had been at once reduced to the legitimate and constitutional wants of the government, and that without in the slightest degree injuriously affecting the manufacturing interest of the country. It does more—vastly more. It not only takes the surplus from the government, but, by placing it in the custody of the states, puts it into the opposite scale. The effects will be to convert the state governments into active and vigilant guardians of the common treasury, and to enlist them by their interests to become the advocates of economy and retrenchment in the general government, without which there can be no effectual reform. While accomplishing this important service, it will at the same time restore to the

staple states a large portion of that excess which they pay into the general treasury through the duties. To the extent of this difference between what we pay and what we receive back by the act, we will still be losers, in a money point of view, till the compromise bill complete the reduction. The difference is not large. It may be something more than a third of the excess of our contribution; but, whether it be more or less, I feel confident that a fund applied in a manner so well calculated to enlist all of our copartners in the union in the great work of reform, for which our gallant little state has so long contended almost alone, will be considered by you as fully returned in the shape of the most substantial political benefits, particularly if the share which may fall to us and the other states interested shall be applied to the construction of the magnificent work of connecting by rail road the southern Atlantic ports with the Mississippi and Ohio. Having thus by this last measure consummated the great object for which our doctrines were called into action, it is time to pause and inquire, what have we done? What good have we effected? Have we been compensated for our long and arduous struggle in defence of our interests and the liberty and constitution of the country?

That there has burst upon this and the southern states a tide of prosperity within the last three years, to which they had been for a long time strangers, none will deny. On whatever side we cast our eyes, we witness its effects in the improved condition of the country, and the easy and independent circumstances of the people. To what is this to be attributed? I doubt not that much may be traced to general causes growing out of a long peace and the vast improvement in all the arts, mechanical and chemical, which has distinguished the last fifty years, and the full benefit of which begins now to be realized, in the increased prosperity of the civilized world. But how has it happened, that this growing, general prosperity, which has been so long visible in many portions of our country, as well as others with which we are commercially connected, has been scarcely felt in the southern sections of the union, till within the last three years? And how is it to be accounted for, that it broke in on us so suddenly about that time? How did it happen that we just then passed from a state of depression into one of prosperity, which has been ever since increasing? To these questions but one sensible answer can be given; that it was then that the shackles of commerce, which had long bound our industry and pressed down the springs of our prosperity, were struck off. Yes, struck off, by the wise, bold and timely interposition of our state—by nullification—not only for her own benefit, but for the whole south; and, I may add, in a wider sense, looking to political consequences, the whole union. Our prosperity as a great agricultural people, the producers of cotton, rice and tobacco, which depend for their consumption on the general market of the world, must depend on a free exchange of our products with the rest of the world. The protective system, in striking at this exchange, struck at the root of our prosperity, which felt the blow to its remotest branches. Under the tariff of 1828, nearly one-half of the back return of our exchanges with foreign nations, passed into the coffers of the general government, to be disbursed, through its appropriations, almost exclusively to other sections. Hence the distress and poverty which weighed down the south, and hence the sudden prosperity which has followed the overthrow of the system.

I have been looking over (said Mr. C.) the commercial returns for 1835, since the adjournment of congress, and comparing it with those of 1832, the year which immediately preceded the interposition of this state; not with a view of addressing you, but to keep myself informed of the progress which our commerce and prosperity have made since that important epoch in our history. The results are surprising. They more than realize what the most sanguine among us anticipated. I will state a few facts, beginning with the domestic exports of the country.

Our exports may be said to be the measure of our commercial prosperity. On them depend the imports, and on these the revenue of the country, with its commerce and navigation. How then stands the exports of domestic products at the two periods, '32 and '35, the year preceding the action of the state and the last year, with an interval of only three years between? That of '32 in round numbers amounted to \$63,000,000, and that of '35 had increased in this short period, to \$101,000,000. But what is more striking still, of the sixty-three millions in '32, as near as can be ascertained, the exports from the staple states, I mean that portion that grows cotton, rice and tobacco, amounted to forty millions of dollars, and that from the rest of

the union to about twenty-three millions; while in '35, the former amounted to about eighty millions, and the latter to but twenty-one millions, showing that the southern exports had doubled in this short period, while that of the rest of the union had rather fallen off. I doubt, if there be any thing on the record of history to be compared to this extraordinary commercial growth. To double in three years, and that not compared with a disastrous year, for that of '32 was a year of prosperity compared with those which preceded it. To increase more in three years than in the preceding forty-five, going back to the commencement of the government, and as much as through all the previous period from the first settlement of the country! Making every allowance that fairly can be made for other causes; the general prosperity of the world; a favorable commercial vibration, and others, if there be others; yet this result is too great to be attributed to them. Nothing but a burden taken off; commercial shackles removed; toll gates taken down; and freedom restored to our commerce and exchanges with the world, can adequately account for a prosperity so great and sudden, corresponding as it does, with the great change in our commercial code, and the predictions of those who effected it.

If we return from the exports to the imports, we shall find, as might be anticipated, a corresponding increase. The imports for consumption in the year '32, that is the imports after deducting the reshipments, amounted to \$80,000,000 in round numbers, and that of '35 to \$129,000,000. The duties levied on the former, if my memory serves me, was upwards of \$35,000,000, (I speak of the gross revenue from the imports, including the expense of collection and some other charges that do not come on the treasury), while that of '35 was to be put down at about \$22,000,000. You will ask how happens it, that so small a sum in the latter was collected on so large an amount of imports, when in the former so large a sum was collected on comparatively so small. The commercial returns will explain. In '32 out of \$80,000,000 of imports but \$5,500,000 in round numbers were free of duty, while in '36 out of \$120,000,000 sixty-five millions were free of duty, rather more than half. This with the reduction of duties on protected articles already effected by the compromise act, explains the difference. If the act of 1828 had remained unmodified, the revenue on the imports of '35 instead of twenty-two millions, would not have been short of sixty millions, and the share that would have fallen on our portions of the foreign exchanges, estimated, as I have stated, our exports at eighty millions, would not have been less than thirty-seven millions instead of thirteen, which may be estimated as the sum collected on our share of the foreign exchanges the last year. The difference shows what has been gained to us by the reduction of the tariff of '28, and will account in no small degree for our present unexampled prosperity. I do not claim the whole of this reduction as the result of the interposition of this state. Some reduction had been made by previous acts; but more than two-thirds of the whole reduction may fairly be attributed to our exertions. In the mean time, the compromise act is gradually taking off the remaining protective duties, and will by the year 1842 remove the whole, if the act be left undisturbed, by which time from ten to twelve millions annually, in addition to the present reduction, will be taken off.

The result, my fellow citizens, on the whole is, that a reduction of \$37,000,000 annually in the imports has already been effected, being nearly two-thirds of the whole; and that in the next six years from ten or twelve millions more will be taken off under the compromise act, when only about one-sixth of those of '28 will remain.

We may see, said Mr. C. from these brief statements, the real cause of our great prosperity; and that the cause which has effected already so much, is still acting with increasing force. If we be but true to ourselves, and firmly maintain the position which we have acquired by such mighty exertions, I hazard nothing in saying that without some unexpected disaster, resulting from the visitation of Providence, or the calamity of war such as we were exposed to last winter, by the folly and vice of the administration, (which sought to involve the country in a war with France as anxiously as a wise and virtuous administration would have done to preserve peace), that a degree of prosperity unexampled, awaits us. We may judge of what is to come, after all the causes are fully developed and in full operation, when such fruits have followed a partial development, and the very commencement of their operation.

Here Mr. C. noticed the proceedings of congress, on the abolition question, and stated his impression, that though much was done by the discussion of

the subject at the last session, to enlighten the public mind, both at the south and north, in relation to it, yet in conceding the right to abolish slavery in the District and territory, and establishing the principle that congress was bound by the constitution, to receive abolition petitions, every thing had been yielded to the incendiaries, for which they could have hoped. He saw in these concessions, the cause of increased activity and exertion on their part, and danger on our. As yet, the enlightened of all parties at the north with little exception were sound; but with the ample means possessed by the abolitionist—ample funds—complete organization an energetic press—the young, the thoughtless and the enthusiastic would receive the poison. The whole section, if nothing should be done to arrest the progress of the disease, must become infected, when consequences such as all must deplore, would follow. Mr. C. stated also, as his impression, that we had nothing to hope from the north; that nothing effectual would be done there to arrest the danger; and that we must look to ourselves. Fortunately, he said, the constitution left ample means in our hands to protect ourselves, as has been fully shewn, during the session. All that we wanted, were union and concert, and spirit to apply them; and, in his opinion, the sooner applied the better, both for ourselves and the nation. He concluded this part of his remarks by saying, that the situation of the slaveholding states was new and extraordinary; that they were exposed to dangers of unexampled magnitude; but great and novel as they were, our means of meeting and overcoming them were ample, provided we should prove to have the sagacity of seeing in time, the danger, with the remedy, and spirit to make the application. He said the destiny that awaits us is no ordinary one. If we successfully meet the perils that surround us, we would be among the first and greatest people of modern times; but if not, our lot would be worse than that of the savages we have driven out, or the slaves we command.

Mr. C. resumed his remarks on the present prosperity of the country. I foresee, said he, in the midst of this prosperity, a danger of no small magnitude, symptoms of which I fear are already visible. If we be not on our guard, the love of gain will overspread the land to the absorption of every other passion and feeling. In the eager pursuit of wealth, we are in danger of forgetting the struggle by which our prosperity was won, as well as the principles on which it rests; and of forgetting almost that there is a government in existence, on whose movements our destiny so much depends. I rejoice to see the spirit of industry, activity and enterprize now awake in the land. We of the south have had, heretofore, too little of this spirit. I shall say nothing to repress it when within proper bounds. His object was to warn against its excess, to the neglect of higher objects than the mere acquisition of wealth. In the spirit in which he made these remarks, he would offer the following sentiment:

The people of the south—May they not forget in the midst of their ardent pursuit of gain, that virtue, patriotism, honor and intelligence, and not wealth, are the only certain and durable foundation of national prosperity and greatness.

PROROGATION OF PARLIAMENT.

House of lords, Saturday, Aug. 20.

This day parliament was prorogued with the usual formalities by his majesty in person. The muster of female beauty of fashion was more than ordinarily numerous. The attendance of peers was rather scanty. The members of the corps diplomatique filled completely, and indeed somewhat inconveniently, the space set apart for their reception. The body of the house presented a very animated and interesting scene. The *coup d'œil* from the gallery was extremely beautiful.

Soon after 12 o'clock the lord chancellor took the woolsack.

Prayers were read by the bishop of Bristol.

At 20 minutes after 2 his majesty entered the house, attended by the great officers of state. The sword of state was borne by viscount Melbourne, the cap of maintenance was borne by the earl of Shaftesbury.

His majesty having taken his seat on the throne, the gentleman usher of the black rod was directed to command the attendance of the commons forthwith to hear the royal assent given to the number of bills, and to witness the prorogation of parliament.

The speaker, in his state robes, accompanied by a large body of members, soon after appeared at the bar, when the right hon. gentleman addressed his majesty in nearly the following words:

"Most gracious sovereign: Your majesty's faithful commons have, during the progress of the ses-

sion which is now about to be closed, taken into consideration many of the subjects recommended to their attention by your majesty's most gracious speech from the throne at its commencement. The commons have passed a measure for the commutation of tithes in England and Wales, after long and anxious deliberation. It is a question beset with many difficulties; but your majesty's commons have grappled with them, and have passed an act in which the rights of property have been carefully respected, and due caution has been taken to protect those rights with sufficient safe guards. It is a measure calculated to remove all cases of dissension between pastors and their flocks, and to give security and certainty to the income of the clergy, as well as to afford free scope and encouragement to agricultural skill and labor. Even if it shall hereafter be found that particular provisions in the act require revision and alteration, still your majesty's commons entertain a confident hope and belief that this measure is based on principles which will ultimately be found satisfactory and beneficial. In entering on the examination of the reports of the commissioners appointed to inquire into the state of the established church in England and Wales, your majesty's commons have proceeded with that respect which was due to the high authority from which these reports emanated, and with that cautious feeling which was so necessary when changes and alterations were about to be made in those ancient institutions which have so long commanded the reverence and respect of a large portion of your majesty's subjects. The act which your majesty's commons have passed with reference to this subject, by providing for a more equal distribution of episcopal duties and revenues, is most materially calculated to weaken, if it do not wholly remove, the motives for the translation of bishops, and by recognizing the principle and earnestly keeping in the mind the due proportion and balance between the amount of duties to be performed, and the extent of emolument to be received. Your majesty's commons believe that the measure will add to the efficiency and usefulness of the church, and will tend to strengthen its hold on the affections of the people. While your majesty's commons have accordingly passed two acts—one which makes considerable alteration with respect to the celebration of marriages; while the other provides for a more complete registration of births, deaths and marriages all classes of your majesty's subjects, must feel deeply interested in the successful operation of these measures, which bear so strongly on the various relations of domestic life, and on the safe transmission of property. The provisions of these acts have been framed in a liberal spirit, with an ardent desire to remove just causes of complaint, and with the hope of rendering the law generally acceptable, by making it equal and impartial, and manifesting a becoming respect for the feelings and conscientious opinions of those who dissent from forms of the established church. It has been highly gratifying to your majesty's commons, that such is the prosperous and flourishing state of the public revenue, that while they have provided with liberality for the ordinary expenses of the public service and also for some extraordinary exigencies which circumstances render necessary, in order to meet engagements formerly contracted for the most generous and honorable purposes, your majesty's commons have yet been able to make a considerable remission of taxation. In the settlement of duties to be regulated and taxes to be removed, your majesty's commons have taken care that the relief should be so applied as to give the greatest aid in cases where there was the most unequal pressure, or where the enforcement of the existing law was found to be vexatious. By the equalization of the duties on sugar, the benignant influence of an enlightened legislation will be felt by some of the inhabitants of your majesty's most distant possessions. I have now only to present to your majesty the two last bills of supply—the one for applying the sum of £4,000,000 out of the consolidated fund to the service of the year 1836, the other for raising the sum of £14,007,950 by exchequer bills for the service of the year 1836."

The royal assent was then given to sundry bills. His majesty then delivered the following most gracious speech:

KING'S SPEECH.

"My lords and gentlemen: The state of the public business enables me at length to relieve you from further attendance in parliament; and in terminating your labors, I have again to acknowledge the zeal with which you have applied yourselves to the public business, and the attention which you have bestowed upon the important subjects which I brought under your consideration at the opening of the session.

"The assurances of friendly dispositions which I receive from all foreign powers enable me to congratulate you upon the prospect that peace will continue undisturbed.

"I lament deeply that the internal state of Spain still renders that country the only exception to the general tranquillity of Europe, and I regret that the hopes which have been entertained of the termination of the civil war have not hitherto been realized.

"In fulfilment of the engagements which I contracted by the treaty of quadruple alliance, I have afforded to the queen of Spain the co-operation of a part of my naval force, and I continue to look with unabated solicitude to the restoration of that internal peace in Spain, which was one of the main objects of the quadruple treaty, and which is so essential to the interests of all Europe.

"I am happy to be able to inform you that my endeavors to remove the misunderstanding which had arisen between France and the United States have been crowned with complete success. The good offices which for that purpose I tendered to the two governments were accepted by both in the most frank and conciliatory spirit, and the relations of friendship have been re-established between them in a manner satisfactory and honorable to both parties.

"I trust that this circumstance will tend to draw still closer the ties which connect this country with two great and friendly nations.

"I have regarded with interest your deliberations upon the reports of the commission appointed to consider the state of the dioceses of England and Wales, and I have cheerfully given my assent to the measures which have been presented to me for carrying into effect some of their most important recommendations.

"It is with no ordinary satisfaction that I have learned that you have with great labor brought to maturity enactments upon the difficult subject of tithes of England and Wales, which will, I trust, prove in their operation equitable to all the interests concerned, and generally beneficial in their results.

"The passing of the acts for civil registration and for marriages in England has afforded me much satisfaction. Their provisions have been framed upon those large principles of religious freedom, which with the due regard to the welfare of the established church in this country, I have always been desirous of maintaining and promoting; and they will also conduce to the greater certainty of titles and to the stability of property.

"It has been to me a source of the most lively gratification to observe the tranquillity which has prevailed, and the diminution of crimes which has lately taken place, in Ireland. I trust that perseverance in a just and impartial system of government will encourage this good disposition, and enable that country to develop her great national resources.

"Gentlemen of the house of commons: I thank you for the liberality with which you have voted, not only the ordinary supplies of the year, but the additional sums required to provide for an increase in my naval force.

"I am also gratified to perceive that you have made provision for the full amount of the compensation awarded to the owners of slaves in my colonial possessions, and that the obligations entered into by the legislature have thus been strictly fulfilled.

"The increased productiveness of the public revenue has enabled you to meet those charges, and at the same time to repeal or reduce taxes, of which some were injurious in their effects upon my people, and others unequal in their pressure upon various parts of my dominions abroad.

"The present condition of manufactures and commerce affords a subject of congratulation, provided the activity which prevails be guarded by that caution and prudence which experience has proved to be necessary to stable prosperity.

"My lords and gentlemen: The advanced period of the year, and the length of time during which you have been engaged in public affairs, must render you desirous of returning to your respective counties. You will there resume those duties which are, in importance, inferior only to your legislative functions; and your influence and example will greatly conduce to the maintenance of tranquillity, the encouragement of industry, and the confirmation of those moral and religious habits and principles which are essential to the well being of every community."

The lord chancellor then, in the usual form, declared it to be his majesty's will and pleasure that the parliament should stand prorogued to Thursday, the 20th of October next.

FOREIGN CHRONICLE.

The Baltic trade. The Russian government has published an ukase by which foreign ships proceeding from one part of the Russian provinces on the Baltic to another part of the same province to complete or trade in their cargoes, shall be free from the double navigation duty imposed for the benefit of the treasury and custom house officers, and shall pay duty only in the first port in which they enter, like ships with a cargo.

Rail road iron. Bills have passed parliament this season for 1,100 miles of rail roads, which will require a total of 290,000 tons of iron, to be supplied within the next four years. When this is taken in conjunction with the demands for rail road iron from the U. States, it is obvious we shall have to be thrown upon our own resources, and commence the manufacture at our own works. We think we have iron of quality as good as any in England.

Sir Frederick Adam has resigned the government of Madras.

The following announcement may possibly be interesting to somebody.

Married at Torgul, on the bank of the Ghutaprabha river, on the 7th of March, the young rajah of Akulcote, to the daughter of Luxoomun Rao Sinday of Torgul.

Mr. Driabrow's plan of boring for water has been adopted, it seems in Calcutta. In one boring, at the fort, the rods had been carried to the depth of 120 feet, and the water had risen to within fourteen feet of the surface. A similar experiment was in progress at Delhi.

A steamboat called the Banian is plying between Calcutta and Singapore, Penang, Malacca, and other places near the straits of Malacca.

A man named Robertson has been making a balloon ascension from Calcutta. Being the first ever attempted there, it excited immense wonder among the natives, who came in some instances 40 and 50 miles to see it. The public were very eager for another, which Mr. R. professed his willingness to make, provided he were paid 10,000 rupees in advance.

Lord Auckland is endeavoring to introduce the culture of the cochineal insect into India.

The subject of steam communication with Europe appears to excite great interest in every part of British India. Petitions to the British government for measures to promote it were in circulation, and obtaining vast numbers of signatures.

Miramichi a free port. We have much satisfaction in being enabled to state that a letter has been received by the last British packet from our persevering and indefatigable provincial agent, H. Bliss, esq. stating that the petition sent from this place, we believe in June last, praying that Miramichi might be made a free port, has been complied with; and that the necessary instructions for carrying the same into effect will be forwarded by the September packet.

[*Miramichi Gleaner.*]

A Bible that was once the property of Charlemagne, was recently sold at auction in London for £1,500. This extraordinary volume, perhaps the most extraordinary in the world, is entitled in the catalogue "Biblia Sacra Latina ex versione Latina Sancti Hieronymi. Codex membranaceus sæculi VIII, scriptus manu celeberrimi Alcuini et Caroli Magno donatus, die quo coronatus fuit."

It is a magnificent folio bound in velvet, the leaves are of vellum, and the writing is in double columns. It contains 449 leaves. Prefixed is a richly ornamented frontispiece in gold and colors. It is enriched with four large paintings exhibiting the state of the art at that early period; there are, moreover, 34 large initial letters, painted in gold and colors, and containing seals, historical allusions, and emblematical devices, besides some smaller painted capitals. This rare book is in fine preservation: it is understood not to contain the disputed passage at the commencement of St. John, and not to contain the passage of St. Luke, "Get thee behind me, satan."

A stone coffin was recently discovered in the church yard of Hamel Hempstead, on the lid of which is an inscription partly effaced by time, yet still sufficiently legible to prove it contained the ashes of the celebrated Offa, king of the Mercians, who rebuilt the Abbey of St. Alban's, and died in the eighth century. The coffin is very curiously carved, and altogether unique of the kind.

The porte and Mr. Churchill. The Liverpool correspondent of the New York Express says—

The porte has agreed to make the *amende honorable* to Mr. Churchill. The director of the prison at Scutari is dismissed; the sultan grants Mr. Churchill an indemnity of £2,000; the reis effendi grants him and his family some exclusive commercial privileges. On July 23d, all the English merchants in Constantinople gave an entertainment on this amicable adjustment, and Lord Ponsonby attended.

Lately, in the coal mines of Anzin, at 1,100 feet below the surface, a fossil palm tree was found. It

was in an erect position, with its roots fixed several feet deep in the soil below. The trunk is about 36 inches in diameter. It is intended to be sent to the gallery of natural history at the garden of plants.

A sloop of war named the Triomphante, constructed upon a new plan, is at this moment being got ready for the sea at Cherbourg. Her guns are arranged in a novel manner, and she has neither fore nor hind castle. She carries 4 short 18-pounders, and 16 mortars 30-pounders. The mortars will fire solid or hollow projectiles, and one of the latter falling on the enemy's vessel will be able to set her on fire. A ship of the force of the Triomphante, will be able to cope with a 46-gun frigate built after the old plan.

While, in England, Jews are excluded by law from holding any public situations, and virtually debarred from the professions, there are in France, of that persuasion, 1 lieutenant general, 30 other military officers, 18 councillors, 27 physicians, 3 authors, 3 notaries, 12 heads of extensive private business, 2 bankers, (barons Rothschild), 1 deputy, and 1 member of the institute of France. In England, the clergy of the established church preach against the emancipation of the Jews.

It appears by the calculation of a Spanish writer that the annual produce of the English coal mines, is 18 millions of tons bringing a revenue of 450,000,000 of francs while the gold and silver mines of America yield but 220 millions leaving for the coal a difference of more than double.

Galloway bey. A young man who bore in Egypt the title of Galloway bey, the second son of Alexander Galloway, esq. of London, died on the 3d of July, at Alexandria. He had devoted his talents and industry in the service of the pacha of Egypt, as his chief engineer, for the last twelve years, and as a reward for these services, two years ago, he received the above title. He only left England in February last, for the purpose of carrying into effect the gigantic work of directing the execution of the rail road from Cairo to Seiz, for which he came to Europe to make all the arrangements on behalf of the pacha, with his father and brothers. His decease was caused by a liver complaint, occasioned by the climate. The rail road will still be carried into effect, and the executing of it will devolve upon the bey's brothers, two of whom are in Alexandria.

The London Court Journal speaks of the fact, as a remarkable act of *condescension*, that the duke of Portland worked at the pump to save himself from sinking in his yacht, off the coast of Norway during a violent storm.

DOMESTIC CHRONICLE.

White blackberries. The Augusta (Geo.) Courier states that there is a fine patch of white blackberries, growing on the plantation of col. Joseph Taylor, in Anderson district, S. C. The fruit grows on a bush similar to the common blackberry, but it is much sweeter.

Bridge over the Ohio. The corner stone of the first bridge ever built over the Ohio, was laid with much parade, and with appropriate ceremonies, at Louisville on the 5th ult.

The Bank of the U. S. have established a branch at New Brighton, Beaver county, and appointed Wm. H. Denny, late of this city, cashier. [*Pittsburgh Her.*]

Eight hundred and fifty-three buildings have been erected in New York from the 1st of May to the 15th ult. being a period of less than six months.

Coal. We learn from the New York Journal of Commerce, that the high price of coal this year has induced the board of assistant aldermen of New York to appoint a committee for the purpose of inquiring into the expediency of petitioning congress to repeal the duty on foreign coal. The price of anthracite coal in New York is \$10 per ton.

Fire. A very destructive fire occurred at Quebec on the 10th ult. which destroyed ten dwelling houses and six warehouses or stores. The Catholic church in the market square was several times on fire and was saved with much difficulty. The total loss is estimated at from \$250,000 to \$300,000—about half insured.

Tobacco. A building for the storage and inspection of tobacco is about to be erected in New Orleans. It will be 4,000 feet front 4,000 feet deep, and capable of containing 25,000 hogsheds.

Steamboat explosion. The last "accident" of this kind that we have seen noticed, was on board of the boat Commerce on her upward passage from Louisville, Ky. She had been running a race with the Paul Pry, and stopping at night to land some passengers, instead of letting off her steam increased it. The consequence was, an explosion of the boiler as soon as she got under weigh, by which three persons lost their lives.

The grand jury refused to find a bill against the captain of the steam-ferry boat which ran down the boat Gen. Jackson in the harbor of New York.

It is said that the bodies of the right rev. bishop White and Robert Morris, the financier, now repose in the same vault in Christ church burial ground.

Beets and banking in New Jersey. Notice is given in the Paterson Intelligencer that "an application will be made to the legislature of this state, at their next session, to incorporate a company for the purpose of manufacturing sugar from beet, to be located in the counties of Bergen and Essex, with a capital of 500,000, to be styled the 'Beet Sugar Manufacturing company,' with banking and trust powers!"

We eschew this alliance of the root of evil with the beet root. The cultivation of the last, either by private enterprise, or by incorporated companies, will, no doubt, prove profitable and advantageous. But if they are to be raised by the aid of a *beet bank*, we fear more attention will be paid to it than to the beet-beda.

Color of flowers. It is said in the last number of the Scientific Tracts, that out of 435 species of plants and flowering shrubs indigenous to our soils, in New England, including nearly all the most common species, bearing conspicuous flowers, 180 species bear white flowers, and 117 yellow. Only 90 are red, and 48 blue; and of the former, only about three or four bear proper scarlet, or brilliant red flowers; and there are said to be none native in England. In the above estimate, the green, (or, in the language of botanists, colorless), and inconspicuous flowering plants had been included, the proportion of showy flowers would appear much more inconsiderable. [*Bost. Trans.*]

Silk print works. The Philips mills at Lynn, Mass. have recently been purchased by Henry A. Breed, esq. and thoroughly repaired. A new brick building, 88 by 40 feet and five stories high has also been erected for the printing of silks and gingham. The goods put up at this establishment are said to surpass in beauty any thing of the kind in this country. Many families, chiefly Irish, are already in the employment of the proprietor, and we learn he is about forming a company, with a capital of \$100,000, for the energetic prosecution of this branch of the silk business.

Harvard college. The Plymouth (Mass.) Memorial, in noticing the recent centennial celebration at Harvard college, says—"Of the class of 1778, there were two present, viz: rev. Dr. Brainerd, of Worcester, and rev. Mr. Willis, of Kingston. These, it is believed, were the oldest classmates who met to congratulate each other on the occasion."

The burnt district in New York. Almost every trace of the frightful conflagration with which New York was visited last winter has been obliterated. A statement is published in the Journal of Commerce, from which it appears that the buildings on 419 lots were consumed, and their present situation is as follows:

Lots vacant	78
Buildings commenced	82
" roofed	64
" finished but not occupied	58
" and occupied	167
Total	419

The following states have already prohibited their banks from issuing any notes under five dollars: New York, Pennsylvania, Virginia, Georgia, Louisiana, Indiana, Alabama, New Jersey, Maryland, North Carolina, Tennessee, Kentucky and Maine.

A paragraph is extensively circulated in the papers, in which it is stated that the Salem and Boston Stage company has failed, and that its debts are said to amount to \$600,000. The Salem Gazette corrects the error by stating that the whole liabilities of the company are only about \$20,000, and that they have a stock which cost, and which would be worth to the company to carry on the business, \$45,000.

Value of a dog. The ship Michigan, arrived at New York from Liverpool, when off Tuskar, on the 15th ult. would have run into an English brig, but for the barking of a dog, (the other hands being asleep), which no doubt preserved their lives.

Referring to the notice in the London papers of the death of bishop White, and the comparative mediocrity of his salary, the U. S. Gazette beautifully and truly says—"Bishop White enjoyed a revenue beyond a monarch's command—his daily income was beyond harem computation. If he went forth, age paid him the tribute of affectionate respect, and children 'rose up and called him blessed.'"

A metal has been recently discovered, that is said to combine all the qualities of real silver, at less than half the price. Mr. Hopkins, acting professor of chemistry at West Point, after various experiments, has certified that it may be used with safety for any purpose to which silver is usually applied in a family.

In the three counties of Barnstable, Plymouth and Norfolk, in Massachusetts, embracing nearly the entire territory of the old Plymouth, and a population of more than 100,000 souls, there is not a single licensed retailer of ardent spirits.

NILES' WEEKLY REGISTER.

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[Vol. LI.—Whole No 1,306.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED, BY WILLIAM OGDEN NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

The president of the United States returned to Washington on Saturday last, much improved in health by his visit to Tennessee.

Mr. Forsyth, secretary of state, is absent from Washington on a visit to Georgia.

GO. We present returns of the election which took place in Maryland on Monday last; from which it will be seen that the whigs have elected *sixty*, and the friends of Mr. Van Buren *nineteen members of the house of delegates*. This result is considered an expression of the opinion of the people of Maryland in reference to the conduct of the nineteen recusant members, and is claimed as a triumph by both parties to the question. The contest was conducted with much spirit, and the result may be considered a fair criterion of the strength of parties in those counties where they were arrayed in opposition. In Frederick the Van Buren delegate ticket was withdrawn on the ground that, as it had been determined to hold a convention in Annapolis on the 3d Monday of the ensuing month, to make provisional arrangements for the *continuance of the government*, until the old constitution is amended or a new government instituted, it was not necessary to elect delegates to the assembly. What effect this decision of the people will have upon the recusants cannot yet be ascertained; it is, however, stated that *John S. Sellman*, esq. of Anne Arundel, one of the number, regarding the late election in his county as an instruction from his constituents, has entered the college and qualified as an elector—thus making *twenty-two* members now in session.

DEATH OF MR. GOLDSBOROUGH. The hon. Robert H. Goldsborough, one of the representatives of the state of Maryland in the senate of the United States, died at his residence, near Easton, on Wednesday last. The distinguished virtues of the deceased had endeared him to a large circle of friends, and his talents, acquirements and experience rendered him a valuable representative of his native state, which had for the second time placed him in the senate of the United States.

GEN. GAINES' letter to the governor of Tennessee, justifying his call upon that functionary for troops to aid in the defence of the western frontier, is published in the present sheet. It is a curious document, and will be quoted as another evidence that "passive obedience" is not always found among those who teach it. The authority under which the general acted is clearly established—but he has overlooked the fact that the government only differed from him on the question of expediency, and justly decided that treaty obligations ought not to be violated on grounds of mere conjecture. Precaution is the parent of safety—but the power to punish sometimes invites aggressions. Even if the government had committed itself in its instructions to gen. Gaines, the manner in which it redeemed itself was full of dignity and self-respect.

MILITARY COURT MARTIAL. The Georgetown Metropolitan states that the president has ordered a court of inquiry, to consist of major general Macomb, as president; brigadier generals Brady and Atkinson, members; and captain Samuel Cooper, as judge, advocate and recorder; to be held at Frederick, Maryland, as soon as the state of the service will permit; of which the president of the board will be the judge, to investigate the causes of the failure of the campaign in Florida under general Scott and general Gaines, and of the delay in prosecuting the campaign against the Creek Indians in Alabama.

THE FRENCH MINISTRY. By our abstract of foreign news, it will be seen that M. Thiers has retired from the French ministry, which, it is said, has been dissolved, in consequence of the conflicting views of the king and his ministers as to the policy of a forcible intervention in the affairs of Spain.

MICHIGAN. The editor of the New York "Courier and Enquirer" has received a letter from Detroit, dated on the 28th ult. which states that the final vote had been taken in the convention, in session at Ann Arbor, on the proposition to admit Michigan into the union on the condition that she will assent to the boundary line fixed by the act of

congress, and that it was negatived by a majority of seven!

This decision will again open the boundary question, and may produce disastrous consequences unless moderation is observed by both parties.

ARKANSAS. The legislature of the new state of Arkansas assembled on the 12th ult. S. C. ROANE was elected president of the senate, and JOHN WILSON was chosen speaker of the house of representatives. On the first day of the session, a bill was introduced in the house (twice read and referred to a committee) to provide for the election of electors of president and vice president: The vote for governor was ascertained, and was as follows: for JAMES S. CONWAY, 5,338; for ABSALOM FOWLER, 3,222.

BANK OF THE U. STATES. Cornelius W. Lawrence of N. York, Henry D. Gilpin of Philadelphia, and John White of Baltimore, commissioners appointed by the secretary of the treasury to arrange the affairs of the government with the bank of the United States, after sitting for some days in Philadelphia with a committee on the part of the bank, have adjourned for a short time. The business, thus far, "has been conducted with the kindest feelings on both sides."

The National Gazette says "the bank is ready to account with government for its stock at the rate of \$111 47 for each share—the periods of payment, as in the case of the other stockholders, to be regulated by the gradual winding up of the affairs of the institution."

SURPLUS REVENUE. *Treasury department, 6th October, 1836.* In compliance with the resolution of the senate of the United States, passed July 1st, 1836, directing that "during the ensuing recess of congress the secretary of the treasury cause to be published at the commencement of each month a statement of the amount of money in the treasury subject to draft, and also the amount standing to the credit of disbursing officers," the undersigned hereby gives public notice that "the amount of money in the treasury subject to draft," as shown by the running account of the treasurer, was, on the 1st instant \$41,283,654 98; and "the amount standing to the credit of disbursing officers," as shown by the latest returns received, was \$5,326,476 79.

LEVI WOODBURY, secretary of the treasury.

GOLD COINAGE. The coinage of gold commenced in 1795, and from that period till 1833, as we learn from the "Globe," there were struck, 132,592 eagles, 2,069,963 half eagles, and 141,562 quarter eagles, amounting to 2,344,127 pieces of gold, and equal in value to about twelve millions of dollars, (to be precise, 11,965,715 dollars.)

The coinage of silver commenced also in 1796, and up to 1835, the number and value of the several pieces coined were as follows:

	Number of pieces.	Value.
Whole dollars,	1,439,517	\$1,439,517 00
Half - do	77,721,973	38,760,986 50
Quarter do	4,967,629	1,241,907 25
Dimes,	10,630,100	1,063,010 10
Half dimes,	10,558,243	527,912 15

Total, 105,312,462 \$43,133,032 92
No whole dollar has been coined during the last thirty years.

Copper. Of this coin there have been struck in cents and half cents, 75,244,515 pieces, equal in value to \$717,239 53. This has been great work to the mint, and great expense to the United States; for the copper has to be purchased as well as coined, and all with little or no advantage to the public.

POST OFFICE DEPARTMENT. By an authentic statement from the treasurer's office, it appears that the funds of this department remaining in bank on the 1st of last month were as follows, viz:

Whole amount in bank,	\$383,319 11
Warrants issued and not paid,	58,757 78

Disposable funds on hand, \$329,561 33
This amount is rapidly increasing, and will continue to increase, for some months, before arrangements can be perfected for its judicious expenditure. Indeed, so unexpectedly rapid has been the

redemption of this department from its embarrassments, that no one apprehended the necessity of making preparations in time to absorb the surplus of revenue which would remain after the accomplishment of that object.

We learn that the increase in the revenues of the department continues. For the quarter ending on the 30th of June last, they exceeded the revenue of the corresponding quarter of last year seventeen per cent.

It cannot be otherwise than gratifying to the friends of the administration to see this department, which has been the occasion of so many unmerited charges, placed on such elevated ground. It promises an honorable close to the glorious administration of Andrew Jackson. [Globe.

According to a statement in the "Globe" of Wednesday last, fifty-two fines have been imposed upon mail contractors for failures in their contracts during the last quarter. These fines vary from two dollars to four hundred and ninety-three, and were imposed for various delinquencies—such as failure in the time of delivery—failures of a day—omissions of Sunday mails in some instances—delivery of wet mails—sending bags of newspapers by the wrong coaches, &c. The heaviest fine imposed is thus stated:

Four hundred and ninety-three dollars and fifty cents, the amount of fare (ten dollars and fifty cents each) for forty-seven passengers from Wheeling to Cincinnati, to be deducted from the pay of J. A. Bryan & Co. contractors on routes No. 1,451 and 1,465; it having been proved that the said passengers were seen in the mail stage on return trips, within the first and second quarters of 1836, in violation of the contract of said Bryan & Co.

The "Globe" speaking of the postmaster general's determination to punish delinquents says—There have lately been many shameful failures on the southern line, which will be followed up with daily fines; and if they do not put an end to them, he will annul the contracts and try new men.—There is now no excuse for failures, and they are undoubtedly caused chiefly by overloading the mail stages with passengers. Contractors must think more of their obligations to the department.

THE LATE TREASURY CIRCULAR. The late treasury circular has caused great complaint in the west, and is bitterly denounced as the source of much embarrassment. From the following it may be inferred that it is intended to modify or rescind some of its requisitions.

From the Louisville (Ky.) Advertiser.

It is reported, on what we believe to be good authority, that some of gen. Jackson's political friends have addressed letters to him, either directly or indirectly, strongly expressing their settled conviction that the late treasury order, unless speedily rescinded, will produce the most disastrous consequences throughout the whole western country.—We know that many of the general's leading friends disapprove the circular, and anticipate from its operation the very worst results, not only to the people in general, but to their party in particular, and we can therefore the more readily believe that they are making a strong and concerted effort to procure its repeal.

The Buffalo Journal of the 1st inst. contains the following paragraph in relation to the subject.

New treasury order. We learn from a gentleman of respectability, a Jackson man, who arrived in this city from Chicago this morning, that an order had emanated from the treasury department at Washington, making certain safety fund notes of this state equivalent to specie, in the payment of lands in some of the land offices in Illinois and Indiana.

MEXICO AND TEXAS. Advices from Matamoros to the 27th August state that, on the 20th, gen. URREA issued a violent proclamation against the Texians and Americans, grounded on the supposition that the United States government had acknowledged the independence of Texas, and sent troops to its assistance. A few days subsequently, having learned the falsity of these rumors, he endeavored to call in the proclamations. The Mexican army at Matamoros consisted of about 8,500 men. Messrs. TEAL and CARNES, the Texian commissioners, were still in close confinement.

MINISTER TO FRANCE. We learn from the "Globe" that the hon. *Lewis Cass* resigned his commission as secretary of war on Tuesday last, and left Washington for New York preparatory to his departure for Europe,—for which he will sail on the 16th instant in the packet ship *Quebec*. The *National Intelligencer*, in noticing the departure of Mr. Cass, says—We should do injustice to our feelings, and we are sure, to the general sentiment of this city, in which governor Cass has so long resided, if we did not say, that he carries with him the good wishes of all who have enjoyed an opportunity of appreciating his estimable personal character, and that of his most amiable family.

Mr. Van Ransselaer, of New York, having, from urgent family reasons, declined the appointment of secretary of legation, for which he was confirmed by the senate, that place has been given to Charles E. Anderson, esq. of New York, who, from a long residence in France, is said to be well qualified to discharge the duties of the situation.

The attorney general, the hon. B. F. Butler, will perform the duties of the department, as acting secretary of war until the close of the present administration. He is at present absent from Washington, but is expected to return about the 15th inst. In the meantime the department will be in charge of C. A. Harris, esq. the commissioner of Indian affairs.

VERMONT. Since our publication of the result of the congressional election in Vermont, we have seen it stated that Mr. Everett was not elected.—The *Claremont* (N. H.) *Eagle* states, on the authority of a letter from Woodstock, (Vt.) that Mr. Everett is re-elected to congress, by a majority of from 40 to 50 votes: All the towns in the district have been heard from, giving Mr. Everett a clear majority of about 200 votes over Partridge and Flint, which was reduced to between 40 and 50 by about 150 scattering votes.

THE CENSUS OF WISCONSIN TERRITORY, as shown by the official returns, is as follows:	
Des Moines county	6,257
Iowa do.	5,234
Dubuque do.	4,273
Crawford do.	350
Brown do.	2,706
Milwaukee do.	2,893
Total	22,218

FORTIFICATIONS IN THE HARBOR OF NEW YORK. From the following, which we find in the *New York Commercial*, it would appear that the fortifications in the harbor of New York are neither prepared to welcome a friend or repel an enemy.

Division orders. The salute. It is now established as a fact, by two experiments, that forts are not of much use, except perhaps in the way of passive resistance, unless they be provided with men and cannon. The principal use of the fortifications in our harbor, for some years past, has been to return salutes when vessels of war came into our waters, but at present they are not equal even to this exertion, thanks to the Creeks and Seminoles, who have called away all the troops, and to the poverty of the war department, which has made necessary the removal of the guns to be used at other positions.

Twice has the duty of saluting devolved upon general Morton and his division; and we are happy to say that in both instances it has been performed with a degree of spirit—we may say heroism—worthy of the gallant troops and their veteran commander. The promptitude of the service has not, indeed, been remarkable, but this could not be helped, we suppose, the general not being informed in season that a salute was intended. Hereafter we hope that some better arrangement will be made to give the division reasonable notice when their services will be required.

The following order was promulgated this morning through some of the papers:

First division New York state artillery.

Division orders, New York, October 3, 1836.

His Britannic majesty's frigate *Belvidere*, captain Burroughs Strong, arrived in our harbor, and fired a salute at the Narrows, and also one on coming up to the city. Of the intention of firing the latter salute, the major general was not apprised. These national courtesies are gratefully received, and are with pleasure reciprocated. The salute of the frigate will be returned to-day, and general Sanford will order a detachment from his brigade to fire a national salute from the battery, at noon, and will direct the city flag to be displayed at the same time. By order of major general Morton:

S. D. JACKSON, division inspector.

SHOCKING RAIL ROAD ACCIDENT. The following account of a most painful accident on the Columbia rail road, was left at our office by a friend, who, it will be seen, was a witness of the painful scene which he describes.

"Fairview, Sunday, about 3 o'clock.

"This afternoon, as the train for Lancaster was approaching Fairview, the axle of the forward car, or car next to the baggage broke, which immediately precipitated the body of the car upon the railway, the fragments of the axle ripping up the bottom of the car in which was a Mr. Gibson of Philadelphia, bound to Cincinnati with his wife and children. His wife and child fell through and nearly the whole train passed over her body. I cannot picture to you the heart rending scene that ensued when Mr. Gibson was called to the spot where his wife lay a mangled corpse, with the child, about 18 months old, by her side, covered with the blood of its dead mother. The top of her head was cut off, and the brains lay on both sides the rail; the body, feet, arms and legs broken to atoms. Heavens! what a sight! the distracted man tenderly dragging from the spot the remains of his 'Julia,' calling upon her in frantic exclamations, but she could only answer by an expiring look of agony. He next picked up his babe, and believing it too was dead, ran around among the crowd imploring assistance, when it was impossible to afford him the least consolation. The child was miraculously preserved. I was next called to witness another scene which beggars description.

"A black man, who had vainly attempted to leap from the car when the accident took place, fell upon the ground, and the car running off the track upon the side he jumped, the wheels passed over both his legs and cut them off in the most shocking manner, grinding the dirt and clothing into the mangled flesh. He lay writhing in the most excruciating agony under the body of one of the cars, until enough of assistance could be rendered to raise the car off him. He will not, it is believed, survive.

"A gentleman in the forward car had his left arm broken and breast much injured, but it is possible he will recover.

"The train was propelled at the rate of fifteen to eighteen miles per hour at the time of the accident, and ran not more than the length of the train, or fifty yards, ere it brought up.

"I was with my family in the next car to the one which Mr. Gibson was in, and the fragments over which we passed tore up the bottom without injury to any of its passengers. It was a miracle that we escaped—one of our wheels was spokeless, nothing but the naked rim left to give assurance it ever was a rail road wheel. Even the rails, for a considerable distance, were torn from their fastenings, and some broken."

This seems to be one of those accidents against which it is difficult to guard, unless by some new arrangement of the wheels and axles of the cars, or perhaps by a thicker flooring to the cars.

It is mentioned to us that the engine and one car was immediately despatched to Lancaster city for medical or surgical aid for the sufferers, and that before it returned, the cars were set in motion.

In the hope of conveying the wounded towards medical aid, they had gone to a short turn, when the locomotive came sweeping round, and was not checked until it came in contact with the cars and did considerably injury. [U. S. Gazette.]

Since the above was in type we have learned from the *National Gazette* that Mrs. Gibson's child, at first supposed to be unhurt, has since died of its injuries, and that the negro man who was hurt cannot recover.

TRADE OF BUFFALO, N. Y. During the year 1835, there were steamboat arrivals at Buffalo

Clearances	720
	1,440
During the same time there were arrivals of sloops, brigs and schooners	920
Clearances of same	920

1,840
Total of arrivals and clearances of steamboats, brigs and sloops, 3,280. The average tonnage of steamboats was 280, which makes an aggregate of 403,200 tons.

The average tonnage of brigs, schrs. and sloops, is estimated at 80, which gives an aggregate of 147,200 tons.

Total 550,400 tons.

The whole number of clearances upon the canal for 1835 was 5,125. Increase from 1834, 1,118.

The increase from 1834 to 1835, in all kinds of business, was nearly or quite 25 per cent. It will

be quite as much from 1835 to 1836. Advances were made here last year on property passing east and west, to the amount of about two millions; and the capital invested and employed by our forwarding in lake and canal navigation, is estimated to amount to nearly or quite three millions of dollars. [N. Y. Daily Ad.]

THE U. S. SCHOONER DOLPHIN. This little gem of a vessel is now lying at her ease opposite the battery, preparatory to her sailing for the coast of Africa in a day or two. We went aboard on Saturday to take a view of her. The commander, W. E. McKenney, esq. the lieutenant, Mr. Ogden, and her surgeon, doctor J. Vaughan Smith were aboard. With the characteristic politeness of our gallant navy, we were shown every curious thing about this craft. She is perfectly new, carries ten 24-pounders, and looks wicked enough for any species of mischief with her raking masts and biting broadside. She is to be manned with 92 men, and the economy with which every bit of room between decks is appropriated is not the least novel part of her construction. She is about 200 tons, strongly built, and intended to go through the water like a racer of the first blood.

This craft is intended to look after the pirates and slave traders on the coast of Africa, in the neighborhood of Liberia, Monrovia and Sierra Leone. We wish her much success. [N. Y. Herald.]

THE CHANGES IN THE BED OF THE LOWER MISSISSIPPI. The total number of decurtations, or cut-offs, which have been made in the direction of the serpentine course of the lower Mississippi by the shifting of its alluvial bed, at various times since 1699, are computed at no less than 180 miles. The channel is estimated, in the *Grand Gulf Advertiser*, to have been regularly changing for ages at the rate of two miles per year. It has probably thus traversed the whole alluvial surface of the states of Louisiana and Mississippi, particularly the delta of the former, which is so low. The tendency has been towards the east, probably from the diurnal motion of the sun. By a direct route from Red river, leaving New Orleans 100 miles to east, the Mississippi might reach the Gulf 150 miles nearer than it does. The *Grand Gulf Advertiser*, from which the above facts are taken, adds:

By cutting about ten miles, at an expense not exceeding \$50,000, the river between New Orleans and the mouth of Arkansas, which is 160 miles above, may be shortened more than 100 miles.

A line of 360 miles, drawn due north from New Orleans, will pass within six miles of Jackson, in this state, and Memphis, in Tennessee. From the latter town it is 720 miles, by water, to New Orleans.

Many of the bends alluded to are some dozen or 20 miles around, and only a mile or two, and sometimes only a few rods, across. Thus the editor says:

Grand Gulf bend, in which our town is situated, is 9 miles round and 2 across; which gives the advantage of being aware of the approach of steamboats an hour before their arrival here.

Palmyra bend ends above the one just named, is 17 miles round, and only a mile across, through which a sluice passes in high water. It is but 16 miles from Grand Gulf to Warrenton by a road passable ten months in the year; yet it is 40 by the course of the river.

Vicksburg bend, commencing 4 miles above, and ending 8 below, is 12 round, and but 300 rods across, which was passed over by a ferry boat, in 1828.

Warland's bend is 14 miles round, and 50 rods across.

The following are some of the cut-offs commencing with the earliest on record.

1. About 1699, it is supposed that the Yazoo cut-off took place, and Old River was formed; saving miles, 20
2. First Homochitto cut-off in 1720, which saved a distance of 30 miles—previously the river washed the highlands of the present county of Adams; 30
- 3- Point Coupee cut-off, made in 1721, on the grant of M. de Meuse, where tobacco was then planted by the colonists—saved 30
4. Great Cut Point. This cut-off is the one above latitude 33, and was made about the year 1747, and shortened the river 30
5. Second Homochitto cut-off, in 1779. This burst through in one night, while a boat, ascending the stream, lay just above it, 15
6. New cut-off, in 1817, 15
7. Red river cut-off, in 1831, saved 20
8. Bunch's cut-off, in 1832, 20

Total extent of these cut-offs, 180

GEOLOGICAL CHANGES IN GREAT BRITAIN.—That the face of the globe has successively undergone total changes, at different remote epochs, it is now a fact beyond dispute, as also that long anterior to the creation of man this world was inhabited by races of animals to which no parallels are now to be found; and those animals themselves only made their appearance after the lapse of ages during which no warm blooded creatures had any existence. It has been further remarked by zoologists, that the animals which first appeared in these latitudes were analogous to such as now inhabit tropical regions exclusively; and that it was only at a period immediately antecedent to the creation of the human race that species similar to those of the existing era began to appear in northern latitudes. Similar peculiarities have been also found to mark the vegetation of corresponding periods. It would hardly be credited by persons unacquainted with the evidence on which such facts repose, that in the most dreary and desolate northern regions of the present day, there are found groves of tropical plants, or conifers, like the Norfolk and Araucarian pines, of bananas, treeferns, huge cacti and palms; that the marshes were filled with rush like plants, fifteen or twenty feet high, the coverts with ferns like the undergrowth of West Indies.

READING TASTE. The direction of the British mind, and the sort of intellectual food it prefers for its digestion, may be in some measure judged of by the following tabular view, in which it will be perceived, what might have been anticipated, that the more solid and substantial commodities among our British kindred, take the precedence of the light and frothy.

Reading taste. The following is a list of the number of volumes in the different departments of literature consulted by persons attending the reading rooms of the British museum for three months in the year 1835, as delivered in to the committee of the British house of commons:—science 2,713; history, 2,167; topography, 1,286; theology, 1,190; poetry and the drama, 1,187; law, 945; reviews, magazines and modern periodical literature, 870; voyages and novels, 777; classics, 763; biography, 707; art, 624; romances, novels and annuals, 495; antiquities, 431; encyclopædias, dictionaries and grammars, 421; and genealogy, 153; making a total of 15,761 volumes, including in addition, 1,725 miscellaneous.

CREEK FRAUDS AND CREEK HOSTILITIES. Under our advertising head will be seen the "rules and regulations" of the commissioners appointed by the president of the United States to examine the frauds alleged to have been committed in the sale of the Creek lands, and into the causes of the late hostilities of the Creek Indians.

We are pleased to perceive that the commissioners are about to proceed with alacrity to the discharge of the duties assigned to them by the president. From their well established character for business, and as gentlemen of the strictest integrity, we hope that they may be enabled so to discharge the trust reposed in them, as to acquit their own consciences, and to restore confidence in the community.

We believe, however, that all their efforts will prove unavailing. The combination engaged in the demoralizing and illegal business of "land stealing," is too extensive and influential, to be reached by ordinary means. The power given to the court is not sufficient to bring the numerous offenders to justice, and that the proposed investigation will be involved in immense difficulties, any one conversant with Creek affairs cannot for a moment doubt.

Under existing circumstances, in our humble opinion, there is but one kind of court that could avail any thing at all calculated to advance the public welfare, and that would be a committee of intelligent members of congress, clothed with the authority and dignity of the nation, and vested with the most ample powers to compel the attendance of witnesses. Such a tribunal as we have described, might answer a good purpose, but nothing short of an inquisition of the kind could stir up the "charnel house" of corruption and ferret out offenders.

The truth is, the government has permitted the important time for the investigation of the frauds to pass by. The alleged causes should have been inquired into, previous to the emigration of the Indians, when they could have had an opportunity of meeting those who had wronged them, and of confronting their oppressors. Had such a course have been adopted many who now wear "a stolen livery," and like Cæsar's wife, appear "above suspicion," would this day have been condemned as enemies of the human race.

[Montgomery (Ala.) Advertiser

EARLY SNOW. The Catskill and Alleghany mountains are covered with snow. There was a fall of snow at Utica, N. Y. on the 28th ult. that covered the ground—and the Charlestown (Va.) Free Press says that the houses and streets of that town were 'on Tuesday last' clothed with winter's gayest livery.

COLONIZATION. The executive committee of the colonization society of the city of New York, encouraged by the favorable intelligence received from their colony at Bassa Cove, in Africa, have resolved to make arrangements for sending another expedition as soon as practicable.

WOODEN PAVEMENTS. They are now paving the streets of Buffalo, N. Y. with wooden blocks. The delay of the contractor was occasioned by the difficulty he experienced in preparing the wooden blocks with the broad axe and cross-cut saw—which induced him to put in operation a steam saw mill for sawing them, with a guillotine knife for dressing them; all which he has completed, and by their aid can furnish blocks, perfectly dressed and ready to lay down, sufficient for fifty yards of pavement per day.

The following description of the wooden pavements in St. Petersburg, furnished by a correspondent of the New York American, will be found interesting, as giving a good idea of the mode in which they are laid and the manner in which the blocks are fastened or pinned together:

"The streets, like our own, are paved with small round pebbles, and some of the leading ones have a carriage way paved with blocks of wood, very delightful to ride on. These blocks are about eight inches diameter, and the same in length; they are of pine, and all hexagons. This form is given them as being a greater economy of wood than squares; the blocks are first sawed to a length, from logs of about nine inches diameter—then they are shaped in a machine which stamps them out several hundred per hour, by forcing each one edwise through a steel six sided ring, by means of a huge piston, which is placed vertically over the ring, and is worked by steam power. The experiment, however, of the wooden pavements has not yet perfectly succeeded; in the first attempts, the blocks were only supported by the bare ground, well rammed, but very soon they became uneven, from the unequal resistance of the foundation; lately, however, there appears to be a better mode adopted, which is first to lay down thick planks lengthwise, and then stout boards crosswise, covering them with a coat of tar; on this substructure are placed the blocks: I observed that each block has inserted in two sides a small wooden pin, about one inch diameter, and the same in length, and has two holes on two other sides, corresponding with the pins of other blocks, and by which the whole mass is bound together.—The mode of repairing said pavement appeared to me to be simple and expeditious. In our wooden country, I think this kind of pavement might succeed well in Broadway, as we have at present no scarcity of excellent hard wood, and can afford to lay them with simply four square blocks, and of twice the length of those above mentioned. I have endeavored to be particular, as I am aware that your public spirit, and that of your talented sons, might have some influence at the court of Gotham, and that I might, perhaps, find some of our leading streets regenerated, which would be decidedly preferable to being jolted over their present wretched surface, which endangers life and limbs, and tends much to the destruction of wheels, springs, and horses' feet."

THE NEW YORK MONEY MARKET. The pressure that has been felt during the last and present weeks, is mainly to be ascribed to the large amount withdrawn from circulation by reason of paying in the entire capital of the bank of the state of New York, \$2,000,000, minus the \$200,000 paid in as deposits, on the applications for stock. The balance of \$1,800,000 is to be paid in to-morrow, and the necessity of providing so large a sum has naturally tended to check the ordinary flow of the money current. The bank goes into operation on Tuesday next, and as its issue will be \$5,000,000, (twice and a half the amount of its capital), the pressure will soon be done away, and money be even more plentiful than it has been for some weeks.

The board of aldermen will take into consideration, on Monday evening next, the subject of the six million loan, with especial reference to its issue in such manner as shall bring it within discount line.

[N. Y. Com.

INCREASE OF BOSTON. By the official returns of the census just taken of the population of this

city, it appears that in 1830 the population of the city was 61,381; in 1835 it was 78,603, showing an increase of 17,222 in five years. According to this rate Boston, in 1840, will contain more than 100,000 inhabitants, and in 1860, something like 250,000.

VIRGINIA SLAVES. The Virginia Times says—"We have heard intelligent men estimate the number of slaves exported from Virginia within the last twelve months at 120,000, each slave averaging at least \$600, making an aggregate of \$72,000,000—of the number of slaves exported, not more than one-third have been sold, (the others having been carried by their owners who have removed) which would leave in the state the sum of \$24,000,000 arising from the sale of slaves!"

HON. ALEXANDER PORTER was tendered a public dinner by the Irishmen of Louisville, Ky. which he was forced to decline. In their note the committee say:

"From the high estimate in which are held your worth, talents and patriotism, many citizens other than Irishmen will be present, without regard to politics."

And in his reply Mr. Porter makes the following just remarks:

"I am extremely grateful, gentlemen, for this mark of attention, and would gladly have enjoyed the gratification of meeting you, did not my immediate departure from this city render it impossible for me to do so. The honor you have conferred on me, and the pleasure it has communicated, are heightened by the information, that this evidence of regard comes from men of different politics. In the high excitement of party, which now pervades the country, no compliment to the motives which have actuated my conduct in public life, could be more acceptable to me. And may I add, gentlemen, that it augurs well for the duration of our noble institutions, when in the heat of the civil conflicts to which they give rise, men are found, who can distinguish between *opinions and motives*, and where our zeal of party, founded on a warm love of country, can respect and make allowances for the same feeling in others. It is by the mutual exercise of this charity that the republic can be maintained.

The following toast was given by judge WHITE at a dinner lately given to Mr. BELL by a portion of his constituents, at which the judge was present as a guest:

"*The constitution*—May the people preserve it by exercising the powers reserved to themselves, and by prohibiting all others from the exercise of powers not granted to them."

UNEARNED PREMIUMS. It is well known that after the fire of the 16th and 17th of December last, a very large number of unexpired policies of insurance were surrendered to the insolvent companies to be cancelled, in order to facilitate the closing of their affairs, and the distribution of their assets among their creditors. The question however arose, whether the companies were bound to return the whole of the unearned premium, or only a *pro rata* amount—the same as paid to the other creditors.

The vice chancellor has recently decided the question, and we now present his opinion for the benefit of all concerned. [N. Y. Jour. of Com.

In chancery. Before the vice chancellor, Sept. 27th, 1836. In the matter of the petition of William W. Campbell, Jonathan Goodhue and others, vs. The Traders' Insurance company in the city of New York.

The vice chancellor—"The statute authorises receivers to procure outstanding policies to be cancelled by refunding to the assured such portion of the premium as may be considered unearned, and the amount thus refunded they are authorised to retain before making any dividend among the creditors. The equity of the statute applies as well where the policy has been surrendered to the officers of the company and cancelled before the appointment of receivers, as after their appointment. And I am of opinion the receivers are bound to return the unearned premium on all policies cancelled, with a view to the winding up of the affairs of the insolvent company, and that such policy holders are not to come in *pro rata* with creditors for a mere dividend.

"Order according to the prayer of the petition, with costs."

Cleaveland and Campbell, solicitors for petitioners; G. Winter, for defendants.

THE LATE COL. BURR. The editor of the Albany Evening Journal, who has no doubt good authority for his assertion, states that the executors

of the late col. Burr, named in his will, are *Peter Townsend, Mathew L. Davis* and *Henry E. Edwards*. All his documents, pamphlets, journals, letters, manuscripts, &c. public and private, were bequeathed to Mr. Davis, by whom his memoirs are to be written. For the last two years Mr. Davis has been much occupied in reading and arranging these manuscripts with a view to the duty which has now devolved upon him.

Aaron Burr was an extraordinary man. His life was full of events. Much of his history is identified with that of his country, and all of it is deeply interesting. The material for this history is most ample. Copies of all his letters, civil, military and miscellaneous, are preserved, as also are all the letters which he received for more than sixty years. The public, therefore, may look for a full, authentic, and faithful life of this distinguished man, the first volume of which, we understand, will be published some time in November." [N. Y. Gaz.]

BEET ROOT SUGAR. A correspondent of the Philadelphia United States Gazette, speaking of the manufacture of sugar from the beet, says, that an establishment for the purpose will not clear expenses unless it be calculated to make at least from two to five hundred pounds a day; that the greatest advantage will be derived from the employment of steam power, which will be useful in rasping the beets, reducing the liquor "in vacuo," and boiling without burning the syrup; that the juice of the beet in summer decomposes in less than two hours; that the acid must be neutralized and the mucilage coagulated by chemical agents; that refining can be advantageously connected with the manufacture of the raw sugars; that profits are incredibly increased in proportion to the quantity made, and that one-half of the expense may be saved by scientific arrangement of the apparatus. Taking the fair product of an acre of ground within 20 miles of Philadelphia at \$25, the writer makes the following estimate of the gain from an acre of beets converted into sugar:

EXPENSES.	
One acre of beets, (40,000 lbs.)	\$25 00
Two men for twenty-four days,	48 00
Two boys for do	22 00
Fire and rent, &c.	40 00
Total,	\$135 00
RECEIPTS.	
Quantity of sugar from the acre of beets, would be 2,400 lbs. which at 10 cts. per lb. would be	\$240 00
Beet cake and molasses, &c.	20 00
Total,	\$260 00
Expenses,	135 00
Profits,	\$125 00

Thus it will be seen that the profit will be nearly cent per cent, not taking into account the interest of the capital. The two men, he says, could work twice as much and the apparatus for the increased quantity would cost very little more. Such profits as the above are well calculated to whet the appetite for gain of our worthy farmers who, by raising beets and making sugar, may soon vie with the wealthy planters of Louisiana. [Ball. Amer.]

PUBLIC LANDS. It has been estimated by the Detroit Advertiser, that in the west, and we think, judging from the past, the amount is not too great, that in "the year 1836, the sales will probably amount to twenty millions. The emigration has been much larger than usual; but we doubt whether much more than six millions of acres have been taken by actual settlers. Congress have still nearly, or quite two hundred millions of acres in market, and a great many more millions are soon to be brought into market.

"Since the great west has been opened for settlement under the auspices of congress, more than two hundred millions of acres have been surveyed and brought into market. Up to the beginning of the present year, but little over thirty millions of acres has been sold, if we remember rightly. This was sufficient to supply the immense emigration of the last thirty years."

But great as the rage for speculation is now, and great as it has been for the past few years, it may be remembered that it rages no more extensively than it did seventeen years since. Indeed, if we make sufficient allowance for the greater ability on the part of speculators to speculate now, and their comparative want of ability in 1819 and 1820, we have not yet approximated to the point then reached.

A correspondent of the Newburyport Herald furnishes us the following interesting statistics of the sales of public lands for the last twenty years.

They come from official sources, and may be relied on as correct. The sales in 1816, \$3, 567,273; 1817, \$5,022,409; 1818, \$7,299,997; 1819, \$17,681,794; 1820, (first two quarters) \$27,606,964. The price was up to this time \$2 per acre, and the government gave the purchasers a credit. After the 1st of July, 1820, the price was reduced to \$1 25 and cash payments required, and the sales fell off as follows:—In 1820, (last two quarters) \$424,962; 1821, \$1,169,224; 1822, \$1,022,267; 1823, \$850,136; 1824, \$953,799. From 1824 to 1830, the sales were between one and two millions each year, about sufficient to supply the actual demand occasioned by the increase of population. In the last named year symptoms of the present fever manifested themselves, and the sales rose about two millions, gradually increasing for the next two or three years. The sales being in 1832, \$3,115,376; 1833, \$4,972,294; 1834, \$6,099,981; 1835, \$15,810,795; 1836, (first two quarters) \$13,500,000.

BONAPARTE'S GENERALS. From that interesting volume of "Harper's Family Library," the *Court and camp of Bonaparte*—we glean the following memorials of twenty-eight celebrated military men who make up the whole list of those serving under Napoleon, either as marshals of France or generals of division.

Jugereau died 12th June, 1816, of dropsy in the chest; Berthier threw himself from a window of his house as the army of the allies was passing it on the 19th May, 1815, and died instantly; Bessieres was killed by a musket ball at Lutetia; Davoust died of a pulmonary complaint, June 1823; Dessaix was killed instantly at Marengo, by a cannon ball; Beauharnois died of apoplexy at Munich, January 21, 1834; St. Cyr in March, 1830; Junot in a fit of insanity threw himself from a window of his father's house at Montbard, breaking a thigh which resulted in his death, June, 1813; Kleber was assassinated at Cairo, Egypt, (on the same day that Dessaix was killed at Marengo) by the hand of a youth of 18, who secreted himself in a garden, and on the approach of his victim went and presented him with a bit of paper folded like a letter, and while Kleber was opening it the assassin drew from his cloak a dagger, and inflicted a wound causing immediate dissolution. He stated that he left Damascus on foot, by order of the grand vizier, who entrusted him with the mission of repairing to the French army to take Bonaparte's life. Lannes expired from the effects of a cannon shot which carried away his right leg, and the foot and ankle of the left, at Esling, 22d May, 1809; Lefebvre died in Paris, Sept. 1820; Loison at Liege, in 1816; Massena expired on the 4th of April, 1817; Moreau fell when near the emperor Alexander (being in the Russian service at Dresden), in August, 1813. A cannon ball from the French artillery carried away his right leg, and passing through his horse took off a portion of the left. The remaining portion of the left was cut off by a surgeon—and during amputation and dressing the brave officer smoked a cigar—scarcely moving a muscle of his face during the painful operation. He lingered till the 2d September. Murat was condemned to death at Naples in 1815, and shot—looking steadfastly at the soldiers, and desiring them to aim at his heart and save his face. The fate of Ney—"the bravest of the brave"—is familiar to all. "He who fought five hundred battles for France—not one against her—was shot as a traitor," being in the 47th year of his age. Pichegrue was found dead in a dungeon, with a black silk handkerchief, twisted round his neck, and a stick thrust through the knot, whether by his own hands or the hands of others seems to be undecided; Suchet expired at Marseilles, Jan. 1826, and Mortier was assassinated last July, by Fieschi's "infernal machine,"—making 16 of the 28 who no longer survive.

Of the remaining nine, Bernadotte is king of Sweden; Grouchy left France for this country after the second abdication; no mention is made in the work before us of the death of Moncey and Jourdan. Macdonald, Marmot, Mortier, Oudinot, Soult and Victor severally gave in their adhesion to Louis Philippe in 1830, and for aught we know all are still living. [Star.]

INDIAN TREATIES. Mackinac, Sept. 17, 1836. There are now on this island about 4,000 Indians and about 500 half breeds, assembled for the purpose of completing their treaty of cession. The treaty was made in Washington last winter, and by it the Ottawa and Chippewa nations cede to the United States all the land lying between lakes Huron and Michigan, north of Grand River on one side, and Thunder Bay river on the other, and all the lands lying north of lakes Huron and Michigan, west of the straits of St. Mary and east of the

Chocolate river, on Lake Superior. The price is \$2,000,000.

The Indians set apart \$300,000 of their money to pay their debts, and \$150,000 as gratuity to their half breed relatives. The former matter is undergoing the examination of Mr. Schoolcraft, the Indian agent, major Whiting, of the U. S. army, and John W. Edmonds, esq. the commissioners appointed under the treaty. The latter matter is under the supervision of Mr. Edmonds alone. They have also the joint duty to perform of distributing to the Indians \$150,000 worth of goods, and about \$70,000 in money. All these constitute an arduous duty, and necessarily delay the execution of the treaty.

When I arrived here, about the 17th ult. there were about 2,000 Indians assembled. They had free access to the traders' stores, and scenes of rioting and drunkenness were exhibited. Such arrangements were however made, that, since the 1st instant, no liquor has been sold to the Indians, and they are as orderly and well behaved as can be desired. Before the 1st, one could hear the sounds of revelry all night long; but now you can pass among their lodges in the evening, and be unconscious (were it not for the appearance here and there of a lighted tent) there was an Indian on the island. Some of the bands have already received their presents and money, and have returned home, and not an instance is known of a drunken Indian.

This is an unparalleled state of things. It has been universally the case, when the Indians assembled either to make or complete a treaty, or to receive their annuities, that they indulge very freely in the use of liquor, and violence and bloodshed frequently ensue. But the contrary experiment has now been tried, and has succeeded to admiration. It is mainly owing in this instance to the agent, Mr. Schoolcraft, (who is well known to the reading public for his scientific attainments), and he has been heartily seconded by the traders and inhabitants here, and of course by the gentlemen associated with him in the execution of the treaty. [Albany Argus.]

CHOLERA IN CHARLESTON. The board of health reported the following cases from September 27th to October 1st inclusive.

Sept. 27—44 cases—11 whites, 33 blacks—9 dead.
28—39 cases—9 whites, 30 blacks—5 dead.
29—28 cases—7 whites, 21 blacks—4 dead.
30—14 cases—3 whites, 11 blacks—4 dead.
Oct. 1—10 cases—2 whites, 8 blacks—1 dead.

ELECTIONS. On Tuesday next the elections for members of congress and the state legislature, take place in Pennsylvania and Ohio. In Georgia the election was held on Monday last.

NAVAL DEPOT. Commodores Rogers, Chauncey and Morris have, in compliance with a vote of the senate, examined the several scutes designated in Narragansett bay, that they may report to that body at its next session the most suitable location for a naval depot. After they had completed the above duty, they proceeded to make their usual annual visit to the navy yards at Charlestown and Portsmouth.

NOVEL SUIT. It is stated in several of the papers, says the New York Commercial Advertiser, that a suit has been commenced by Robert Sedgwick, esq. on behalf, or at the instigation of the Anti-Slavery society, against the hon. Richard Rikar, recorder of New York, for the recovery of the penalty of five hundred dollars, to which he is alleged to have made himself liable by disobeying the writ *de homine replegiando*, sued out in the case of the claimed slave Jesse Collier, alias Abraham Gosley, who was, under the decision of the recorder, recovered by the claimant.

SALE OF ARTICLES FORMERLY BELONGING TO NAPOLEON. As we have not before seen a complete list of these articles, sold among the effects of Barry O'Meara, we subjoin it:

"The articles formerly belonging to the emperor Napoleon, came to the hammer yesterday being reserved for the second day's sale of the effects of the late Barry O'Meara, esq. A magnificent Turkish sabre, with a real Damascus blade and chased handle, worn by Napoleon in Egypt, and presented by him to his brother, Louis, by whom it was given to Mr. O'Meara, was knocked down for 45 guineas. A richly chased silver gilt snuff box, with curiously engraved entablature £21 2s. A miniature of Napoleon, £2 2s. A most exquisitely carved full length ivory miniature of Napoleon, standing on a plinth, which represents a beautiful raised carving of his tomb at St. Helena, £6 6s. A gold knife and fork, and spoon engraved with

the imperial arms, with an autograph certificate from king Joseph, declaring it to be presented by him to Mr. O'Meara, on account of his fidelity towards Napoleon, in a morocco case, £14 14s. A silver gravy-spoon engraved with the imperial arms of France, used by Napoleon at St. Helena, £5 5s. A table-spoon, also used by Napoleon at St. Helena, engraved with the imperial arms of France, £2 5s. Nine table-spoons were then put up at auction in separate lots, the average prices of which were from £3 to £3 10s. each. Half a dozen tea-spoons, also said to have been in actual use at St. Helena, were next put up in the same manner, and fetched about 80s. each. A bronze model of the column in the Place Vendôme, 22 inches in height, presented by princess Caroline to Mr. O'Meara £7 7s. A few lines of Napoleon's hand writing; this was a confidential communication from Napoleon to prince Eugene, conveyed from St. Helena by Mr. O'Meara in the sole of his shoe. It was translated as follows: "I beg of my relations and friends to assist Mr. O'Meara with respect to his personal interest; and believe all he states relative to my present position, and sentiments I entertain." There was considerable competition for this lot, and it was ultimately knocked down for £11 11s. The next lot was a gold coronation medal, representing Napoleon and Marie Louise before the altar on one side, and profiles of them on the other. There were only twenty of these originally cast, and intended solely for the possession of Napoleon's family and the potentates of Europe, £15; understood to have been purchased by Mr. Phillips, the barrister. A pontifical ring, consisting of an amethyst set in gold, on which is engraved in relief the head of Christ, presented to Mr. O'Meara by cardinal Fesch, was knocked down for £12 1s. 6d. A small quantity of Napoleon's hair, it was preserved under a glass cover; its color was light auburn, of a silky texture, and the appearance of being the lock of some very young person—it sold for £2 10s. A tooth of Napoleon, which seemed not to much decayed, sold for 7 guineas and a half and the instrument with which it was extracted for 3 guineas. There were many veteran French officers present, who seemed never to have deplored the want of money so much as when they saw many of the relics of the late emperor put to sale, to them invaluable, and in their estimation sacrificed.

[N. Y. Star.]

MARYLAND ELECTOR FOR THE HOUSE OF DELEGATES.

BALTIMORE CITY.

	Whig.		Van Buren.	
	Jones.	Thompson.	Richardson.	McLane.
Wards.				
1	367	367	322	323
2	359	359	300	301
3	386	384	579	580
4	373	373	607	609
5	541	538	417	417
6	452	446	540	547
7	623	615	255	263
8	346	342	601	611
9	606	601	319	322
10	400	386	552	556
11	595	581	543	558
12	449	436	701	706
	5,502	5,428	5,736	5,793

Mr. McLean's majority over Mr. Jones, 291
Mr. Richardson's do. do. do. 234
Average Van Buren majority, 299

BALTIMORE COUNTY.

	Risteau.	Ely,	Worthington.	Showers,	Orrick,	Brown,
Districts.						
1	334	384	334	339	74	145
2	94	156	85	95	166	199
3	60	73	62	62	195	257
4	144	137	145	145	49	70
5	109	155	168	107	170	195
6	279	311	321	336	160	83
7	276	306	268	265	195	205
8	121	150	182	128	198	193
9	213	246	223	193	137	63
10	64	76	60	60	106	74
11	176	178	150	142	132	166
12	153	184	126	134	82	100
13	149	210	204	181	89	64
	2,172	2,566	2,328	2,187	1,773	1,814

Messrs. Risteau, Ely, Worthington and Showers, are friends of Mr. Van Buren.

Mr. Walker is elected sheriff of Baltimore city and county by a majority of 1,372 votes over Mr. Kernan, the next highest candidate.

ANNAPOLIS CITY.

	Whig.	Van Buren.
Culbreth	154	Harwood 137
Alexander	159	Welch 140

HARFORD COUNTY.

	Whig.	Van Buren.
Billingslea	1,181	Maulsby 1,248
Gough	1,154	Nelson 1,196
Boyd	1,148	Forwood 1,146
		Jewett 986

CECIL COUNTY.

	Whig.	Van Buren.
Parker	1,174	Comegys 1,258
Foard	1,121	Henderson 1,234
Broughton	1,119	Taylor 1,232
Connard	1,104	Pierson 1,211

WORCESTER COUNTY.

	Whig.	Van Buren.
Townsend,	1,015	No opposition.
Fooks,	1,011	
Handy,	1,000	
Powell,	980	

FREDERICK COUNTY.

	Whig.	Van Buren.
Doub,	3,082	No opposition; the Van
Bowlus,	3,093	Buren ticket having been
Brengle,	3,103	withdrawn.
Matthias,	2,821	

WASHINGTON COUNTY.

	Whig.	Van Buren.
Kershner,	1,956	Mann, 2,239
Nesbit,	1,899	Swingley, 2,229
Van Lear,	1,892	Rentch, 2,211
Witmer,	1,664	Gaither, 1,998

CAROLINE COUNTY.

	Whig.	Van Buren.
Carter,	610	Hardcastle, 590
Jump,	602	Keene, 590
Nichols,	596	Thrawley, 583
Charles,	588	Fountain, 573

CHARLES COUNTY.

	Whig.	Van Buren.
Carpenter,	827	Matthews, 566
Hawkins,	550	
Garner,	476	
Jenkins,	471	

MONTGOMERY COUNTY.

	Whig.	Van Buren.
Harding,	938	Adamson, 725
Darby,	922	Dade, 699
Waters,	884	Dorsey, 745
Dawson,	810	Valdenar 677

TALBOT COUNTY.

	Whig.	Van Buren.
Townsend,	684	Colston, 580
Martin,	666	Lowry, 567
Kerr,	664	Sherwood, 563
Boyle,	662	Horney, 561

PRINCE GEORGE'S COUNTY.

	Whig.	Van Buren.
Coombs	778	Day, 631
Ghiselin,	776	Scott, 625
Tuck,	773	Baldwin, 589
Gantt,	750	Crawford, 549

ANNE ARUNDEL COUNTY.

	Whig.	Van Buren.
Chas. S. Ridgely,	1,181	R. W. Higgins, 1,011
Leonard Iglehart,	1,128	Dr. R. Franklin, 988
Dr. Benj. Hood,	1,109	Dr. Allen Thomas, 987
Cephas Simmons,	1,104	Chas. D. Warfield, 877

SOMERSET COUNTY.

	Whig.	Van Buren.
Hyland,	1,008	Lankford, 324
Donoho,	990	Disharoon, 264
Ballard,	954	
Crisfield,	926	

DORCHESTER COUNTY.

	Whig.	Van Buren.
Thos. H. Hicks,	1,085	John Rowins, 834
T. Q. H. Eccleston,	1,055	Richd. Pattison, 829
B. G. Keene,	1,071	Henry Keene, 842
W. Folengin,	1,142	L. D. Traverse, 823

QUEEN ANNE'S COUNTY.

	Whig.	Van Buren.
Dunbracco,	636	Roberts, 597
S. T. Harrison,	670	Wareham, 544
Palmer,	650	Kensy Harrison, 585
Hemsley,	603	Tate, 578

As we have not received official returns from Allegany, Calvert, St. Mary's or Kent. The results, are, however stated in the recapitulation below.

RECAPITULATION.

	Whig.	Van Buren.
Allegany	2	2
*Washington	1	3
*Frederick	4	0
*Montgomery	4	0
Prince George's	4	0
Calvert	3	1
Charles	3	1
St. Mary's	4	0
*Annapolis city	2	0
*Anne Arundel	4	0
Baltimore city	0	2
Baltimore county	0	4
*Harford	2	2
Cecil	0	4
Kent	4	0
*Queen Anne	4	0
Talbot	4	0
*Caroline	3	A TIE.
Dorchester	4	0
Somerset	4	0
Worcester	4	0
Total	60	19

Those marked thus (*) returned Van Buren electors at the electoral election held in September last!

WAR IN FLORIDA.

The editor of the Jacksonville Courier gives the following particulars of another battle with the Indians, fought near Newnansville, on the 18th ult.

On Saturday evening, the 17th, the Indians came within a mile of that fort and captured a cart, and fired on three whites and two negroes. As it was too late and rainy to make a successful attack that night, spies were sent to discover the position of the Indians. They were posted in the neighborhood of San Felasco hammock. Sunday morning col. Warren marched out to give battle with 100 mounted men, being detachments from captains Walker, Ward and Garrison's companies, with 25 gentlemen under capt. Beckham, who, their time of service having expired, volunteered for this special service, and capt. D. D. Tomkins, 1st regiment U. S. Artillery, with a 24 pounder howitzer, and 25 of his men. The advance was in three columns—the right under col. Warren, the left under lieut. col. Mills, and the centre under capt. Tomkins.—When within three-fourths of a mile of the hammock, they met the Indians and the battle commenced along the right wing and centre.

The Indians attempted to turn the left flank, but were charged with spirit by that wing, and driven into a thick oak scrub, thence into the border of the hammock, where the artillery played on them with considerable effect.

Then they attempted to turn the right flank, but were driven off by that wing, and into range again of the artillery, which opened upon them with great effect. The Indians made desperate attempts to maintain their position. They charged twice on the artillery. They were beaten off at all points, and driven a mile and a half into a dense hammock where they could not be pursued with advantage. The action lasted one hour and a half—one hour of which time, the fire was heavy on the whole line. Their force was estimated at 300 men.

Indians were seen to fall before the fire of the artillery, particularly on the left. Several persons report that they saw a mounted Indian (from his appearance giving orders, and a chief), fall before the fire of the artillery. Adjutant Gilliland reports that he saw a large fellow mounted in front of the right, and from his recollection of his person, thinks he was Jumper. Adjutant G. ordered a platoon fired at him, and several assert that he fell. No Indians were found dead—but from the traces of blood, many must have been killed and wounded.

Col. Warren, lieut. col. Mills, capt. D. D. Tomkins, adjutant Gilliland, capt. Beckham, Walker and Ward, lieuts. Breeton and Hindley, distinguished themselves by their bravery and good conduct in the action, also Drs. Pelot and Terbelot, and private Weyman stationed at the howitzer, who was wounded at the first fire, but refused to quit his post until compelled by loss of blood.

List of wounded. Jeremiah Burnett, mortally; Matthew Hindley, Jesse Long, Samuel Russell and Weyman, not dangerously.

The Tallahassee Floridian of the 24th ult. states that "the Tennessee volunteers, two thousand and upwards in number, under the command of general ARMSTRONG, (who is accompanied by colonel Wm. WYATT, of Florida, as a member of his staff), took up the line of march for the seat of war," on the 19th ult. in fine spirits; and, also, that gen. JESSE, who has command of a body of friendly Creeks, was on his way to the Seminole country, with his command, in steamboats, from the Appalachicola,

and was expected to reach the seat of war in time to co-operate with the troops that were proceeding by land. The same paper contains information of the death of major WASHINGTON, of the Tennessee volunteers.

The following are extracts from a letter received by the editors of the Savannah Georgian, from their correspondent in Florida, dated

"St. John's River, (E. F.) Sept. 18, 1836.

"SIR: Six hundred of the Tennessee volunteers have reached Newnansville; the others are on their way. They are accompanied by governor Call, who writes that he will rid the country entirely of this daring, wily foe, or leave his bones and blood to mingle with those of the heroic Dade and gallant Izard, in fattening the soil of the Seminole."

"The command of all the regulars is given to the gallant major Pierce, who has already given an earnest of what may be expected of him, entrusted with this command. All the regulars fit for duty are to march against the enemy, leaving the volunteers on the east side of the St. John's to protect their families and homes. The season of the year, the officers, the troops, all seem auspicious for the opening of the new campaign. The recent skirmishes of a fearless few have proved the enemy not invincible, if daring. To the movements of the governor and the Tennessee volunteers all eyes are now turned. Alas! if that hope proves a broken reed. Yours, &c."

From the National Intelligencer of the 6th inst.

TO THE EDITORS.

Fort Mitchell, (Ala.) Sept. 26, 1836.

GENTLEMEN: A communication from "an officer of the Tennessee brigade," which appeared in the "Montgomery (Ala.) Advertiser" of the 3d inst. and extracts from which were published in the "Intelligencer" of the 16th instant, under the head "From Florida," appears to render necessary the publication of the enclosed extract from a letter addressed to brig. gen. ARMSTRONG by maj. gen. JESUP, dated the 25th of August.

The communication referred to contains the following expression: "Gen. ARMSTRONG applied, some days since, to gen. JESUP for permission to march to Florida." Gen. ARMSTRONG was, no doubt, always ready to move to Florida; but he had not to apply for permission, as the extracts which are enclosed will plainly show. The letter from which these extracts are taken was addressed to gen. ARMSTRONG, in consequence of communications received by gen. JESUP from gov. CALL, representing the distressed state of the territory, and asking assistance.

Your early publication of the extracts will place the matter in its true light, and oblige, very respectfully, your obedient servant,

J. A. CHAMBERS, lieut. & A. D. C.

EXTRACT.

Head quarters, army of the south, Tallahassee, August 25, 1836.

GENERAL: "The condition of Florida, as disclosed in a despatch from gov. Call, received to-day, is such as to require immediate succor.

"The regular troops cannot be spared for some time from the service on which they are employed in the Creek nation. I therefore desire that col. Trousdale's regiment of Tennessee volunteers be pushed forward immediately through the southern counties of Georgia, by the best route, to Tallahassee; and that col. Bradford's regiment be held in readiness to follow, so soon as the band of Indians in this vicinity, and those near Wetumpka, shall have taken up the line of march to the west.

"I will thank you, general, to cause both regiments to be completely equipped, and prepared for the most efficient action." I am, general, most respectfully, your obedient servant,

T. S. JESUP, maj. gen. com.

Brig. gen. Armstrong, com. Tennessee volunteers, Near Tallahassee, Ala.

Adjutant general's office, army of the south, Fort Mitchell, Sept. 25, 1836.

I certify that the within is a true extract from a letter by major general Jesup to brigadier general Armstrong, of the Tennessee volunteers, as recorded on the books of this office.

HENRY STANTON,

Lt. col. and adjt. gen. army of the south.

FOREIGN NEWS.

At New York, Paris papers have been received to the 24th of August, containing the following items of news.

SPAIN.

Despatches had been received at Paris from Madrid, dated August 17th announcing that M. de Rayneval, the French minister to the court of Spain,

died on the preceding day, at half past six in the evening, at St. Ildephonso, after six day's illness, of a complicated pulmonary complaint, and attack of gout in the head. The same despatch announces that the two queens entered Madrid on the 17th, and that the city was tranquil.

On the 17th of August; gen. Lebeau, the new commandant of the French auxiliary legion, attacked the Carlists, whose battalions were on the line of the frontier, and beat them back on the Bastan and the Velzama, after having killed and taken prisoners a considerable number of their men. He also carried and destroyed the works of the Carlists at Engui, and took possession of their magazines.

The Phare de Bayonne of the 20th has the following: In spite of all that people state, upon what they may call unquestionable authority, relative to Gomez being in the Asturias, the kingdom of Leon, and in Galicia at the head of 22,000 men; we can affirm, that all such reports are unfounded, and mere speculative inventions.

We will further state, that this Gomez, who is represented as having such commanding force at his disposal, was defeated at Escaro, on the 8th, by general Espartero, and his army put to flight and pursued by the enemy in every direction; many of his soldiers subsequently joined general Espartero's corps.

Extract of a letter of the 19th from Bordeaux.—"Persons likely to be well informed assert that intelligence from Barcelona of the 14th inst. and consequently much more recent than Mina's proclamation, announces a commotion having broken out in that town. Several persons accused of being Carlists have been massacred. On the 12th, in the evening, a threatening address to the queen was signed, demanding the dismissal and arrest of M. Isturitz, an assembling of the cortes on the 20th inst. and a popular administration. Two deputies were sent off the following day to present the address, accompanied by the nine procuradores of the province. According to letters of the 12th from Saragossa the Junta has decided that the plate and bells of the churches shall be melted down and converted into money. It is said that Valencia has also had its insurrection, but no details have reached us. It is added, however, that no serious excesses have been committed. The Carlists turn to account the kind of suspension of arms arising out of what is passing in Spain to organise themselves. Cabrera, in his excursions, has succeeded in collecting 2,000 horses which he has placed at the disposal of Don Carlos, and which ere long will be equipped and mounted. Don Carlos as a recompense, has sent him the grand cordon of St. Ferdinand. As to Gomez, if the Carlists accounts are to be credited, he has got together many recruits and much money in his excursions in the Asturias, Galicia and Leon, but he is deficient in arms to complete the organization of a respectable corps."

FRANCE.

The French provincial journals are full of the most distressing accounts of the late storms which have raged throughout the country. The department of the Ain, particularly the neighborhood of the Bourg, seems to have suffered immense damage; the hurricane which broke over this rich country on the 14th seems to have been as violent as any that has ever been witnessed in the Antilles.

The Nouvelliste Vaudois gives the following, under date of Liestal, Aug. 13:—"Notwithstanding all the assertions of the journals, I can assure you that the persecutions of France against the citizens of Basle country are still continued. The rich harvests of the year, and particularly the corn, will be condemned to rot on the ground which they hold on the territory of France. The hay and corn may be consumed by the horses of the French dragoons and hussars stationed on the frontier. Even our own territory is not respected. Should this continue much longer, our fellow countrymen will be condemned to make reprisals, let the consequences be what they may."

PORTUGAL.

The Journal du Commerce of the 22d has his significant paragraph:—

The king of England says nothing in his speech respecting Portugal. Private letters from London, however, state that the situation of affairs in that country are of such a serious nature that a vessel of war has been ordered to the Tagus, and another to Oporto. The resolution of ministers to adjourn the meeting of the chambers may produce an explosion; and it is said the English cabinet, foreseeing a movement analogous to that which agitates Spain, has informed the queen that it feels itself obliged by treaty to lend its aid for the maintenance of its authority.

ROME.

The Courier de Lyon of the 19th instant, says: "We have a letter from Rome which announces

that the son of Lucien Bonaparte, who was imprisoned in the castle of Saint Angelo, has been secretly removed." The Augsburg Gazette in allusion to the same subject, gives a letter from Rome, which contradicts the statements of the French journals as to any fire arms having been discharged at the time of the young prince being arrested. His wound was occasioned by the irritation of the carbineers at seeing their officer killed and some of their comrades wounded; they knocked the young prince down because he offered so violent a resistance. This story which at first made a great noise there, is now almost forgotten at Rome. All the reports relative to the previous conduct of the brothers are false; their faults are to be regarded more as errors of youth, than as criminal actions.

AFRICA.

A late letter from Algiers says that the affairs of Africa are to be carried on with great vigor. There are to be 30,000 French troops and 9,000 natives employed, who will be distributed nearly in the following manner—at Algiers there were to be 9,000 troops, and in the neighborhood 1,500, with 1,000 more in two entrenched camps. Added to these there is to be a moveable force of 5,000 at Algiers, and 5,000 more at Oran. A letter from Oran of the 5th August says, that the French force is wholly inefficient for the duties required of them.

LATER NEWS.

By the ship John Taylor which arrived at New York on Wednesday last, the New York editors have received London papers to the 29th of August and Liverpool to the 30th inclusive. The most interesting news received, is that of a dissolution of the French ministry, the causes of which are not very plainly stated in the advices from Paris, contained in the following paragraphs. But it is believed that recent events in Spain have indisposed the king to a forcible intervention in the affairs of that country, whilst M. Thiers continued to advise that measure.

London, Aug. 29. We announced by an extraordinary express from Paris, on Saturday morning, that M. Thiers, with five of his ministerial colleagues had resigned their places in the cabinet, on the ground of differing from the king upon the question of intervention in Spain. That statement was made expressly upon the authority of the Journal de Paris, an evening paper, which has been hitherto regarded as an official organ of the government.—On the following day, (Friday), however, in consequence of some juggling which had taken place during the night, the Moniteur, the avowed organ, published the following bulletin, which, as may be imagined, produced not a little surprise in Paris:—"The president of the council, minister of foreign affairs, has to-day tendered his resignation to the king."

From which it would appear that the resignations were confined to M. Thiers himself. Upon this topic, which would be inexhaustible for surmise, we shall not at present offer any speculation particularly as before going to press, we may have more recent intelligence, but will extract from one or two of the papers all that could be said.

Paris, Aug. 26, 10 A. M. The National, quoting from the Moniteur the resignation of M. Thiers, adds:

"Let the reader compare this with the note published by the Ministerial Evening Journal, and let him explain why this note, inserted in a paper which has every character of an official journal, does not agree with the Moniteur."

"Have five members out of six who resigned yesterday, thought better of it during the night? It would not be the first time that the inflexibility of a ministerial opinion has yielded to the charms of power."

"The Journal des Debats seems to be better informed than the Ministerial Evening Journal. It says that well informed persons believe that the only resignation of which there is no doubt, is that of the president of the council. At all events, it is clear that this resignation brings with it in fact the dissolution of the cabinet." Second edition of the National, Aug. 26th.

Since writing the above, the Paris papers of Saturday have come to hand. They are fully engaged in discussing the ministerial whereabouts. The Courier Francais most unfairly asserts that "the Moniteur has ceased to be the official journal."—Notwithstanding the indirect denial of the Moniteur of Friday, the Journal de Paris of that evening publishes the following bulletin.

"Several morning papers of this day appear to believe that M. Thiers had retired alone from the ministry, and that, consequently, the cabinet still exists."

"These journals were misinformed. The cabinet is dissolved. We are authorised by M. M. Passy, Sauzet, Duperre, Maison and Petit de la Lozere, to declare that they meant to concur in the resolve of M. Thiers."

With this singular drama the Paris press of Saturday are fully occupied, but the simple statement of facts above given is all we deem necessary for the moment to copy from our Parisian contemporaries. On the subject which led to this crisis—intervention in Spain—the Paris papers are equally diffuse in comment.

The London papers—or such of them as have no affection for Louis Philippe—allege that his perceptions of the impolicy and impropriety of assisting the queen of Spain, have been sharpened by certain intimations from the ministers of Russia, Prussia and Austria. Without crediting this report, it is easy to believe that the political condition of Spain is too hazardous and uncertain to admit of so decided a measure on the part of France, and especially of the French king, who has enough trouble on his hands within his own kingdom.

SPAIN.

General Espartero has been appointed *ad interim* commander-in-chief of the queen's army in the north. Iturralde, one of the Carlist generals, is said to have surrendered to the Christians, with a portion of his force. There have been fresh disturbances in Madrid.

London, Aug. 29. Letters and papers received last night from Madrid come down to the 22d inst. That capital had been the scene of fresh military disturbances. In the evening of the 18th, a report having been circulated that the first battalion of the 3d regiment of the Guards was hostile to the constitution, the two battalions that had proclaimed it at San Ildefonso, together with the National Guards, took arms, and attacked them in their barracks.—The soldiers from within returned the fire, without well knowing why they were attacked, and fourteen or fifteen persons were killed or wounded in the affray. On the next morning the soldiers of the two corps fraternised and a reconciliation took place. General Evaristo San Miguel had been named *generallissimo* of the army of the centre, in Arragon. The 18 procuradores dismissed by Isturiz from the situations they held in the administration, on account of their having voted him unworthy of the confidence of the nation, had been reinstated in their functions. By another royal decree, the censorship has been abolished, as incompatible with the constitution of 1812, and all the liberal journals suppressed by order of Quesada had reappeared. *El Mundo* was the only ministerial newspaper that had survived the downfall of Isturiz. The Calatrava cabinet was not yet completed. On the 21st, an attempt to place Arguelles at its head had been unsuccessful. It was rumored that Rodil would again be invested with the war department. All the under secretaries and clerks of the late administration have sent in their resignations. Isturiz and Galiano are understood to have succeeded in making their escape, and are now upon their road to France.

General Evans was almost restored to perfect health, and was preparing to make a dash at the Carlists, and redeem the somewhat tarnished honor of his legion. He complains bitterly of Cordova, whose treachery appears no longer doubtful. Cordova is said to have fled to France to escape the popular indignation.

THE ARMY—OFFICIAL.

GENERAL ORDER, No. 64.

Adjutant general's office, Washington, Sept. 30, 1836.

The resignations of the following named officers have been accepted by the president of the United States, to take effect at the dates set oppose to each respectively, to wit:

2d lieutenant. Roswell Park, corps of engineers, 30th September, 1836.

Capt. Robert P. Parrott, ordnance, 31st October, 1836.

1st lieutenant. Gaines P. Kingsbury, 1st dragoons, 15th October, 1836.

2d lieutenant. Lloyd Tilghman, 1st dragoons, 30th September, 1836.

Bvt. 2d lieutenant. Henry C. Moorhead, 1st dragoons, 30th September, 1836.

Capt. Charles Dimmock, 1st artillery, 30th September, 1836.

2d lieutenant. A. P. Crittenden, 1st artillery, 30th September, 1836.

Bvt. 2d lieutenant. Arthur B. Lansing, 1st artillery, 30th September, 1836.

1st lieutenant. A. A. Humphreys, 2d artillery, 30th September, 1836.

2d lieutenant. Wm. B. Wallace, 3d artillery, 30th September, 1836.

2d lieutenant. Benj. S. Ewell, 4th artillery, 30th September, 1836.

Bvt. 2d lieutenant. George W. Shaw, 1st infantry, 31st October, 1836.

Capt. James Dean, 3d infantry, 15th November, 1836.

Capt. William Martin, 4th infantry, 23d September, 1836.

1st lieutenant. F. D. Newcomb, 4th infantry, 30th September, 1836.

Bvt. 2d lieutenant. A. Campbell, 6th infantry, 30th September, 1836.

By order of major general MACOMB:

S. COOPER, acting adjutant general.

THE UNITED STATES AND MEXICO.

Extract of a letter to the editors of the "National Intelligencer," dated

Natchitoches (La.) Aug. 28, 1836.

"On my return through Texas, an accident detained me a number of days at Nacogdoches, seventy miles west of the Sabine, the United States boundary. There I found encamped two regiments of our army—dragoons and infantry, and felt myself fortunate to find among them an old friend, a wanderer like myself from the far north. To him I am indebted for most of the particulars that follow.

General GAINES, retiring in January last from Florida, * * * hurried to this regiment * * * A regiment was first ordered from the north to constitute the nucleus of his "army of observation."—On hearing a report in April of a rapid invasion of Texas, and a panic among the women, he marched his forces to the banks of the Sabine, and made a call upon the governors of many states for volunteers, amounting in all to six thousand or eight thousand men. By the time these draughts were mustered into service, the rumors on which this most important step was founded proved to be in a great measure false. The volunteers were discharged the service, but in the mean time large supplies for their use and consumption had been purchased and transported many hundreds of miles by water and land. To state one article: there are now at Camp Sabine 136,500 bushels of corn! (see general Gaines' letter to governor Carroll, "corn for 3,000 horses for six months.") This is now said to be all rotten.

The president of Mexico being captured and his army destroyed at the memorable battle of San Jacinto, and Texas rid of the last of her invaders, a stray captain or two, called "commissioners," prisoners at Matamoras, Mexico, wrote a letter bidding the Texians to prepare for another immediate invasion; at the same time some reports of Indian murders in Texas were raised by the interested.—Fired by this rumor of war only 800 miles beyond our frontier, and the Indian stories, our venerable general again called upon the governors for many more regiments of volunteers, and, attracting by this grand parade the public attention to himself on the right side of the Sabine—the rubicon of national honor—passes it obscurely with the garrison of Fort Gibson.

Fort Gibson, the most exposed of our outposts, the centre of all the emigrating tribes, the immediate region where the sullen and blood-stained savages of the south are sent, being thus left with a nominal garrison, the governor of Arkansas was called upon to send 1,000 men to reinforce Fort Tison, on Red river, in the midst of the Choctaws; a race who, strange to say, never scalped a white man, and who had recently volunteered to fight for the United States against her enemies, whoever they might be.

One of the ostensible causes of this permanent military occupation of Texas is the reported disaffected state of a number of tribes or fragments of tribes, of Texian Indians, and some that once lived on the United States territory. The inhabitants of Texas, rejoicing at the countenance of our troops to their cause, (and perhaps pleased with their expenditures), are highly interested in their presence, and, with great policy, raise or spread rumors and reports of these threatened attacks, &c. being aware, perhaps, that such monstrous propositions as the following would be seriously listened to in the proper quarter, and promote their views, to wit: That these scattered bands of Indians, set on by Mexicans, (not one of whom now treads the soil of Texas), conspired the immediate destruction of Nacogdoches, in the presence of two regiments of regulars, their protectors! the same Indians who, before their arrival, when Santa Ana, flushed with victory, penetrated the heart of Texas, and the few citizens of Nacogdoches present were panic stricken, remained quiet as lambs!

These details may not prove so interesting as circumstances made them to me. Suffice it, that

our army has taken a part of much importance in this war; that now, while all is peace in Texas, and they are engaged organizing a civil government, our troops have been stationed more than a month among them, and their winter supplies have been sent for 400 miles to Fort Gibson, where their presence is so much needed; that general Gaines is embodying on the frontier large bodies of militia, who, he tells governor Carroll, (see his published letter), may calculate on a "comfortable as well as profitable tour of service," and, having learned their tactics, "would then, when added to the regular forces, under any probable change of circumstances, afford complete protection.

MILITARY CORRESPONDENCE.

The governor of the state of TENNESSEE has caused to be published in the Nashville papers the following letter from general GAINES:

Head quarters, western department,

Camp Sabine, Aug. 28, 1836.

SIR: I had the honor to receive by the last mail your excellency's letter of the 8th of this month, advising me of the suspension, by the president of the United States, of the movement of the regiment of mounted gunmen, which you did me the favor a few days previously to notify me were about to assemble at Jackson preparatory to their march to this frontier.

I deeply regret the trouble and disappointment to the brave and patriotic volunteers, and more especially the embarrassment to yourself individually, which my requisition has occasioned.

However much I may have erred in the hope and opinion which I entertained and expressed in my letters of the 28th of April and 10th of May last, that this frontier was no longer in danger of being attacked or again menaced by a formidable savage foe, I have the satisfaction to find that no great evil or injury to the service has as yet resulted from the error—an error into which the wisest and best of our statesmen appear to have fallen—and from the same causes which had operated upon my mind and misled me, namely, the apparent prospect of a speedy termination of the war between the Mexicans and Texians. I cannot, however, admit that I have erred in requesting of your excellency the regiment of mounted gunmen in question.

I have, during the last and present month, been strongly impressed with the belief that the whole of this frontier would be involved in an Indian war as soon as the threatened hostilities between our blood-thirsty neighbors of the west should be renewed.

When I learned from the secretary of war that the president of the United States approved my views, reported to him in March and April last, to assemble upon this frontier an effective force of mounted men, equal to that of either of the belligerents—a force that would enable me to speak to both in a language they could not fail to hear and to heed; and when at the same time I found myself expressly instructed by a letter from the department of war, dated May 4, 1836—(of which a copy is annexed, No. 1.)—that the president will sanction the employment of whatever force may be necessary to protect the western frontier of the United States from hostile incursions; and that the department of war had addressed the governors of the states of Louisiana, Mississippi, Tennessee, Kentucky and Alabama, requesting them to call into the service such militia force as I may find necessary in carrying into effect the instructions heretofore given to me, adding, "the theatre of operations is so distant from the seat of government that much must be trusted to your discretion!" "The two great objects you have to attain are, first, the protection of the frontiers, and, secondly, as strict a performance of the neutral duties of the United States as the great object of self-defence will permit;" and when to this is added the secretary's letter to you of the same date, of which the following is an extract: "I am instructed by the president to request your excellency to call into the service of the United States the number of militia which have been or may be required by general Gaines," there can be no ground to doubt that I was fully authorised to request of you the regiment in question.

That from 4,000 to 10,000 Indian warriors will be employed against the inhabitants of the disputed territory, as soon as the theatre of the war between Mexico and Texas is extended to the left bank of the Brassos, I have no doubt; unless, indeed, the prospect of our having on this frontier sufficient mounted force to repel the invasion of the disputed territory, and afford to the defenceless inhabitants that protection which we have promised to afford them.

I am more than willing to risk myself with 1,600 men for the protection of a thinly settled

frontier of 400 miles in extent; but with full authority from the department of war to call for whatever force I may deem necessary and proper for the purpose, I am not willing to have less force than I have called; for, without a force of 7,000 men held ready for action upon this frontier, the Indians can in one month destroy nine-tenths of the inhabitants within the disputed territory, with a great part of the adjacent settlements, including those upon the Red river from Alexandria to Fort Towson, embracing a large portion of the original inhabitants when ceded to the United States, with the finest cotton-growing section of the United States, whose annual crop has already amounted to millions of dollars.

If it be true that the Indians have determined to commence hostilities as soon as the Mexicans approach the settlements east of the Brassos, (and that this is their settled plan I have not a doubt), then it must be evident that we cannot obtain from Tennessee, or from any of the central or western states, sufficient force to prevent the apprehended depredations, as they may be to a great extent perpetrated whilst the requisitions for force are on the route to the states authorised to furnish it. With this impression, I cannot but consider our promise of protection to this frontier wholly unsubstantial, and calculated to excite hopes and expectations which we shall not have the sure means of fulfilling. I cannot willingly be instrumental in producing on this border scenes such as have occurred in East Florida—a frontier ravaged and desolated before troops for its protection have been marched or authorised to march from their homes.

In my letter to the secretary of war of the 7th of June, acknowledging the receipt of his letters of the 25th of April and 4th of May, I concluded as follows: "Although I have upon the whole of this frontier about 1,600 regular troops, mostly infantry, yet it will be recollected that this force has to guard an extent of 400 miles of frontier, unsupported by any other than very sparse settlements; and that the chivalry of Mexico may be expected soon to fly to the rescue of their president, and reinstate his red allies, and inspire them with a spirit of revenge against their white neighbors recently screened from their barbarism. Under those impressions, I have deemed it proper to request governor Cannon to authorise the brigade of Tennessee volunteers, enrolled under his proclamation of the 28th of April last, to calculate on the probability of another call at this place, and that, should I have occasion for volunteers, as I apprehend I shall, those enrolled shall have a preference to all others." In answer to which I received, on the 3d instant, a letter from the secretary of war, dated the 11th of July, (of which I annex a copy, No. 2), in which you will perceive no expression disapproving my purpose to call for a brigade of Tennessee volunteers. The secretary, however, expressly authorises me to call on the executives of Missouri and Arkansas for one thousand men each. But this authority did not reach me until the 3d of this month, when I had reason to believe the regiment of mounted gunmen, requested of you, had been raised, and would be here before I could have suspended their movement, if indeed I had deemed it proper so to do.—This, however, did not appear to me proper; on the contrary, I deemed it necessary to request of the governors of Missouri and Arkansas the two thousand men authorised as *additional force*, for reasons set forth in my letter to gen. Arbutckle, (of which I annex a copy No. 3). Of these measures the war department has been regularly advised.

Some of our fashionable party leaders, editors and others, seem very much shocked at my preparatory measures to cross a little muddy branch of the *Sabine bay* (which branch some are pleased to call the *Rubicon*), to hold the savages in check, merely because some few *white men* have been killed by them, and some women and children, the wives of the slain, have been taken prisoners and carried off to the bosom of the wilderness!

In reply to such silly effusions of the selfish slaves of party, I need only remark that in deciding upon the course of measures proper for me to pursue, in reference to the outrages committed by the Indians near me, I think it my duty to consider the poorest frontier family menaced with the Indian *scalping knife* as entitled to the same attention, and the same vigilant measures of protection, as the most fashionable of our interior citizens. If I were capable of making an invidious distinction in such a case, between the rich and the poor, the lordly politician and the humble pioneer, and of taking more or less care of the one than of the other, I should thereby prove myself to be wholly unworthy of the trust reposed in me.

But I am exultingly reminded by some, that the people killed, and those menaced by the Indians,

are not citizens of the United States. I reply that most of them are citizens of the United States; and that whenever the national boundary line is established in the manner provided for by treaty, many, if not all of those who find themselves left upon the Mexican side of the line will return to our own beloved country. But, until then, we must protect them from savage massacre.

Since I sat down to write this letter an express has arrived, with a positive declaration that he had seen and conversed with a Mexican officer at an Indian village, forty miles to the north west of Nacogdoches, who was understood by the Indians to be engaged in setting on foot an expedition against Nacogdoches. This I believe to be true, because it is in accordance with the previous statements of several persons who are entitled to credit.

I have the honor to be, with great respect, your ob't serv't,

EDMUND P. GAINES,

Major general commanding.

His exc'y, N. Cannon, gov. of Tennessee, Nashville.

THE GREAT RAIL ROAD.

Letter from Mr. Calhoun on the Charleston, Louisville, Lexington and Cincinnati rail road.

Fort Hill, Sept. 22d, 1836.

To the editor of the Pendleton Messenger:

DEAR SIR: Believing it to be the duty of every citizen to lay before the public such facts as may come to his knowledge, and which may contribute to the selection of the route for the contemplated rail road from Charleston to Louisville, Lexington and Cincinnati, I have selected the *Messenger* as the medium of communicating some information that may not be unimportant, which I acquired in a recent visit, in company with colonel Gadsden, to the portion of the Alleghany chain lying along the head waters of the Keowee river.

Concluding, as well from what I heard as from the peculiar formation of the mountains in that quarter, that there was a favorable prospect of a gap, I determined to visit the region personally, in order to ascertain how far my impression might be correct. Knowing, from a conversation with colonel Gadsden last fall, that he had similar impressions, I requested him by letter to join me, if his duties and convenience would permit, with which he readily complied, as well to test the truth of his own, as my impression. Mr. W. Sloan, my neighbor, at my request, accompanied us; and we were joined near the mountains by Mr. James McKinney, whose thorough knowledge of that section of the mountains was of the greatest service. We commenced our examination near his residence, and extended it to the gap in the mountain, in which the White Water, one of the western branches of the Keowee, takes its source, and thence down the Tuckasiege, which rises on the western side of the same gap, to where it joins Little Tennessee; the distance about forty-five miles by estimation. On our return, we examined the parts of the route that required further attention, and extended the examination from where we first commenced, across the Keowee river just below the old fort, along the old Indian path, to Mr. Perry's. From thence to where the route would strike the dividing ridge between the waters of Saluda and Savannah, about eight or ten miles below Pickensville, there can be no difficulty, as there can be none from that point to Charleston.

Our entire examination, then, extends from Mr. Perry's to the mouth of the Tuckasiege; a line of about eighty-four miles, to which we devoted eight days of incessant labor, examining on foot the most difficult and inaccessible points. The result was satisfactory beyond expectation. I can only speak for myself. Colonel Gadsden will of course reserve his opinion till it is his duty to speak officially.

In order to give any thing like a satisfactory view of the route over which we passed, it will be necessary to divide it into sections, and to present the facts connected with each separately. The first section, proceeding west, extends from Mr. Perry's to the point near Mr. McKinney's at which we commenced our examination on our way out. Its length is about ten miles. It is cut by the Keowee river, which, as its banks are high in places, and the river small, may be passed at a great elevation and moderate cost. The rise towards the mountain, from the commencement to the termination of the section, can be conveniently overcome by gradually ascending the eastern slope of the river ridge, till it strikes some convenient point for crossing, and then ascending in like manner to the point where the section terminates, on the summit of the dividing ridge between Little river and Keowee. The rise, it is believed, will not any where exceed 25 feet in the mile. The next section extends from the point where the last terminated to the top of the Alleghany. It terminates just at the point where the Chatuga mountain joins the Alleghany. At this point the White Water, one of the branches

of the Keowee, which rises on the summit of the mountain, (a stream about the size of the Eighteen Mile), after cutting down and turning the Chatuga mountain, leaps from the top of the Alleghany in two perpendicular falls near to each other, about 45 or 50 feet, and then continues its rapid descent to the valley below. The length of the section is about 29 miles; and, from the best information we can obtain, the elevation to be overcome will not exceed 30 feet to the mile. The line of ascent may be conveniently lengthened or shortened to any considerable extent, to suit the grading, so as to diminish the rise probably below what I have estimated; or if it should be thought advisable to reduce it to the lowest rate, it may be effected with little expense or delay, and without a stationary engine, by using the power which the waters of the White Water afford, which is more than sufficient to elevate the heaviest train.

The next section is on the top of the Alleghany, and extends from the termination of the last, where the White Water leaps from the top of the mountain to the east, to the point where the Tuckasiege makes a similar leap to the west. The length of the line is about 16 or 17 miles. It passes through two valleys of nearly equal length and extent, divided by a low narrow ridge of about 150 feet high. The two valleys are nearly on the same level. The one on the east of the ridge is called Cashier's, and that on the west Yellow valley, from the brownish yellow which the decayed fern gives to it. The eastern extends from south east to north west, from the fall of the White Water where the valley opens, about 8 miles; and from north east to south west, from the Chimney Top to the White Side mountains, two elevated peaks, rising a thousand feet or more above the valley. The White Water collects its waters in the eastern, and the Tuckasiege in the western valley. The sources of both are on the top of the low ridge that separates them, and but a few feet apart. The two valleys form the gap, which we named the Carolina gap, to distinguish it from the Rabun or Georgia gap, which is 35 or 40 miles to the south west of it.

The low ridge, or the crest of the Alleghany, as it may be called, that separates the valleys, may be easily passed at a low angle, by gradually ascending on the slopes on the south west side of Cashier's to its summit, and descending in like manner on the opposite side, or the south western slope of the Yellow valley; but it would be both shorter and cheaper in the long run, to pierce the ridge with a tunnel, which would not exceed 200 yards, and which would give a beautiful run, nearly level, for 16 miles on the summit of the Alleghany, from fall to fall.

The next section extends from the termination of the last, at the head of the falls of the Tuckasiege, to some point down the river sufficiently distant to afford a gradual descent along the sides of the mountains through which it flows.

We examined this section carefully down the whole extent of the fall. The sight is beautiful. The volume of water is greater than that of the White Water. The falls consist of four perpendicular leaps in the space of about a mile. The first was estimated at 50 feet, and the last at 70 or 80.—The slope of the mountain on the west side of the stream was very favorable for grading, as far down as our examination extended, and we were informed that it continued equally favorable all the way down.

The elevation of the fall may be overcome by a rise from below, certainly not greater than that to the top of the Alleghany, which I stated at 30 feet to the mile; or it may be turned, as we are informed, by passing up Shoal creek, which enters the Tuckasiege on the east side, below the falls a stream of considerable size, and which, according to our information, rises in the Alleghany near the eastern sources of the Tuckasiege, at a point where there would be no difficulty to pass from the one to the other, and, passing around the ridge that limits the Yellow valley on the east, descends with a rapid current, but without a leap, to where it joins the Tuckasiege. But, if a grading of still more gradual rise than could be effected by either of the routes should be thought advisable, here, as well as on the eastern slope of the Alleghany, there is the same cheap power to raise or let down gently the heaviest train.

The next and last section extends from the termination of the last to the mouth of Tuckasiege.—It is difficult to imagine a pass through a mountain region finer than this section. The river is remarkably straight, and free from all sudden turns. The road would pass along its east side two-thirds or more of the way, on level ground, requiring but little expense in grading. A large portion of the residue, where the hills come in, would be on favorable slopes free from rocks. In the whole

length, there were not two hundred yards of rocky cliff to encounter; and, through the whole length, no walling in the river. We did not extend our examination farther, as the survey of captain Bache, under the orders of the war department, gives ample information in relation to the Tuckasiege to the head of steamboat navigation on that river. It is sufficient to say that there is no serious difficulty below.

Having now communicated briefly the information I collected during the examination, it will be proper to conclude with a few general remarks on the entire route, in order to bring its advantages, such as they are, before the public. The value of the gap must depend not simply on the facility of passing it, but its position; and that again on the fact, whether it be such that a road through it would be calculated to effect the great object in view, to connect Charleston commercially with the great region of the west, and in particular, the points at which it is proposed to terminate the road; or, in other words, is the direction of the gap favorable to this great object? is the route to and from it of easy approach? and is it favorable for branching to important points? I propose a few hasty remarks on these points.

The direction of the gap from Charleston is nearly north west; and if a line be stretched from Charleston to the gap, and continued in the same direction, it would strike the Mississippi nearly at the mouth of the Missouri; cross the Ohio below the Wabash; pass on the ridge between Green and Cumberland rivers; cross the latter a little above Carthage; pass the Cumberland mountain at the Crab Orchard gap, which col. Long's survey shows to be practicable; pass the Great Tennessee near Kingston, and extend along Tuckasiege to the Carolina gap. On this side, the line from the gap to Charleston would take the old Indian trading path, which was used by the Cherokees west of the mountain before the revolution, with little deviation throughout its entire course; passing through the forks of the Edisto, and striking the Charleston and Hamburg rail road below Branchville. The line on this side of the gap would extend through the entire length of the state, 250 miles, from south east to north west, and on the other side from the gap west, if extended, would divide into nearly equal parts the great valley between the lakes and the Rocky mountain, through which the waters of the Mississippi and its tributaries flow.

As to its approach, it will be found, I am satisfied, very easy on both sides. The approach from Charleston on the east side will be found remarkably so. There are two routes; the direct one through the forks of the Edisto, and up the dividing ridge between the forks, and thence along the dividing ridge between Saluda and Savannah, to where the old Indian trail (to which I have referred) strikes that ridge, without crossing a drop of water after passing the north fork of the Edisto to that point; the other, bearing to the east, and keeping the main dividing ridge to the same point, without crossing a single stream, great or small, for 200 miles. This route, the longer by a few miles, possesses many advantages. What I have already said will supercede the necessity of any remark on the accessibility of the gap from the point where the road would leave the ridge to the gap, except that it will cross no other stream larger than a moderate sized creek but the Keowee, it being the only river on the route throughout the entire length of our state.

The gap is no less accessible on the western side. In the whole extent of the direct line leading to the heart of the continent, from the summit of the Alleghany to the Ohio, the Tuckasiege, or, perhaps, Little Tennessee, the Great Tennessee, and the Cumberland would be the only rivers to cross; and in the whole length, very few streams of any description, and no mountain or ridge, except the Cumberland.

The next point to be considered is, whether the line of route is favorable for branching, and easy of approach from important points? A statement of fact will best answer the question. I will begin with Charleston, and assume that the road will take the great dividing ridge to which I have frequently alluded: keeping the ridge it would approach within eight miles of Mulberry Castle, on Cooper river, within twelve miles of the mouth of the Santee canal, within nine miles of Vance's ferry, where there are bluffs on the Santee on both sides, and where a branch could be thrown out conveniently to Camden and Cheraw; within twelve miles of Orangeburg; within the same distance of Columbia, through which a branch could be thrown out, taking the ridge between Broad river and Catawba, and passing through Winnsborough, Chester, York, to the North Carolina line; within fourteen of Edgfield, twenty-five of New-

bury, five of Cambridge, eleven of Abbeville, nineteen of Laurens, eight of Anderson, twenty of Greenville, eight or ten of Pickensville, seven of Pendleton and three of Pickens.

On the west of the mountain it would strike Little Tennessee at the head of steamboat navigation, about 80 miles from the gap, and 340 from Charleston. The river would of course be, in effect, one important branch, leading to all the important places on its navigable waters. At or about that point, the main trunk, or a branch, as may be determined, would turn off to Knoxville, and one or the other to Kingston, on the Great Tennessee. I need not trace the route from Knoxville, as that is familiar to all. Whichever would take Kingston would pass up Emory's river by the Crab Orchard gap over the Cumberland mountain, and, striking the Cumberland river near Carthage, it would continue its route through a fine country, well calculated for rail roads, and having the advantage of throwing out frequent branches to important points at a short distance through Middle Tennessee and the western parts of Kentucky. One of the most important points would be Nashville, about 60 miles below Carthage on the same river.

But would the route in any degree sacrifice the immediate object of the road, to connect Charleston with Louisville, Lexington and Cincinnati? That is a question which I do not feel authorized to decide; nor have I the means, if I did. It belongs to others, whose duty it is to decide it. My object is simply to state facts and views, connected with a particular route, of which I happened to have some knowledge, and not to condemn or disparage any other route; to enlarge the field of selection so that the best possible should be selected. As favorably as I think of this, I shall heartily rejoice if a better can be found; one shorter, capable of more graduation and cheaper construction, or better calculated to effect the great object in view, which must be so dear to every friend of his country. Without intending comparison, I will simply give what I believe to be about the distance by the route to three important points with which it is intended to connect Charleston by the road. Supposing the road takes a course across the Cumberland mountain by Emory's river, the distance to Cincinnati from Charleston would be about 635, to Lexington 565, and to Louisville 595; but what would be of great importance, there would be a common track to the three places of about 525 miles, and a common track from Lexington and Cincinnati of about 40 miles made, and what would be still more so, there would a common track to Nashville and all the intermediate places between it and Cincinnati of about 415 miles.

I have now stated the information I possess, and the views I entertain in relation to the route in question, in a very hasty and imperfect manner. My object is to draw public attention to it, and to have its advantages or disadvantages tested in a more satisfactory manner. I have not desired to under-estimate the difficulties, whatever they may be; but no one can be more conscious than I am how difficult it is to form a correct opinion of a route by the eye, particularly through a mountain region, or any other mode, without an actual survey, which I doubt not will be ordered if such should be the desire of this section of the state.

It may be asked how it can be explained that a route, which, on the examination I have given it, appears to possess so many advantages, has attracted, heretofore, so little attention.

The only reason that I can assign is, that the gap leads to a portion of North Carolina little known, and which has but lately been acquired from the Indians, and between the two established routes by Asheville and Rabun, through one or the other of which most persons going to the west pass. But it was not so obscure as not to be known by the neighborhood, and to attract the attention of those whose duty it was to explore the mountains, in order to find the best pass over it. General Hayne, whose devotion to the great undertaking is so well known, undertook to examine the gap, but unfortunately his guide was not sufficiently well acquainted with the section of the mountains, to which so many ridges converge, and which on that account is so intricate, as to conduct him through the proper route. I was not at all surprised, when I looked at the route through which, I was told, he was taken, that he should have condemned it as utterly impracticable. He could not do otherwise. Learning that he was probably misconducted, and having a strong previous impression of the existence of a gap in that quarter worthy of attention, induced me, as I have stated, to undertake the examination, of which I now communicate the result.

With great respect, I am, &c.

J. C. CALHOUN.

POLITICS OF THE DAY.

A great public entertainment was lately given in Orange county, North Carolina, complimentary to senator Mangum and general Dudley, (the governor elect of the state), which appears to have been "a feast of reason and a flow of soul." The papers contain a full account of it, which we have not room to copy entire. But we cannot resist the pleasure of copying from it into our columns the following correspondence, equally honorable to the givers and the receivers of the compliment intended by the invitation of senator Leigh, of Virginia, to the festival.

[Nat. Int.] Hillsborough, Aug. 30, 1836.

Hon. Benjamin W. Leigh:

SIR: The public papers will have informed you of the signal victory obtained by the whigs of this state in the election of general Dudley to the executive chair. This victory is the more important, as it insures the triumph of the White ticket in November next. To you, sir, together with the other master spirits who, at Washington, during the last winter, so nobly and fearlessly sustained the constitution of our common country, this state of things is mainly to be attributed. The people can but wish their own happiness, and when they err in the means to which they resort, it is for the want of correct information. Let truth be disseminated with the same persevering zeal that the propagators of error employ, and in process of time it must and will prevail. The old north state has struck a brave blow. It was sufficient for her citizens to know that the institutions of their country are endangered, to rally them to the rescue. Among those to whom they consider themselves most indebted, no name stands higher than that of Benjamin Watkins Leigh. It is one which has become familiar to us in our social and domestic circle; and must descend to our children, as belonging to the history of our country. This victory, so auspicious to the best hopes of the country, a portion of the whig citizens of Orange county have determined to celebrate by a barbecue to be given on the 17th day of September, in the neighborhood of this place. We have thought that it would not be unpleasant to you to mingle with this portion of your fellow citizens. To see you among us on so joyous an occasion, would give an additional interest to the scene. May we hope, sir, that you will gratify us by furnishing us with an opportunity of personally expressing to you, not only our admiration of your public life, but our esteem for the virtues of the private citizen.

CADWALLADER JONES,
WILLIAM HOLT,

And others, committee, &c.

Richmond, September 10, 1836.

GENTLEMEN: I have to acknowledge your letter of the 8th ultimo, inviting me to attend the proposed celebration on the 17th instant, near Hillsborough, of the signal victory of the whigs of North Carolina, in the election of general Dudley to the chief magistracy of the state. You need not be assured of my entire and hearty concurrence in the principles and sentiments you entertain. I rejoice in your success, and estimate most highly the advantages which that success has achieved, and the happy presage it affords of yet further advantages to the cause of the constitution. I trust in heaven that the people of the United States, at the approaching presidential election, will teach all aspirants to the presidency in time to come, that sycophancy to the president in office is not the true road to the succession; and convince the president, for an example and a warning to his successors, that his open and zealous exertions in behalf of his favorite candidate, though backed by all the influence of executive patronage, give no title to the confidence and suffrage of the people; and that his public denunciations of all other competitors as his enemies, merely because their fellow citizens think proper to put them in competition with his favorite, are impotent to take away from them the confidence and approbation of their country, which they have earned by public service and tried political and private virtue.

I religiously believe that the continuance of our free institutions in their purity depends on the result. If president Jackson's daring interference in the election of his successor shall not be rebuked by the general voice of the nation—if his open and (in my sense of things) indecent efforts in favor of Mr. Van Buren shall be crowned with success, we shall soon see the successor (Cæsar) installed during the reign of his imperial predecessor. The remark you make is just, that "let truth be disseminated with the same persevering zeal that the propagators of error employ, and in process of time it must and will prevail." This is a fundamental principle of republican government. I should be most happy to manifest my zeal for truth and for the constitution

by attending your celebration: I should be happy, too, in making personal acquaintance with many of my fellow citizens of North Carolina, whom I know as yet only by name and reputation. But indispensable duties interfere, and compel me, most reluctantly, to decline the invitation you have given me.

I pray you to be assured, gentlemen, of my grateful sense of the personal kindness towards me manifested in your letter, and of the pride I feel in your good opinion. I am, with all respect, your obedient servant,
B. W. LEIGH.
Messrs. Cadwallader Jones, & others, Hillsborough.

THE ROTHSCHILDS.

From McGregor's new work "My Note Book."

At the commencement of the wars of the French revolution, their father Moses Rothschild (*Anglice* Redshield), was a small banker or money lender, living in an obscure part of Frankfort. He had established a character for strict probity, and would no doubt have amassed a large fortune, and have enriched his family, although events had never so eminently served him.

His eldest son, Nathan Meyer, whom he sent to England, commenced business in Manchester, partly as a small manufacturer, but chiefly as a broker or commission agent in the way of purchasing the fabrics of Lancashire and Yorkshire and shipping them for Frankfort to supply the German market. This was a thriving business enough, until the celebrated Berlin and Milan decrees crushed it and the trade of Frankfort at the same time. Another son, Solomon, was sent to Paris, where he commenced business as a money-lender and negotiator. The third son remained at home with his father.

When the French armies crossed the Rhine, most of the German princes were driven from their territories—among others the sovereign of Hesse-Cassel, who carried his jewels and money hastily with him to Frankfort, in order, if possible, to deposit them where they would be most likely to escape the French. The reputable character of the humble Jew, Moses Rothschild, induced the prince to call upon him for the purpose of depositing with him his treasure, in value some millions of thalers. Rothschild at first refused accepting so dangerous a responsibility, for the French troops were advancing fast on the city. The prince, who would not even take a receipt for them, at last urged Moses to take charge of the money and jewels; and the French army was actually entering Frankfort at the moment when Rothschild succeeded in burying the prince's treasure in a corner of his little garden.

His own property, which in goods and money was worth about 40,000 thalers, he did not hide, well knowing that if he did so, a strict search would be made, and that not only his own, but the prince's hoard, would be discovered and plundered.

The republicans, who, like the Philistines of old, fell upon Rothschild, left him not one thaler's value of his own money or property. In truth, he was like all the other Jews and citizens, reduced to utter poverty—but the prince's treasure was safe; and some time after the French army marched out from Frankfort, Rothschild commenced again in a small way as a banker, increasing his business cautiously, by means of the prince's money, until the year 1802, when the latter returned to Frankfort on his way to Cassel.

He had heard and read in the gazettes that the French had despoiled Rothschild of every thing he possessed, and, consequently, he considered that his own must have inevitably gone. He, however, called, without any hope, on the honest Jew, and when he asked Moses "if the robbers took all?"—great was his joy when the latter replied "not one kreutzer; I have all the jewels, which I secured, untouched, in a strong chest; and the money I have also, with five per cent. besides, for your highness, from the day that you put your confidence in the Jew, Moses Rothschild." He then related the whole story, and several anecdotes about the ingenuity of the *sans culottes*.

"As I was left without a kreutzer of mine own," continued he, "and so much good money of your highness's here, and doing no profit; and as I could get high interest for it from the merchants, I began to use it by little and little. I have been successful, and it is now only just that you should have it all back, with five per cent. interest."

"No," said the prince, "I will neither receive the interest which your honesty offers, nor yet take my money out of your hands. The interest is not sufficient to replace what you lost to save mine; and further my money shall be at your service for 20 years to come, and at no more than two per cent. interest."

At the congress of Vienna, the prince of Hesse-Cassel held up the high character of Moses Roths-

child so earnestly to the potentates and ministers there assembled, as to obtain from them promises of giving a preference of negotiating loans to the family, and the loan of a hundred millions of francs contracted by France to pay to the allied powers was accordingly entrusted to the son at Paris, the present baron Solomon Rothschild. Thus began their loans and negotiations on a large scale, added to which their increasing connections and resources having enabled them to have more expeditious intelligence than all other capitalists, they have profited by their contracts to an almost unprecedented extent. M. Rothschild, of London, for instance, had information of Napoleon's escape from Elba, 25 hours before the British ministry. Their first loan of 100,000,000 of francs contracted at Paris was agreed for at 67 per cent. and a short time after sold at 93—making a difference of 52,000,000 francs on the whole amount between the contract and sale prices.

The manners of the Rothschilds are blunt, and by no means polished, nor have they much that is persuasive in speech. I allude to baron Rothschild in Paris, and baron Andrew Rothschild, who resides in much more than German princely style in Frankfort.

From the London Court Journal.

In 1807 and 1808, when gold was at a premium of seven to eight shillings on the guinea, Rothschild sent an immense quantity of gold coin out of the kingdom, which was punishable by law. One morning he received a letter from lord Liverpool, begging to see him immediately. Rothschild was exceedingly alarmed; "My God," he exclaimed, "they have found me out, and I am ruined." At length he summoned up courage to go, but first packed up all his securities and sent them off the premises, lest an extent or some "devilism" should come into the house. He was announced, and lord Liverpool came smiling into the room where he was waiting. "I saw den it was all right," said Rothschild, in relating the matter to sir W. Curtis. His lordship said, "Mr. Rothschild, I have sent for you to ask your opinion, as a commercial gentleman, about sending money to Spain, as to what coin is best." "Is the army advancing or retreating my lord?" "Advancing." "In that case Napoleons is the best coin." "We have none." "I will supply your lordship with any quantity at a short notice." "Can you indeed?" "Yes, my lord." Lord Liverpool immediately ordered a very large quantity, £200,000 to be furnished immediately. Rothschild, on leaving his house, instantly took a postchaise and four, and went to Birmingham, where he got the Napoleons coined in a few days, at the works of Messrs. Boulton and Watt. It is said they were rather short, both in weight and quality, but it was not a moment to be difficult, they passed current; a larger order was given, and Rothschild made a handsome profit on them; but that was nothing to his being then thought necessary to government. He was consulted on various subjects, and his advice usually followed, and in return he was always furnished with the earliest information, which he turned to account at the stock exchange, and thus by degrees rose to be the first capitalist in the kingdom, setting even the bank of England at defiance; and more than once threatening it with ruin.

THE CHEROKEES.

From the New York American.

LETTER FROM JOHN ROSS, principal chief of the Cherokee nation, in answer to inquiries from a friend, regarding Cherokee affairs with the United States, p. 31:

"In certain recent discussions," says Mr. Ross, "in the representative hall at Washington, our enemies made it an objection against me and against others, that we were not Indians, but had the principles of white men, and were consequently unworthy of a hearing in the Indian cause. I will own that it has been my pride, a principal chief of the Cherokees, to implant in the bosoms of the people, and to cherish in my own, the principles of white men! It is to this fact that our white neighbors must ascribe their safety under the smart of the wrongs we have suffered from them. It is in this they may confide for our continued patience. But when I speak of the principles of white men, I speak not of such principles as actuate those who talk thus to us, but of those mighty principles to which the United States owes her greatness and her liberty."

Wherever the principles alluded to with such caustic eloquence yet obtain, this pamphlet will be read with no common interest; although its searching appeal will, we fear, be only made in vain. The subject has already been so long before the country, that public sympathy, never a very en-

during emotion, is nearly worried out, and, like a veteran who is reproached for telling an old story, when the infirmities of age are added to the wounds which broke his constitution in youth, the Cherokee must be content to forego his claims upon our feelings, because the story of his wrongs can no longer excite from its novelty.

With this impression, we are, perhaps, in duty bound to find lighter summer reading for our review than Mr. Ross's pamphlet may offer. But, besides the excuse of our having but one other work this week to notice, as a cause for delaying upon this, we have still another reason for dwelling upon it, and that is, that, so far as we can discover, Mr. Ross makes up an entirely new issue between the Cherokees and the American people,—an issue which, if it cannot be set aside, must damn our national character forever in the sight of the world. It is this, that the United States will neither allow the Cherokees to enjoy their present possessions as citizens of the republic, nor guarantee them the *fee simple* of the new lands to which it is proposed to remove them.

"One impression concerning us (says the Cherokee statement) is, that, though we object to removal, as we are equally averse to becoming citizens of the United States, we ought to be forced to remove, to be tied hand and foot and conveyed to the extreme western frontier, and then turned loose among the wild beasts of the wilderness. Now, the fact is, we never have objected to become citizens of the United States, and to conform to her laws; but, in the event of conforming to her laws, we have required the protection and the privileges of her laws to accompany that conformity on our part. We have asked this repeatedly, and repeatedly has it been denied."

Again: "Many have voted in favor of this pretended treaty under the impression that they were giving lands to us in *fee simple*. The United States do promise that they will 'cause a patent or grant to be made and executed' to us for the aforesaid tract of land, but it is always on the proviso 'that such land shall revert (that is, the Cherokees shall have the occupancy while the United States retain the right of property) to the United States, if the Indians become extinct or abandon the same.'"

Let us next see what legal title the Cherokees have to their lands, in which their natural rights have, it seems, given them no property:

THE NATURAL AND ACQUIRED RIGHTS OF THE CHEROKEES. If it be said that the Cherokees have lost their national character and political existence, as a nation or tribe, by state legislation, then the president and senate can make no treaty with them; but if they have not, then no treaty can be made for them, binding, without and against their will. Such is the fact, in reference to the instrument entered into at New Echota, in December last. If treaties are to be thus made and enforced, deceptive to the Indians and to the world, purporting to be a contract, when, in truth, wanting the assent of one of the pretended parties, what security would there be for any nation or tribe to retain confidence in the United States? If interest or policy require that the Cherokees be removed, without their consent, from their lands, surely the president and senate have no constitutional power to accomplish that object. They cannot do it under the power to make treaties, which are contracts, not rules prescribed by a superior, and therefore binding only by the assent of the parties. In the present instance, the assent of the Cherokee nation has not been given, but expressly denied. The president and senate cannot do it under the power to regulate commerce with the Indian tribes, or intercourse with them, because that belongs to congress, and so declared by the president in his message to the senate of February 22, 1831, relative to the execution of the act to regulate trade and intercourse with the Indian tribes, &c. passed 30th of March, 1802. They cannot do it under any subsisting treaty stipulation with the Cherokee nation. Nor does the peculiar situation of the Cherokees, in reference to the states, their necessities and distresses, confer any power upon the president and senate to alienate their legal rights, or to prescribe the manner and time of their removal.

Without a decision of what ought to be done, under existing circumstances, the question recurs, is the instrument under consideration a contract between the United States and the Cherokee nation? It so purports upon its face and that falsely. Is that statement so sacred and conclusive that the Cherokee people cannot be heard to deny the fact? They have denied it under their own signatures, as the document herein before referred to will show, and protested against the acts of the unauthorized few, who have arrogated to themselves the right to speak for the nation. The Cherokees have said they will not be bound thereby. The documents submitted

to the senate show, that when the vote was taken upon considering the propositions of the commissioner, there were but seventy-nine for so doing.—Then it comes to this: could this small number of persons attending the New Echota meeting, acting in their individual capacity, dispose of the rights and interests of the Cherokee nation, or by any instrument they might sign, confer such power upon the president and senate.

If the United States are to act as the guardian of the Cherokees, and to treat them as incapable of managing their own affairs, and blind to their true interests, yet this would not furnish power or authority to the president and senate, as the treaty making power, to prescribe the rule for managing their affairs. It may afford a pretence for the legislation of congress, but none for the ratification of an instrument as a treaty made by a small faction against the protest of the Cherokee people.

That the Cherokees are a distinct people, sovereign to some extent, have a separate political existence as a society or body politic, and a capability of being contracted with in a national capacity, stands admitted by the uniform practice of the United States from 1785, down to the present day.—With them have treaties been made through their chiefs, and distinguished men in primary assemblies, as also with their constituted agents or representatives. That they have not the right to manage their own internal affairs, and to regulate, by treaty, their intercourse with other nations, is a doctrine of modern date. In 1793, Mr. Jefferson said, 'I consider our right of pre-emption of the Indian lands, not as amounting to any dominion or jurisdiction or paramountship whatever, but merely in the nature of a remainder, after the extinguishment of a present right, which gives us no present right whatever, but of preventing other nations from taking possession, and so defeating our expectancy.—That the Indians have the full, undivided and independent sovereignty as long as they choose to keep it, and this may be forever.'

Now, with this view of the case, who will say that the enforcing of this treaty will not bring a stain upon the national character which no time can remove. The alleged ill treatment of the native tribes in other instances of our history, are attributed chiefly to the colonial or state governments. The acts of injustice have been of partial or gradual operation. They have been committed, as it were, in a corner. But here is a measure by which thousands of Christian and civilized Indians are to be affected—a measure which has been for years before the councils of the nation, and which has passed in review before the first statesmen of the country—a measure, in short, which will stamp our character for good or ill upon the page of history. The claim of Georgia against the general government, it must be confessed, is difficult to get over; but the claim of the Cherokees is still more imperative, and better were it that every cent in the treasury were appropriated to purchase her title to these lands and vest them anew in their original owners, than that such disgrace should be entailed upon our name forever. National, like individual, honor, is one of this world's goods which, when once lost, is irretrievable. But we despise this special pleading in a case which ought to come home at once to the bosom of every native born citizen. Is there nothing in that sentence which has been passed upon these outraged people, depriving the original lords of the soil of all present and prospective right of citizenship, and driving out thousands of *Christian farmers* to the wilderness? Nothing which calls the blush of shame into the cheek of an American, when he remembers that the meanest serf of privileged Europe enjoys every political right, and legislates both for Anglo and Indian-Americans, almost as soon as he steps upon our shores? Is not the educated Indian as fit for a citizen of the republic, as the ignorant peasant of a foreign country? Is it not enough to go on forever inviting strange adventurers to our shores, and blending a foreign and base leaven with our political mass; but must we also cast from us the wholesome growth which is improving to our use, beneath our eyes, merely because it springs from our soil? National vanity has been urged, and perhaps proved, against us by foreigners, as our chief national foible. Would that they could make equally good the charge of national pride—an honest, a manly and pardonable pride in our country, and every thing that essentially and peculiarly belongs to it. Such a pride, however, can have no healthy basis in a country where every one seems to feel himself so much an interloper, that he stops at no injustice to root out its original possessors, and eagerly claims kindred with every last corner that can freshen the ties between himself and the land from which his ancestors were driven. What claim have the hundred thousand foreigners that each au-

turn brings to our polls—what claim upon us as Americans which these thirty thousand Cherokees have not? It is idle, however, to appeal to a pride of country which does not exist, or which, if it ever show some sparks of life, is so feeble and sickly that it is annihilated by the first breath of party despotism, or swallowed up by the least consideration of time-serving expediency. "The times are out of joint," and we fear the men are not yet in being who are "born to set them right."

We annex some extracts from Mr. Ross's appeal, and the accompanying protest of the Cherokee delegation, which speak for themselves.

"*The Cherokee territory*, within the limits of N. Carolina, Georgia, Tennessee and Alabama, is estimated to contain *ten millions of acres*. It embraces a large portion of the finest lands to be found in any of the states; and a salubrity of climate unsurpassed by any, possessing superior advantages in reference to water power, owing to the numerous rills, brooks and rivers, which flow from and through it; some of these streams afford good navigation, others are susceptible of being easily improved and made navigable. On the routes where roads have been opened by the Cherokees, through this country, there must necessarily pass some of the most important public roads and other internal improvements, which at no distant day will be constructed.

"The entire country is covered with a dense forest of valuable timber, also abounding in inexhaustible quarries of marble and limestone. Above all, it possesses the most extensive regions of the precious metal known in the United States. The riches of the gold mines are incalculable, some of the lots of *forty acres* of land, embracing gold mines, which have been surveyed and disposed of by lottery, under authority of Georgia, (with the encumbrance of the Indian title), have been sold for *upwards of thirty thousand dollars!*

"There are also extensive banks of iron ore interspersed throughout the country. Mineralogists who have travelled over a portion of this territory, are fully persuaded, from what they have seen, that lead and silver mines will also be found in the mountain regions. Independent of all these natural advantages and invaluable resources, there are many extensive and valuable improvements made upon the lands by the native Cherokee inhabitants, and those adopted as Cherokee citizens, by intermarriages.

"The Cherokee population has recently been reported by the war department to be 18,000, according to a census taken by the agents appointed by the government. This people have become civilized, and adopted the Christian religion. Their pursuits are pastoral and agricultural, and in some degree, mechanical. Their stocks of cattle, however, have become greatly reduced in numbers within the few past years, owing to the unfortunate policy which has thrown upon this territory a class of white and irresponsible settlers, who, disregarding all laws and treaties, so far as the rights of the Cherokees are concerned, and who have been actuated more from the sordid impulses of avarice, than by any principle of moral obligation or of justice, have by fraud and force made Cherokee property their own.

"The possessions of the Cherokee inhabitants, consist of houses, which cost generally from fifty dollars, one hundred to one thousand dollars, and in many instances up to five thousand dollars; some few as high as six, eight and ten thousand dollars, with corresponding outbuildings, consisting of kitchens, meat houses, dairies, granaries, or corn cribs, barns, stables, &c. grist and saw mills: connected with these are gardens for culinary vegetables; also peach and apple orchards; lots of inclosed ground for horses, black cattle, &c. The farms of the Cherokees contain from ten, twenty, thirty, forty, fifty, sixty to one hundred and fifty, and two hundred acres of land under cultivation, and inclosed with good rail fences. Among the most wealthy, there are farms of three and four hundred acres, and in one instance perhaps about eight hundred acres in cultivation. Some of the most extensive and valuable farms and possessions have been forcibly wrested from the proprietors by the Georgia guard and agents, and citizens of Georgia put into possession of them, whilst the Cherokee owners have been thrust out to seek shelter in a camp, or under the roof of a log hut in the woods, within the limits of North Carolina, Tennessee and Alabama. There are many valuable public ferries also owned by the Cherokees, the income of some of them amount to from five hundred to one thousand, fifteen hundred and two thousand dollars per annum. Several public roads opened at private expense, were also kept up by companies under regulations of the national council, and toll gates were erected on them. These regulations have all

been prostrated by state legislation, and the Cherokee proprietors thus deprived of their rights, privileges and property. Besides all this, there are various important interests and claims which are secured by the provisions of the former subsisting treaties, to the Cherokees, and for which the United States in justice are bound to allow indemnification. For the surrender then of a territory containing about ten millions of acres, together with the various interests and claims spoken of, and the amount that will be required to cover these claims, no man, without data, can form any estimate. The sum of five millions six hundred thousand dollars, only, is proposed to be paid: the price given for the lands at this rate would not exceed thirty cents per acre. Will Georgia accept the whole amount, for that portion within her limits.

"*The tenure by which the new Cherokee lands are proposed to be held.* Three times have the Cherokee people formally and openly rejected conditions substantially the same as these. We were commissioned by the people, under express injunctions, not to bind the nation to any such conditions. The delegation representing the Cherokees, have, therefore, officially rejected these conditions themselves, and have regularly protested before the senate and house of representatives, against their ratification. The Cherokee people, in two protests, the one signed by twelve thousand seven hundred and fourteen persons, and the other by three thousand two hundred and fifty persons, spoke for themselves against the treaty, even previous to its rejection by those whom they had selected to speak for them.—With your impressions, concerning the advantages secured by the subtle instrument in question, you will, no doubt, wonder at this opposition. But it possesses not the advantages you and others imagine, and that is the reason why it has encountered, and ever will encounter opposition. You suppose we are to be removed through it from a home, by circumstances rendered disagreeable and even untenable, to be secured in a better home, where nothing can disturb or dispossess us. *Here is the great mystification.* We are not secured in the new home promised to us. We are exposed to precisely the same miseries, from which if this measure is enforced, the United States' power professes to relieve us, but does so entirely, by the exercise of that power, against our will. If we really had the security you and others suppose we have, we would not thus complain. But mark the truth and judge for yourself.

"White men obtain their title to property, between one another, by what is called *fee simple*. I have discovered that many of those who have voted in favor of this pretended treaty, have done so under the impression that they were voting lands to us in *fee simple*—especially as we are to be compelled to pay for those lands the sum of five hundred thousand dollars—having already paid for a portion of them, by exchange, what is equivalent to the full amount of their intrinsic value. But the difference between the right by which the state of Georgia and other states hold lands, is a very, very material difference from that for which we Cherokees shall have paid according to this arrangement, at the smallest estimate, calculating the valuation of the exchange at government prices, and adding it to the sum to be paid in money—*seven millions of dollars!* Seven millions for lands without a real title! For this sum, I admit, the United States do promise that they will "cause a patent, or grant, to be made and executed" to us for the aforesaid tract of land, but it is always on the proviso, "that such land shall *revert* to the United States, if the Indians become extinct, or abandon the same." Now, the use of this very phrase, *revert* is an evidence that the United States do not consider that there is an absolute property given in the soil allotted to the Indians, in payment for their valuable country; the United States retains the absolute property in her own hands, only allowing to the Indians a far inferior right of occupancy to that which they have ever been admitted to possess where they now are, and where they were born.—The pretended treaty expressly avows that it is under the law containing the clause above quoted, and other similar laws, that the transfer is made; and the Indian title is to be subject, not only to these laws already existing, but to such laws as may be made hereafter; and to which laws, present and prospective, the Indian regulations for self-government must be equally subordinate. Now, in addition to the inconveniences and insecurity inevitable from the vagueness of the laws already in operation, those future ones, to which this pretended treaty makes the Indians blindly promise submission, may entirely extinguish, not only the right of occupancy, but of self-government. For example. Suppose it should suit the policy of the United States, hereafter, to pass a law organizing a territo-

rial government upon the Cherokee lands, west?—That law necessarily destroys the character of the Cherokee nation as a distinct community; the nation becomes legally extinct; the lands revert to the United States, and the Cherokee people are bound, by assenting to the conditions of the pretended treaty, to acquiesce in this law providing a plausible pretext for their annihilation. And should they demur, what is the result? An article in the pretended treaty expressly stipulates, that military posts, and military roads may, anywhere, and at any time, be established by the United States, in the new country, set apart for the Indians. Hence, any one who might complain of any act of the U. States as unauthorized by the right construction of the pretended treaty, would be as liable to ejectment for the purpose of creating a military post at the malcontent's abode in the Cherokee country west—as now he actually is, and long has been under similar circumstances, in the Cherokee part of Georgia:—and were vexations to become universal, as they have been in Georgia, the region might, in the same manner, be filled with soldiers, and the existence of the Cherokee nation become at once extinguished by laws to which the people will be said themselves to have assented. That there is no disposition ever to interfere thus, is attempted to be proved by reference to an article of the pretended treaty, excluding intruders and white men; but this very article is clogged with a worse than neutralizing condition—a condition pregnant with sources of future disquiet—a condition that is not to prevent the introduction of useful farmers, mechanics and teachers, under which denomination some future executive of the United States may find it convenient, hereafter, to overwhelm the original population, and bring about the territorial government, by which the Cherokees will be regarded as legally extinguished, and the country of their exile as *reverting* to its real proprietor, the United States.—Thus will the favorite theory, which has been ascribed to the president, be fully realized. This policy will *legislate the Indians off the land!*

"That all these things are possible, is proved by the present posture of affairs in the region of our birth, our sacred inheritance from our fathers. It is but a few years, since the apprehension of scenes like those from which the United States acknowledges her incompetency to protect us, even under the pledge of treaties, would have been regarded as a morbid dream. But a state has already been created on the boundary of the retreat set apart for the exile of the Indians—the state of Arkansas; another state, and an independent one—a new republic, made up of many of the old foes of the Indians—Texas, is rising on another boundary; and who shall say how soon these and other new bordering states may become as uneasy from the Indian neighborhood, as the old ones are now. It was at one time thought that the United States never could declare she was unable to keep the treaties of former days. Is it less possible that she may hereafter experience the same difficulty in keeping those of the days in which we live? especially, as in the present instance, she may be called upon, not only to defend those treaties from violation by her own citizens, but by the people, though of the same origin, belonging to a new, a warlike and independent republic."

Scenes in the Cherokee country.

Mr. John Ross, the principal chief of the Cherokee nation, was at Washington city on the business of his nation. When he returned, he travelled till about ten o'clock at night, to reach his family; rode up to the gate, saw a servant, believed to be his own; dismounted, ordered his horse taken; went in, and to his utter astonishment, found himself a stranger in his own house, his family having been, some days before, driven out to seek a new home. A thought then flitted across his mind, that he could not, under all the circumstances of his situation, reconcile it to himself to tarry all night under the roof of his own house as a stranger. He ordered his horse, paid his bill, and departed in search of his family, and after travelling amid heavy rains, had the happiness of overtaking them on the road, bound for some place of refuge within the limits of Tennessee.

Mr. Joseph Vann, also a native Cherokee, was a man of great wealth, had about eight hundred acres of land in cultivation; had made extensive improvements, consisting, in part, of a brick house, costing about ten thousand dollars, mills, kitchens, negro houses, and other buildings. He had fine gardens, and extensive apple and peach orchards. His business was so extensive, he was compelled to employ an overseer and other agents. In the fall of 1833, he was called from home, but before leaving, made a conditional contract with a Mr. Howell, a white man, to oversee for him in the year 1834, to commence on the first of January of that year. He returned about the 28th or 29th of December, 1833,

and learning Georgia had prohibited any Cherokee from hiring a white man, told Mr. Howell he did not want his services. Yet Mr. Bishop, the state's agent, represented to the authorities of Georgia, that Mr. Vann had violated the laws of that state, by hiring a white man, had forfeited his right of occupancy, and that a grant ought to issue for his lands. There were conflicting claims under Georgia for his possessions. A Mr. Riley pretended a claim, and took possession of the upper part of the dwelling house, armed for battle. Mr. Bishop, the state's agent, and his party, came to take possession, and between them and Riley, a fight commenced, and from twenty to fifty guns were fired in the house. While this was going on Mr. Vann gathered his trembling wife and children into a room for safety. Riley could not be dislodged from his position up stairs, even after being wounded, and Bishop's party finally set fire to the house. Riley surrendered, and the fire was extinguished. Mr. Vann and his family were then driven out, unprepared, in the dead of winter, and snow upon the ground, through which they were compelled to wade, and to take shelter within the limits of Tennessee, in an open log cabin, upon a dirt floor, and Bishop and his brother Absalom in possession of Mr. Vann's house. This Mr. Vann is the same, who, when a boy, volunteered as a private soldier in the Cherokee regiment in the service of the United States, in the Creek war, periled his life in crossing the river at the battle of the Horse Shoe. What has been his reward?

Wahka and his wife were natives of, and residents in, the Cherokee nation east of the Mississippi. The agents of the United States prevailed upon the wife to enroll for emigration, against the remonstrances of the husband, and they afterwards, by force, separated her from her husband, and took her and the children to Arkansas, leaving the husband and father behind, because he would not enroll. The improvements upon which he resided, were valued in the name of the wife, and he turned out of possession.

Atahla Anosta was prevailed upon to enroll when drunk, contrary to the wish and will of his wife and children; when the time arrived for him to leave for Arkansas, he absconded. A guard was sent after him by B. F. Currey, which arrested the woman and children, and brought them to the agency about dark, in a cold rain, shivering and hungry. They were detained under guard all night and a part of next day, and until the woman agreed to enroll her name as an emigrant. The husband then came in, and he and his wife and their children were put on board a boat, and taken to Arkansas. There they soon lost two or three of their children, and then returned on foot to the Cherokee nation east of the Mississippi.

Sconatachee, when drunk, was enrolled by Benjamin F. Burrey; when the emigrants were collecting, he did not appear, and Currey and John Miller, the interpreter, went after him. Currey drew a pistol, and attempted to drive the old man to the agency, who presented his gun and refused to go. Currey and Miller returned without him. He made the facts known to Hugh Montgomery, the Cherokee agent, who gave him a certificate that he should not be forced away against his will. So the matter rested till the emigrants were collected the next year, and then Currey sent a wagon and guard for him. He was arrested, tried, and hauled to the agency, leaving some of his children behind in the woods, where they had fled on the approach of the guard. Richard Cheek enrolled for emigration, but, before the time of departure, he hired to work on the Tusculum rail road, in Alabama. When the emigrants started, Currey had Cheek's wife taken, put on board a boat, and started to Arkansas. She was even denied the privilege of visiting her husband as she descended the river. He was left behind, and never saw her more. She died on the way.

Such outrages and violations of treaty stipulations have been the subject of complaint to the government of the United States, on the part of the Cherokees, for years past; and the delegation are not surprised that the American people are not now startled at those wrongs, so long continued, for by habit men are brought to look with indifference at death itself. If the government of the United States have determined to take the Cherokee lands without their consent, the power is with them, and the American people can "reap the field that is not their own, and gather the vintage of his vineyard whom by violence they have oppressed."

THE COTTON GROWTH AND TRADE.

The following statements taken from a recent publication, will convey some notion of the astonishing increase in the consumption of cotton, and of the wealth of which it is the source to the United States. When, in addition to the facts here

stated, the daily augmentation of the manufactures of the United States is considered, the value of cotton lands becomes almost inappreciable. The clothing of half the universe is no mean staple, particularly when that portion of the nation which cannot grow the material finds occupation for a great mass of its population in manufacturing or conveying it.

[Nat. Gazette.

"No branch of manufacture has made such inconceivable progress in modern times as cotton weaving. This has not arisen from any protection of government, or from the uncertain and capricious acts of legislation, but from the nature of things, and the inventiveness and activity of manufacturers. Cotton is cheaper to produce and easier to manufacture than flax, and has always, therefore, been, for some purposes, preferred. In Great Britain in the year

1787	4,000,000 lbs. were spun.
1805	19,000,000 "
1812	61,000,000 "
1820	137,000,000 "
1826	162,000,000 "
1832	273,000,000 "

The value of cotton goods amounted, in the year 1769, to about £200,000. now (official value) to 40,000,000. In the year 1833, 237,000,000 lbs. were imported into England from North America:

	Pounds.
From Brazil	28,000,000
From Turkey and Egypt	987,000
From other countries	1,696,000
From the English colonies	35,000,000
North America exported in 1801	189,000
" " 1832	822,000,000

The price of a pound of cotton wool varies from 4d. to 1s. 8d.; but has fallen considerably (like many other things) since 1816.

There are now 1,154 cotton mills existing in England. Water power to the amount of 10,000 horses, and steam power to that of 30,000, are employed in them: 220,000 persons are directly, and one million and a half are indirectly, engaged in them. The seven counties in which the cotton manufactories are the most flourishing, in the year 1753, contained only 791,000 inhabitants; in 1831, 2,753,000. There were exported to

	Plain cotton goods.	Colored goods.
Russia	2,750,000	272,000
Germany	16,527,000	34,951,000
Italy	34,000,000	13,000,000
Brazil	36,000,000	23,000,000
Turkey	15,000,000	3,000,000
China and East Indies	35,000,000	16,000,000
North America	13,000,000	18,000,000

TO THE FARMERS OF THE U. STATES.

From the *Philadelphia Inquirer*.

The writer of the following letter is one of the most intelligent, useful and respectable citizens of Philadelphia:

That care and skill have improved fruit trees, vegetables and our domestic animals, are facts known to all classes of husbandmen; and the advantage of rearing cattle from the best breeds is now well understood all over America. The advantages that accompany procuring the best grain for seed is as yet but partially understood and very little attended to.

Repeatedly sowing some kinds of grain on the same land, is in many cases followed by an evident decline in the quality; still this, it must be observed, is not a uniform consequence; there are many and well authenticated instances where the change to a new soil and climate is accompanied with a deterioration, and in others as great an improvement has taken place.

As it is known that grains, &c. in some climates and soils degenerate to a minimum, sometimes in quality, in others in quantity, and frequently in both, a practice calculated to remedy these disadvantages is of great importance to the agriculture of the United States. On the present occasion it is our object to point out what may be done, hereby showing what is done in other countries, and under circumstances far less favorable to the husbandmen, or to the operations of husbandry, than in America. In Scotland, for example, the climate is cold, wet and stormy; yet by care and industry crops are produced, remarkable both for quantity and quality. There the greatest attention is paid to the changing of seed. The low countries procure their seed potatoes from the high districts at great expense of money and labor. The whole oat crop of some districts is bought for, and sowed for seed; this is the case with a portion of country called Blainsley, that lays south of Soutria Hills.

In no country has the culture of clover been more beneficial, or attended with better success than in Scotland, yet the climate is so unfavorable

to the ripening of clover seed, that nearly the whole has to be procured from England or Holland. The farmers of that country frequently change the wheat seed, and procure the best that is to be had, paying very little respect to price, and the greatest attention to quality.

It would appear that the principle by which the Scotch farmers are guided to the results they obtain, is to select their seed from those districts where it is grown in the greatest perfection from the climate and soil being best adapted to the plant. Thus they choose seed oats and potatoes of their own growing, these being plants best adapted to mountainous, cool and moist regions; and clover and wheat seed from England and Holland, which are comparatively low, warm and dry, and better adapted to their production.

It is well known that in America, our oats are not good, they have little kernel or meal; and the quality of our barley is not what it ought to be.

It is to the following circumstance the present address owes its existence.

In the year 1833, a well informed practical farmer visited Pennsylvania with the object of seeing as much of our practice of farming, soil and climate, as a short stay here would permit. On his return to Scotland, he procured and sent to his friends in Philadelphia some Angus oats, Hopeton oats, barley, wheat and rye grass; the cask containing the seed miscarried and did not arrive here until the fall of 1835.

Some of each kind of these seeds have been sown here; the wheat came up very thin; it is presumed the seed suffered from the long voyage. On the 18th April, 1836, the oats and barley were sown on rather poor but fresh loam. It is true, the season has been cool, damp and favorable to these grains, still there success has surpassed anything that could have been calculated on. The barley and both kinds of oats are of superior growth in strength of stem, as well as thickness on the ground, they would lose nothing in a comparison with the crops of oats or barley of any country, and are likely to suffer loss from excessive growth, causing them to lodge. One kind of the oats commenced shooting into ear about the first of July, and the other about the tenth; the marks which were placed to distinguish the one from the other have got displaced, and this accident prevents knowing whether it is the Angus or Hopeton oats that first puts out the ear.

Now let us inquire into the economy of farmers adopting the practice of annually supplying themselves with new seed grain—and found our calculations on a farm where about 20 bushels of oats are sown each year; the farmer of such a piece of land could supply himself with an annual change of his oat seed in the following manner. It is presumed that each bushel of the imported oats he sows, will produce 10 bushels; then by annually buying two bushels, their produce would yield the 20 bushels required for sowing on his farm. Suppose the price of the imported oats to be \$1 50 cents a bushel, the two would cost \$3—and the price of country oats was 50 cents, the two would cost \$1. The expense of changing the seed would be per annum \$2. The estimate is not given as a matter of accuracy, but as a formula by which every one can make his own calculations.

In procuring a change of seed, there are other points necessary to be attended to besides the quality of the grain, and one of these is to guard against bringing with it the weeds incident to the country or fields where it has grown: for want of attention to this, there are farmers who have introduced into their fields, along with the clover they sowed, the narrow leaved plantain, which arrogates to itself a place which would otherwise be occupied by clover, to the detriment of his hay both in quality and quantity, and that more serious curse, Bensalem clover or white daisy; all this is the result of their not taking sufficient care in the selection of their clover seed.

In the British islands, their oat and barley fields at some seasons, are entirely yellow; nothing is to be seen save the bloom of the wild mustard, in some districts called Scheldrics; and this is not the only one of this class of yellow flowering spring weed—in wheat they have what is here called cockle, the seed of which is detrimental to superfine flour; all these should be guarded against by the European agent; and to prevent mischief, the seed after it arrives here should be rectified in a sieve that will separate the weeds from the pure grain, always collecting and burning the obnoxious seeds.

In proof of the sincerity, that the writer entertains a favorable opinion of this system, he will import for next season's sowing, one hundred bushels of selected barley, one hundred of each variety of oats, already spoken of, and, it being too late for receiving wheat for the ensuing sowing, measures will be

taken for bringing to this country wheat for the following year.

Such persons as take an interest for renewing their seed grain, are invited to apply to the subscriber who will furnish them with any quantity, not less than a bushel. The cost will be governed by the price abroad, and the expense of bringing the articles here. The transaction will be attended with considerable trouble, and the limited extent of the operation will satisfy all who reflect, that there are other motives for undertaking the business than that of making money.

Letters, post paid, will be duly attended to, addressed to
JAMES RONALDSON.
No. 200 South Ninth street, Philadelphia.

IMPORTANT INFORMATION.

From the N. Y. Journal of Commerce.

Price of bread stuffs. We would not needlessly interrupt the enjoyment of those, who look forward to the next winter as a season of general starvation. But lest their dreams should be too suddenly broken, we must call their attention to the facts contained in the last news from Europe respecting the prices of bread stuffs there. We happen to know of an operation at Liverpool, by which fifty thousand bushels of wheat are to be immediately forwarded to this country, and by the prices which are published, there is little doubt but that larger supplies will soon be forthcoming; for the long continuance of high prices, the successful issue of the recent importations, and the fact well ascertained, that our domestic supplies are inadequate to our wants, will give new confidence in future operations. Let us see at what prices we can be supplied.

In Paris the price of bread is about 2 cents, and in London 3 cents per lb. We found a shilling loaf in New York yesterday to weigh 2 lbs. 3 oz. which is near 6 cents per lb. The price of wheat at Paris is 112 cents per bushel, and the price of flour \$5 per bbl. In London flour is \$3 a bbl. In the ports of the Mediterranean and of the Baltic, bread stuffs are much cheaper than in either London or Paris. The price of good wheat at Naples is 2s. 10d. sterling a bushel, or 67 cents. From any one of these places freight might be obtained at 33 cents per barrel on flour and 12½ cents per bushel on wheat, or about half the rate charged from Rochester, and one-fourth of what is charged from Ohio. Fifty thousand bushels of corn has lately been received here from Ohio at a freight of 49 cents. The duty on flour is one dollar a barrel and on wheat 25 cents a bushel. Wheat therefore can be imported from Naples and laid down at New York at 125 to 135 cents a bushel, all charges paid, and from a hundred other places at the same or a less price. Corn and rye are not burdened with a duty and may be imported to great advantage.—The countries of Europe and Asia afford stores of bread stuffs almost inexhaustible, so that the supplies for this country, if they should run to the highest possible quantity, could only affect prices in a very slight degree. Free trade will supply all our wants, and the cost with a liberal mercantile profit, will not carry prices above 150 cents for wheat, 100 cents for rye and Indian corn, 50 cents for oats per bushel, and \$7 50 for flour per barrel. So let the desponding cheer up, for no one who is industrious and frugal need starve in 1836 or '37.

OCEANIA, MALAYSIA, AUSTRALIA AND POLYNESIA.

Newspaper statistics. In Van Dieman's Land, with a population of now about 40,000, we have eight journals, viz: The Gazette, Courier, Tasmanian, Colonial Times, True Colonist, Morning Star, Launceston Advertiser and Cornwall Chronicle, or one in about 4,500 inhabitants; and if we take into account, that more than one-third of these belong to the prisoner class, and have no means of subscribing to, or reading newspapers, we reduce the proportion to one in about every 3,000. In New South Wales they have seven journals, viz: The Government Gazette, Sydney Gazette, The Herald, Australian Monitor, Commercial Journal and Colonist, distributed among a population of about 70,000, which gives about a journal to every 10,000 people. But then it is to be considered that most of the Sydney journals are, on the average, twice a week, which in fact makes, as far as number goes, but not as regards variety, the journals to be one in 5,000. There is this remarkable difference to be observed with regard to the readers in these colonies and in Europe, that the country residents, and not those in towns, are the greatest readers, (we speak from our own experience from the subscription list), the proportion in Van Dieman's Land being at least three readers in the country to two in the town.

[Hobarttown Gazette.]

The preceding extract is taken from a late number of the New York Evening Star, and we transfer it to our columns as one amongst the many existing evidences to prove that an immense revolution is in progress; a revolution which is almost commensurate with the earth. In this revolution perhaps the most remarkable event is the rise of an Anglo-Saxon empire in Australia. As this name, and also the others at the head of the above extract, have been but of comparative recent introduction into geography, therefore not familiar to every reader, we place before them the following notes:

OCEANIA.

Under this comprehensive head are included all those numerous islands, groups of islands, and all that great island continent, New Holland, which is spread over the Pacific ocean, between the two continents of Asia and America. As to mere extent on the sphere, these Oceania regions from Sumatra to Easter island inclusive, with the equator very nearly as a middle line of latitude, extends through above one hundred and fifty degrees of longitude. An area so vast demanded subdivision, and it has been divided into three great sections.

MALAYSIA.

Under this head are included those islands lying south eastward from and most nearly approaching the great continent of Asia, the principal of which are, Sumatra, Java, Borneo, Celebus, the great group of the Philippine, and the lesser isles of Sumbawa, Flores, Timor, Gilolo, and innumerable others of lesser note. The name is taken from the race of men by which these extensive islands are chiefly inhabited, the Malay.

AUSTRALIA.

Or southern continent relative to Asia. The term comprises a nucleus, New Holland, around which are engrouned Papua or New Guinea, Louisiade, New Britain, New Ireland, New Caledonia, Solomon's Islands, New Hebrides and Van Dieman's Land or Tasmania.

It is on the south eastern side of New Holland, and on the neighboring island of Van Dieman's Land. The N. English nation is rising. Already the aggregate population of the two colonies exceeds one hundred and twenty thousand, and is rapidly increasing in numbers, and still more wealth and intelligence.

The native inhabitants of New Holland and the adjacent Australian groups are a branch of the negro family, though with a marked distinction from the African branch.

POLYNESIA.

Or "Many Islands," stretch to the eastward of New Holland, and its connected groups, and to the south eastward of Malaysia. The number of islands comprised under this head, it is probable, exceeds one-half of all the land protuberances of the earth: the principal groups being those of Dadrone, Magallen, Pelew, Caroline Anson's, Mulgrave, Feejee, Friendly, Navigator's, New Zealand, Society, Cook's, George's, Mendana's or Marquesas, and Washington's and Sandwich islands. Besides those included in these groups, there are innumerable sporadic or scattered island and islets, many of which have no doubt never yet been seen by European or American navigators.

Of the inhabitants of Polynesia, those only of the Sandwich group have adopted the arts and religion of civilized life. They are of the Malay family, and in so complete a state of barbarism as to remain cannibals. Many will revolt at this, but evidence is in our hands to prove the lamentable truth of the horrid practice in Polynesia, as late as 1834.

[Pittsburgh Advocate.]

INTERESTING JURY TRIAL.

From the Glasgow Chronicle of Aug. 2.

Law of Insurance. Hercules insurance company of Scotland, and Robert Salmond, their agent in Glasgow, against John Hunter, merchant in Johnstone, and his trustees.

This case came on to be tried before the honorable lord Moncrieff and a jury, on Tuesday, 26th July, at ten o'clock. The case for the purpose was closed about half-past eight, when the court adjourned till next morning at nine o'clock. The case of the defender, the reply of the pursuer, and the summing up by the presiding judge, were concluded about 12 o'clock on Wednesday night, and the jury returned their verdict at half past two on Thursday morning. Our limits will not permit any thing more than a brief outline of the trial, which excited great interest.

Mr. Hunter, early in the year 1831, had acquired the machinery in the Winford spinning mill, near Glasgow, and right to a lease of the mill for about fifteen months, (the former tenant having become bankrupt), at a sum under £200. Immediately upon this, he obtained from a person of the name

of William Montgomery, who was afterwards employed as his servant at the mill, at the rate of 20s. a week, an offer of the sum of £565 for the same machinery, to be held apparently by him by way of lease. In the month of April of the same year, Hunter effected an insurance with the Hercules insurance company against fire, on this machinery, as under lease to Montgomery to the extent of £600.

Some time after this, Hunter purchased a quantity of old machinery, which had been laid aside by the Ference spinning company, and also some small additional articles from other articles which he fitted up in the mill. The extent of these purchases was under £200, and the mill was not fully set a going until about the month of October, 1831.

On the 27th of September of that year, Montgomery made another offer for the machinery at the rate of 13s. a spindle, and amounting to £1,450 10s. payable in ten years. On the 31st of October, Mr. Hunter proposed to the company to insure the machinery to this amount, and, after some correspondence, Mr. Salmond, upon the 22d of that month, wrote that he might hold himself as so insured. On the same night, the mill was burned to the ground.

The amount of the loss afterwards became the subject of arbitration, and the arbitrators found in favor of Mr. Hunter to the amount insured. A criminal warrant was afterwards issued, at the instance of the crown, against both Hunter and Montgomery; but they were not brought to trial. The company brought an action of reduction of the award, and the issues in that action which now came on for trial were as follows:

1st. Whether the defender destroyed the said machinery, or caused the same to be destroyed by fire, for the purpose of defrauding the pursuers of the said sum insured as aforesaid.

2d. Whether the said insurance was effected by the defender upon a fraudulent over-valuation of the said machinery, with the intention of destroying the same by fire.

A variety of documents were put in, and a number of witnesses examined on the part of the pursuers, both with regard to the value and circumstances connected with the fire. It distinctly appeared that the whole cost of the original machinery, and of that subsequently acquired, with the expense of repairing and fitting up, could not, by any calculation, exceed between £400 and £500. It was therefore contended that the over insurance to so very large an amount, especially considering the fictitious leases and various other circumstances of suspicion disclosed in the evidence, could only have been effected with the view of realizing a profit by destroying the premises.

The defender denied that there was any fraud. He called a number of witnesses who had been present at the fire. He also adduced several persons of great respectability, who stated that, in their opinion, old machinery, when fitted up and put into working order, in a mill, might fairly be valued at 13s. per spindle, and was nearly as good as new, being capable of producing yarn equally good, though at additional cost, and the expense of occasional repairs. It also appeared from the evidence that a notion was pretty prevalent in the west of Scotland, that old machinery when thus fitted up might fairly be estimated for the purpose of insurance at the value of new machinery, and that the insured would be entitled, in the event of fire to recover either the amount of the sum in the policy, or to have the mill fitted up with new machinery in place of the old.

Lord Moncrieff, in charging the jury, explained at length the nature of the contract of insurance. His lordship stated that it was not a contract under which the party insured was entitled to make a wager or realize a profit in the event of fire, but that it was merely a contract of indemnity against loss. He further observed that the amount of the loss was to be ascertained by fixing the intrinsic value of the articles destroyed and that the insured was not entitled to have old machinery replaced by new, or to recover any sum at which he might estimate the machinery, on the notion entertained by the witnesses. His lordship then went over the whole facts and circumstances of the case at great length, stating to the jury that they were bound, while considering both issues, to take into view the combined effect of the whole circumstances established on both sides, and adding that the defender was entitled by law to the presumption of innocence, and also to the benefit of the previous good character which he had established.

The jury returned the following verdict:—"Find for the defenders on the first issue, and, on the second issue, find that the insurance was effected by the defender upon a fraudulent over valuation of the machinery, but not with the intention of destroying the same by fire.

Counsel for the insurance company—The dean of faculty, Patrick Robertson and Charles Neaves, esqs. advocates—Messrs. G. & W. Napier, W. S. agents in Edinburgh, and Mr. William Neilson, writer, agent in Glasgow.

Counsel for the defenders—Duncan McNeill, and Adam Anderson, esqs. advocates—Mr. Jas. Wright, W. S. agent in Edinburgh, and Mr. Robt. Sword, writer, agent in Glasgow.

ELECTIONEERING.

A very droll and clever work is now in course of publication in London, in monthly numbers, edited by the capital humorist who chooses to call himself "Boz," and whose burlesque descriptions of incidents and odd characters are among the best things of the kind we have ever read. The title of the work is "the Pickwick Club Papers." The fifth number, which is the latest we have seen, contains a "miraculous circumstance" that is worth copying, as well for its drollery, as for the sake of the excellent hint conveyed in it, for the benefit of politicians. It is related by Sam, the coachman, to Mr. Pickwick, the hero of the tale, being Sam's father.

[Commercial Advertiser.]

"He drove a coach down here once; 'lection time came on, and he was engaged by vum party to bring down woters from London. Night afore he was a going to drive up, committee on t' other side sends for him quietly, and away he goes with the messenger, who shows him in; large room—lots of gen'l'm'n—heaps of papers, pens and ink, and all that 'ere. 'Ah, Mr. Weller,' says the gen'l'm'n in the chair, 'glad to see you, sir; how are you?' 'Werry well, thank'ee, sir,' says my father; 'I hope you're pretty middlin',' says he, 'Pretty well, thank'ee, sir,' says the gen'l'm'n; 'sit down, Mr. Weller—pray sit down, sir.' So my father sits down, and he and the gen'l'm'n looks werry hard at each other. 'You don't remember me,' says the gen'l'm'n. 'Can't say I do,' says my father. 'Oh, I know you,' says the gen'l'm'n; 'know'd you ven you was a boy,' says he. 'Well, I don't remember you,' says my father. 'That's werry odd,' says the gen'l'm'n.—'Werry,' says my father. 'You must have a bad memory,' Mr. Weller, says the gen'l'm'n. 'Well, it is a werry bad 'un,' says my father. 'I thought so,' says the gen'l'm'n. So then they pours him out a glass o' wine, and gammons him about his driving, and gets him into a reg'lar good humor, and at last shoves a twenty pound note in his hand. 'It's a werry bad road between this and London,' says the gen'l'm'n. 'Here and there it is a werry heavy road,' says my father. 'Specially near the canal, I think,' says the gen'l'm'n. 'Nasty bit, that 'ere,' says my father. 'Well, Mr. Weller,' says the gen'l'm'n, 'you're a werry good whip, and can do what you like with your horses, we know. We're all werry fond o' you, Mr. Weller, so in case you should have an accident when you're bringing them 'ere woters down, and should tip 'em over into the canal without hurtin' 'em, this is for yourself,' says he. 'Gen'l'm'n, you're werry kind,' says my father, 'and I'll drink your health in another glass o' wine,' says he; vich he did, and then buttons up the money, and bows himself out. 'You wouldn't believe, sir,' continued Sam, with a look of inexpressible impudence at his master, 'that on the werry day as he came down with them woters, his coach was upset on that 'ere werry spot, and ev'ry man on 'em was turned into the canal.' 'And got out again?' inquired Mr. Pickwick, hastily. 'Why,' replied Sam, very slowly, 'I rather think one old gen'l'm'n was missin'; I know his hat was found, but I a'n't quite certain whether his head was in it or not.—But what I look at, is the hex-tra-ordinary and wonderful coincidence, that arter what that gen'l'm'n said, my father's coach should be upset in that werry place, and that werry day!' 'It is, no doubt, a werry extraordinary circumstance, indeed,' said Mr. Pickwick."

CIRCUIT COURT.

New York, Sept. 27.

Before judge EDWARDS.

Nathaniel Carpenter vs. Merrill Coburn. The plaintiff in this suit is collector to the Daily Advertiser of this city; the defendant, a postmaster, in Jefferson county, in this state. The action was for damages for a libel. The case was given to the jury on Tuesday evening, with instructions to bring in a sealed verdict in the morning. It appeared that the plaintiff, in his capacity of collector for the above paper, had a suit, some time since, with the defendant, for the recovery of the amount of a year or two's subscription to the Advertiser, which paper had been refused by a subscriber supplied through the defendant's office, but of which refusal defendant neglected to give the publishers the notice required by law, and retained the papers for his own use. On the trial of that suit, the

plaintiff made a deposition which the defendant subsequently reported to be a perjury; and for which he obtained the indictment of the plaintiff by a grand jury of Jefferson county; but the district attorney, deeming the indictment not sustained by the evidence upon which it was found, entered a *nolle prosequi* in the case. The present suit was laid on that proceeding of the defendant, and the charge of perjury publicly made by him against the plaintiff. It was contended, on the defence, that the first suit against defendant was a malicious prosecution, as was evident from assertions made at the time by the plaintiff, to the effect that he "would make an example of this Jackson postmaster;" and that "it would have a good effect just before election"—an election being about to be held; moreover, that the defendant acted in good faith in procuring plaintiff's indictment for the alleged perjury, of which he honestly believed him to be guilty. The jury, however, deeming the defence set up inadequate to a justification, yesterday morning brought in a sealed verdict in favor of the plaintiff, 350 dollars damages and 6 cents cost. [Times.]

LETTER FROM GEN. HARRISON.

Richmond, September 15th, 1836.

DEAR SIR: Your political opponents in the state of Maryland have, for some time, been actively urging against you a new charge, that of *selling white men*, which probably had no inconsiderable effect in the recent elections in that state, and which is evidently much relied upon to influence the approaching elections throughout the United States. I enclose you a paper (the Baltimore Republican) containing the charge in full; and I beg of you, as an act of justice to yourself and your friends, to enable me to refute a charge against the uniform tenor of your life, which, I am well aware, has been replete with instances of distinguished private liberality and public sacrifice.

With the highest respect, I have the honor to be your fellow citizen, JOHN H. PLEASANTS.

Gen. Wm. H. Harrison.

Richmond, Sept. 15, 1836.

DEAR SIR: I acknowledge the receipt of your favor of this date. I have before heard the accusation to which it refers. On my way hither, I met yesterday with a young gentleman of Maryland, who informed me that a vote of mine in the senate of Ohio had been published, in favor of a law to sell persons imprisoned under a judgment for debt for a term of years, if unable otherwise to discharge the execution. I did not for a moment hesitate to declare that I had never given any such vote, and that if a vote of that description had been published and ascribed to me, it was an infamous forgery. Such an act would have been repugnant to my feelings, and in direct conflict with my opinions, public and private, through the whole course of my life. No such proposition was ever submitted to the legislature of Ohio—none such would for a moment have been entertained—nor would any son of hers have dared to propose it.

So far from being willing to sell men for debts which they are unable to discharge, I am, and ever have been opposed to all imprisonment for debt.—Fortunately, I have it in my power to show that such has been my established opinion, and that, in a public capacity, I avowed and acted upon it.—Will those who have preferred the unfounded and malicious accusation refer to the journals of the senate of the United States, 2d session, 19th congress, page 325—it will there be seen that I was one of the committee which reported a bill to abolish imprisonment for debt. When the bill was before the senate, I advocated its adoption, and on its passage voted in its favor. See senate journal, 1st session, 20th congress, pages 101 and 102.

It is not a little remarkable, that, if the effort I am accused of having made to subject men to sale for the non-payment of their debts had been successful, I might, from the state of my pecuniary circumstances at the time, have been the first victim. I repeat, the charge is a vile calumny.—At no period of my life would I have consented to subject the poor and unfortunate to such a degradation; nor have omitted to exert myself in their behalf, against such an attempt to oppress them.

It is sought to support the charge by means of garbled extracts from the journals of the senate of Ohio. The section of the bill which is employed for that purpose, had no manner of reference to the relation of creditor and debtor, and could not by possibility subject the debtor to the control of his creditor. None know better than the authors of the calumny, that the alleged section is utterly at variance with the charge which it is attempted to found upon it, and that so far from a proposition to invest a creditor with power over the liberty of

his debtor, it had respect only to the mode of public offenders, who had been found guilty by a jury of their fellow citizens, of some crime against the laws of their state. That was exclusively the import and design of the section of the bill, upon the motion to strike out which, I voted in the negative. So you perceive, that in place of voting to enlarge the power of creditors, the vote which I gave concerned alone the treatment of malefactors, convicted of crimes against the public.

I would extend this letter to an inconvenient length to go fully into the reasons which led me at the time to an opinion in favor of the proposed treatment of that class of offenders, who would have fallen within its operation, nor is such an expose called for. The measure was by no means a novelty in other parts of the country. In the state of Delaware there is an act in force, in similar words with the section of the bill before the Ohio senate, which has been made of late the pretext of such insidious invective. Laws, with somewhat similar provisions, may probably be found in many of the states. In practice the measure would have meliorated the condition of those who were under condemnation. As the law stood, they were liable under the sentence to confinement in the common jail, where offenders of various degrees of profligacy—of different ages, sex and color—were crowded together. Under such circumstances, it is obvious that the bad must become worse, whilst reformation could hardly be expected in respect to any. The youthful offender, it might be hoped, would be reclaimed, under the operation of the proposed system; but there was great reason to fear his still greater corruption amid the contagion of a common receptacle of vice. Besides, the proposed amendment of the law presupposed that the delinquent was in confinement for the non-payment of a fine and costs of prosecution, (the payment of which was a part of the sentence)—it seemed, therefore, humane, in respect to the offender, to relieve him from confinement which deprived him of the means of discharging the penalty, and to place him in a situation in which he might work out his deliverance, even at the loss, for a time, of his personal liberty.

But I forbear to go farther into the reasons which led me sixteen years ago, as a member of the Ohio senate, to entertain a favorable opinion of an alteration, which was proposed in the criminal police of the state. It is certain that neither in respect to myself, nor those who concurred with me, was the opinion at the time considered as the result of unfriendly bias towards the poor or unfortunate. Nay, the least objection which I could have anticipated, even from the eager and reckless desires to assail me, was a charge of unfriendliness to the humble and poor of the community.

I am, my dear sir, with great respect, your humble servant,
WM. H. HARRISON.

J. H. Pleasants, esq.

"REFORM OR REVOLUTION" IN MARYLAND.

On Thursday evening the 29th ult. "the largest meeting of the mechanics and workmen ever convened in the city of Baltimore" was held in Monument square, "to take into consideration the present interesting aspect of the political affairs of the state of Maryland, as they regard the conduct of the nineteen electors and a reform of the constitution of the state."

The meeting was organized by John B. Seidenstricker, who after making a few prefatory remarks stating the cause of the call and the object of the meeting nominated the following gentlemen as suitable officers to preside over its deliberations, who were unanimously elected.

Richard Marley, president; John Hays, Joseph Latty, John Soran, Richard Lilly, A. I. W. Jackson, William Clagett, James Roach, John Potter, jr. J. J. Johnson, Philip Kehoe, George Johnson, John W. Niles, John Carroll, vice presidents; Andrew Martin, George Grape, Hamlett Duvall, secretaries.

After the meeting was thus organized, it was addressed by Messrs. Gallagher and Hayman in a manner which by the applause they received, seemed to meet the entire approbation of the people, after which the following preamble and resolutions were offered by John C. Legrand, accompanied by a very suitable address upon the great and important subject of reform, and unanimously adopted:

Whereas, The form of a republican government is intended to be for the equal distribution of all its burdens and benefits—and the protection of the equal rights and privileges of the people—*And whereas*, the existing constitution of Maryland does not answer such intention, inasmuch as the very first principles of such a government are violated by an arbitrary system of representation—by a

want of just responsibility in the executive and legislative departments—by a life tenure in certain offices—and by the various abuses necessarily growing out of these anti-republican corruptions. The governor being a mere creature of the legislature, and removed entirely from any immediate responsibility to the people whose agent he is. The legislature itself in one branch being one of the most aristocratic bodies in the union, elected as it is by agents who in no way represent the view of the people and endowed with a self-creating power to fill its own vacancies for five years and judging at the same time of the qualifications of its own members. The other branch, the house of delegates being based upon no equal ratio—a white population of 80,000 in the city of Baltimore being represented by two delegates—while a like population of 8,000 in Calvert county are represented by four delegates. And further, the executive power being fashioned by an odious political machinery under the title of a council, which is totally irresponsible to the people, and shielding all its acts by a secrecy as impenetrable as that of the inquisition. And again, in direct violation of the principles of an equal government, certain offices being made lucrative monopolies by a life possession which is as gross an infringement upon the rights of the people as it is upon the republican doctrine of rotation—

And whereas, These and many more like grievances demand to be reformed; *And whereas* petition after petition—and attempt upon attempt have been made at various times to remedy these evils, but with no other effect than to be treated with scorn and contempt by a legislature holding its power, not from the majority of the people of Maryland, but through the infamous system of representation above adverted to; *And whereas*, the reliance of these minority representatives is placed in the security of a constitution which requires a concurrent act of two successive legislatures—which concurrent act is made at the same time a means of deluding the people by promises of reform, which, if fulfilled by one legislature, are only so fulfilled upon a safe repose that the act will be rejected at the succeeding session.

And whereas, The people of this state with proverbial patience have endured for years the grievances here recited, preferring, as good citizens, rather thus to suffer than at once to abolish the form of the existing constitution sanctioned by time and the authority of names entitled to the deepest veneration of every citizen of Maryland;—and whereas, the time has now arrived when the people are no longer to be cajoled by promises and professions, made only to deceive—nor are they any longer willing to sacrifice their self-respect, nor their own nor their children's rights, to the mere sentiment of veneration of a time-worn constitution, and a respect for the names of its ancient framers.

And whereas, The power to amend, change or abolish the constitution is inherent in the people, and any vested delegation of authority to a legislature is no relinquishment of the sovereignty of the people so to alter, amend or abolish the constitution in any manner and at any time, as may to them seem most fitting; and whereas, the cry of "constitutional reform" is a mere catch-word intended to delude, and meaning, even in honesty, nothing more than the concurrent acts of two legislatures above referred to, which past experience has proved carries with it not the least prospect that the demands of the people will ever be gratified, inasmuch as the act of one legislature gives no pledge, nor can it afford any security, that the next succeeding legislature will carry such act into effect: and whereas, under all these circumstances, there appears to be but one safe and certain mode of obtaining redress of these grievances: and whereas, in the words of our sacred charter of independence, it is the right of the people—"it is their duty, to throw off such government, and to provide new guards to their future security:" Therefore,

Resolved, That the existing constitution of Maryland is a blot upon the principles of republicanism, and unworthy the respect of any American citizen.

Resolved, That the constitution is the act of limitation of the people upon their agents; and that the inalienable right to annul or abolish this act has never been relinquished by the people.

Resolved, That the present is a propitious time for annulling or abolishing the existing constitution, and providing a new one more consistent with the principles of republicanism, and affording a better security of the rights and privileges of the whole people.

Resolved, That a reform of the constitution is a peaceable revolution to be deprecated only by a power-loving aristocracy and grasping monopolists; that such revolution is not anarchy—nor are the friends of such revolution either jacobins or destruc-

tives; and we hurl back these epithets with indignation into the teeth of the panic makers who have so insolently applied them to the reform party of Maryland.

Resolved, That we highly approve of the course adopted by the nineteen electors, who, representing a white population of over two hundred thousand souls, refused to meet, under the circumstances detailed in their address to the people, the twenty-one electors who have an accidental majority in the college, while they only represent a lean minority of some eighty thousand souls.

Resolved, That we have that confidence in the people of Maryland as to believe that the said refusal will meet with their hearty approbation, and be unanimously supported, in spite of threats, alarms, solicitations, or any other means that may be adopted by the office-holding alarmists or the power-loving panic makers.

Resolved, That the address adopted at Monument square, on Monday, the 26th of September, and signed by Wm. McDonald as president, and others as vice presidents, and secretaries—is a gross libel upon the workmen of Baltimore. Inasmuch as it is a covert attack upon the good sense, the independence and interest of the workingman—charging upon the friends of reform, the making of "base appeals to envy, to excite discord in the relations of employer and employed, and to make these relations of mutual benefit and protection, sources of social strife." Thus attempting to impute to the workingman, a want of right reason, in being a friend of state reform, only by the operation of appeals to his feelings of "envy"—and thereby implying, with true aristocratic presumption, that he is not capable of coming to a conclusion in the matter by the sole aid of his own judgment! That base attempt, too, which is made to rouse a proscriptive spirit on the part of the employer, is deserving of the deepest execration. By a cunningly devised insinuation, it is said that the attempt is made to excite discord in the relations of the employer and the employed; thus inviting a retaliation by which the employed workingman, it is hoped, may be driven into opposition to all effectual reform measures. We solemnly disclaim having ever been moved to make the relation of the employer and the employed, a source of social strife. We know of no connection between the question of state reform and this relation—a relation at least of as much interest to us, our wives and children, as is that between the tenure of office and the refining consequences of reform: and worthy of as much watchfulness in keeping this relation unimpaired. This attempt, therefore, to produce alarm on the part of the employers, is as heartless as it is infamous.

Resolved, That we have too much confidence in the good sense and patriotism of the employers, to believe for one moment, that this diabolical endeavor to breed discord between the workingman and the employer, will meet with any other attention than the contempt which its baseness deserves.—Peace, order and general prosperity, are as desirable to us, as to any other class of citizens. Our demand for just political rights, is neither jacobinism nor Robespierism. The constitution of Maryland is no security for these rights;—as men, therefore—as freemen—as American citizens, we now make a claim of these right, and believing in the sovereignty of the people, and conceding nothing to a mere delegated power, when that power, as it has been unwisely exercised by faithless agents, we of right may, and do recall it into our own hands—choosing a convention, rather than a legislature, to give us a pure and republican constitution.

Resolved, That whereas the opponents of reform have, in town meeting assembled, recommended to their friends to discontinue all business on the day of the election, with the view of promoting their views—Therefore, be it recommended to the workmen of this city, favorable to reform, to refrain from all business on Monday next, and at the polls exert themselves to promote the success of the cause of human rights and reform of the constitution.

RICHARD MARLEY, president.

JOHN HAYS,
JOSEPH LATTY,
JOHN SORAN,
RICHARD LILLY,
A. I. W. JACKSON,
WM. CLAGETT,
JAMES ROACH,
JOHN POTTER, jr.
J. J. JOHNSON,
PHILIP KEHOE,
GEO. JOHNSON,
JOHN W. NILES,
JOHN CARROLL,

vice presidents.

Andrew Martin,
George Grape,
Hamlett Duvall,

secretaries.

FOREIGN CHRONICLE.

Jewish disabilities. A decree has just been promulgated at Warsaw, forbidding the Jews to use the baptismal names of Christians as their first names. The ground alleged is, that the police may have better means of surveillance over them.

Statistics of Naples. The Journal of the Two Sicilies published the following census of the population of Naples for 1835, drawn up in consequence of an order of the police ministers:—The population of Naples on the 1st of January, 1835, amounted to 355,386 inhabitants; on the 1st of January, 1836, it was 357,383, of whom 166,797 were males, and 190,556 females; the increase was accordingly 1,897 individuals. In 1835, there were in Naples 14 centenarians, 2 men and 12 women, three of whom were 105 years old. 31 individuals had committed suicide in the course of that year. The population was divided as follows—6,843 civil and 1,151 military officers, 2,206 belonging to public instruction, 3,096 lawyers, 1,420 physicians and surgeons, 1,022 merchants, 1,277 artists and 105,555 mechanics, laborers, &c.

Death of Sgricci. The famous improvisatore Sgricci, died lately at Florence. He was the most celebrated of that class of poets in Tuscany, perhaps in Italy, and had cultivated his peculiar talent with much assiduity and enthusiasm. He would declaim a regular extempore tragedy on any given subject whatever, dividing it into the proper number of acts, distributing the action among a due number of personages and giving to the piece a connected plot, with all the necessary gradual increase of interest until the catastrophe. This he did with as much apparent ease as an advocate in one of our courts after the testimony in a cause is heard, makes an address to the jury. Sgricci at one time visited Paris, where his talents were the subject of much admiration and astonishment.

A party of Englishmen lately undertook, in a wager, to make the tour of France **by water.** They took the Languedoc canal from Bourdeaux to the Mediterranean and continued their course up the Rhone, till at Mulbaux, they discovered that the canal was too shallow to admit the yacht. Under this embarrassment they adopted an expedient which even Yankee ingenuity could not have surpassed. The yacht was embarked in one of the canal boats, and the adventurers without ever quitting their quarters on board of her, were comfortably transported to the Rhine, where they will proceed on their voyage.

"What's in a name?" The clerks in the English post office are ingenious at detecting letters written with invisible ink on the covers of newspapers, and such like methods of avoiding the payment of postage; but there is a class of expedients which puts their ingenuity at fault—that of making the letter a part of the name of the person addressed. A person wanted to let a friend in Dublin know that a shawl and letter sent by him had been received, and for this purpose directed a newspaper to William *Shawl-safe* Got letter Humby, esq. which, as it might or might not be a name, could not be charged.

Prince Louis Napoleon, son of the ex-king of Holland, lately presented a magnificent standard to the society of Carbineers, of Ermatingen, in Switzerland, of which he is president.

We do not know what our stage contractors and steamboat owners would say if every loss of life from mismanagement and carelessness was accompanied by as heavy a penalty as that related in the following:

An administrator of the diligences has been condemned to pay 15,000 fr. damages to a traveller who was injured by the upsetting of a diligence between Provins and Paris.

The statue of Alexander placed in the Tuilleries, is represented as being uncommonly beautiful. Guards are compelled to be stationed over it in consequence of the immense multitude who are constantly thronging to see it. It is by M. Nanteuil, and rests on the pedestal where the Prometheus formerly stood. The hero has on a Macedonian helmet, is armed with a dagger and buckler, is wounded on the right side, and has fallen on his knees in a defensive attitude.

A cargo of ice and apples had arrived at Calcutta from Boston in excellent condition, and was sold at a very handsome profit.

Scavengers. A correspondent of the London Morning Chronicle gives the following singular fact, which beats all the changes this side the Atlantic. Scavengers at this pay would soon be as rich as the richest nabobs in the land. Says the correspondent, "the parish of St. Andrew, London, formerly paid a scavenger £300 a year for cleaning their streets, which after some time being thought too much, the person engaged to do it for £300, then for £200, for £100, and finally for nothing. The parish afterwards contracted with a person who gave them £200, then £400, and now they actually receive £700 a year for the soil of their streets. Some years ago the vestry of Mary-la-bonne parish paid a Mr. Harper the annual sum of £500 for that service: then £300 was given, and so

on. At this moment, however, instead of paying anything, the vestry yearly receive from their scavenger £1,700.

Beet-root sugar. A manufacturer by the name of Cocherill, at Serasing, is now preparing twenty-seven steam engines for manufactories of beet-root sugar, and thirty steam carriages for rail roads, all for Russia.

The tea trade in London. The delivery in a single week amounted to the immense quantity of 8,654,200 lbs., being equal to one quarter's consumption. This great clearance is owing to the expiration of the time, for paying the 1s. 6d. per lb. duty on Bohea teas.

Great seizure of smuggled goods. The Journal of Verviers of the 4th of August says, "An important seizure has been made at Weert, in the province of Limburg, of 25 bales of English manufactured goods, (white calicoes), measuring 4,300 yards, and valued at 5,079 francs, which a band of 25 smugglers imported on the night of the 8th July from Holland into this country."

Sheep in Hungary and Transylvania. Great efforts are now making to improve the breed of sheep in Hungary and Transylvania, and large flocks have this year been purchased in Saxony, and conveyed to those two countries, which will soon contribute a large and additional supply of wool for the manufacturers of Europe.

A reward not enviable. By a singular oversight, the English law imposing penalties upon persons found guilty of making false entries in parish register books, provides that such persons shall be adjudged guilty of felony, and transported for 14 years. One half of the penalty, levied in pursuance of this act shall go to the person who shall inform or sue for the same. Consequently the informer would be entitled to seven years' transportation.

Amusing. The emperor of Russia has been pleased to allow the inhabitants of Bessarabia to use the Moldavian language, as well as the Russian, in all legal documents for seven years, and after that time, the Russian language only is to be adopted.

The late ancient tax called personal servitude, imposed on the people in the island of Sardinia, for working their salt mines, has been abolished.

Captain Coffin, at Boston, from Sumatra, reports that on the 7th of May, a severe gale was experienced along the whole pepper coast destroying many plantations and much pepper that had been gathered. The water was six feet deep on the plantations, by which many houses were floated away and many buffaloes drowned.

An English gentleman, at Paris, lately received a domiciliary visit from a commissaire of police, who had observed a telescope on the table of the former, and in the exaggerated apprehensions of his imagination, had mistaken it for an infernal machine. His awkward plight on discovering his error, may be conceived better than described.

DOMESTIC CHRONICLE.

Icebergs. A vessel which arrived at Warren (R. I.) from the Pacific ocean, reported having fallen in, on the 11th of June, with large ice islands, surrounding the ship and extending as far as the eye could reach. The numerous icebergs looked like a city upon the ocean, some of them rising just above the surface of the water, while many others rose to a great height in large masses—here and there was to be seen one towering far above the rest, presenting the appearance of a church spire rising amid the houses of a city. During most of the time, there was a dense fog which rendered the situation of the ship very perilous.—These icebergs were seen in latitude 54 S. longitude 95 30 W.

Oswego and Utica rail road. \$1,087,200 have been subscribed for this road in Oswego, Utica, Albany and New York. The capital is 750,000 dollars.—This important improvement will, we understand, be prosecuted with vigor to an early completion.

Lead trade. A late number of the Detroit Advertiser states that the annual transportations from the Mississippi lead mines to New York, have of late years, amounted to about 14,000,000 lbs. of lead.—This year the amount will not be less than 20,000,000 lbs. owing to opening of the new mines at Du Buque and Mineral Point in Wisconsin territory. The freighting is now done in the Mississippi, by the way of New Orleans to New York. The lead sells at 6 cents per pound in this city.

A petition is to be presented to the territorial legislature of Wisconsin, says the Advertiser, next month, for authorising a company to build a rail road from Milwaukee to some eligible point on the Mississippi, and to terminate at Cassville. The length will be about 150 miles. On this rail road, it is calculated the immense freighting from the mining district will be done and taken through our lakes and the Erie canal to New York, which can be done in less than one quarter of the time it now takes by the New Orleans route.

Distressing accident. We learn from a passenger in the Home, lately arrived, that as that boat was

touching at Portsmouth, Ohio, having on board president Jackson, the inhabitants endeavored to salute his arrival. By some unforeseen cause, the cannon was discharged prematurely, and the most shocking consequences followed. Four persons were instantaneously killed, and two severely wounded—so much so, that there is little hope of their recovery.

Maine. Ether Shepley, now U. States senator, has been nominated by the governor of Maine as associate justice of the supreme court of that state, vice Albion K. Parris, now a comptroller of the U. States treasury.

A disease termed *chorbon* is causing great mortality among the stock of Louisiana—some planters have had all their horses carried off by it, and in many instances it has proved fatal to man. Sulphur, flour of sulphur and brimstone, it is said, will effect a speedy cure.

In reference to the large estate left in England by a Mr. James Wood, the National Intelligencer says—

We are informed that Mr. Aes, of this city, is one of the nearest of kin of Mr. Wood, and that he has already placed his claim for his portion of the property in the hands of an eminent solicitor in England.—The amount of property proved is £1,800,000 sterling, nearly ten millions of dollars.

A canal is about to be constructed in Ohio, connecting the river Muskingum with lake Erie. The length of the work will be 119 miles, and it will pass over a country requiring much lockage. The cost is estimated at \$1,250,000. In connection with this work, there will be a slack water navigation from the mouth of the Muskingum river on the Ohio to the point at which the canal will commence.

Lake Superior. We learn from the Albany Daily Advertiser, that three ship locks of seven feet lift only, would overcome the falls of St. Mary, and open the navigation of Lake Superior to the shippers of Buffalo. The canal would not be a mile in length, and the ground is favorable for the work. Sixteen hundred miles of coast navigation would be added to the present amount. Vast tracts of valuable land will be opened to the public, and the boundless treasures taken from the woods, the waters and the land, would repay the trouble and expense necessary to carry out the project. One hundred thousand dollars would cover the cost of the work.

It is said that the country which would be opened to commercial enterprise by such a canal, contains millions of acres of good land, singularly connected by natural channels of water communication in the interior.

American silk. Twenty skeins of beautiful sewing silk have been made by Mrs. Lewis, of Berkley county, Virginia, the product of worms raised on her own farm. It is equal in quality to the best imported silk, and the Free Press says, that the thread is twisted and put into skeins in a style which reflects much credit upon the ingenuity of the lady who has thus commenced the manufacture of this beautiful and useful article.

Rochester and Auburn rail road. The expense of the Auburn and Rochester rail road is estimated at \$1,200,000 including the purchase of cars, locomotive power and the payment of damages, and in such case no more will be called for from the stockholders. It is said that the profits will yield 16 per cent.

That great undertaking, the Charleston and Cincinnati rail road, which is to be commenced in the ensuing spring, will cost nineteen millions of dollars—it will be a great work, and productive of immense advantages to the south and west.

Wheat. The ship Benjamin Morgan, at Philadelphia, from Liverpool, has on board 15,000 bushels of wheat.

The dog war. Six thousand five hundred dogs have been killed, and paid for, since the ordinance on the subject went into operation. [N. Y. Jour. Com.]

Southern boundary. The Sabine is the boundary between the United States and the gallant province of Texas. The boundary when positively determined, (as yet it is wanting in precision) is to run to Red river; up the same to longitude 100 west of Greenwich, thence north to Arkansas river, which is distant 275 miles; up the same to the at present unascertained head of that river, which is, like the source of the Nile, undiscovered; thence due north to latitude 42 degrees, thence due west to the Pacific. This makes our boundary to the south about 3,000 miles in extent. Upon it dwell a hundred thousand Indians. Every tree conceals a warrior. Fort Jesup is within the United States' Natchitoches is in Louisiana, but Nacogdoches is in Texas.

A just punishment. At the last session of theoyer and terminator, in Bergen county, N. J. a man named Mathias Lynch was convicted of wickedly and maliciously removing the switches, or turn-outs, of the Paterson rail road whereby he endangered the lives of forty passengers, and sentenced to hard labor in the states prison for eighteen months. He was instigated to the act by enmity towards the company, for a supposed injury suffered at the hands of one of its agents

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THE PAST—THE PRESENT—FOR THE FUTURE.

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CHOLERA IN CHARLESTON: The cholera was almost extinct, a sudden change of weather having nearly banished it from the city. A heavy white frost covered the ground on the morning of Wednesday the 5th inst. and fires and great coats were very comfortable.

MARYLAND SENATE. We publish this week communications from Dr. Duval, of Montgomery, and Mr. Linthicum, of Anne Arundel county, two of the recusant electors, in reply to certain rumors that they intended to enter the college and qualify as electors. The grounds assumed are of grave import, and have caused much discussion—but, as we cannot express our own views upon them without rendering ourselves liable to the imputation of being biased by party, we will not, at present, do more than recommend them to the consideration of our readers, as forming one of the most curious chapters that has yet appeared in the history of the "Revolution." Resolved as those gentlemen are not to enter the college, it is now pretty certain that a senate will not be elected. To meet this emergency, the "reformers or revolutionists" have held meetings in Frederick county and in Baltimore city, and appointed delegates to meet in convention in Annapolis on the 3d Monday of the next month, to devise a temporary government, (by continuing in power the officers of the state), on the presumption that the failure to elect a senate dissolves the present government. The example of Baltimore and Frederick will, doubtless, be imitated by other sections of the state, and a convention will assemble at the time and place designated. On the other hand, it is insisted that the present constitution contains the principles of its own preservation, and that the failure to elect a senate at the time specified does not dissolve it; inasmuch as the result produced by the refusal of the minority of electors to discharge the duty for which they were elected, might have been produced by fortuitous circumstances, and that no government was ever based on such contingencies—consequently, the present senators must remain in office until their successors are chosen according to the forms prescribed by the constitution. The two parties entertaining these views, it is pretty certain that they will come into open collision, and, if a proper spirit is not maintained, will greatly add to the excitement which already exists on the subject.

At the last advices from Annapolis, the majority, increased to *twenty-two* by the accession of Mr. Sellman, remained in session, adjourning from day to day.

THE FRENCH MINISTRY. Since our abstract of foreign news was in type, later European advices have been received at New York, in which it is said that, in consequence of the refusal of Marshal Soult to accept the war department, gen. Decaux has received the appointment. It is also said that M. Martin du Nord has accepted the department of commerce, thus completing the ministry, and, somewhat, restoring public confidence.

The money market is still the subject of discussion in London—but nothing of importance had transpired since the date of our extracts.

The London Times relates the following instance of retaliation on the bank for the manner in which it threw out the bills of unquestioned character.—A banker in the north, of undoubted character for great resources, was placed in the predicament above described. On hearing from his clerks what had occurred, he proceeded to the branch of the bank of England established in the same town, and, placing on the counter its notes to the amount of £140,000, demanded sovereigns for them. The manager demurred, and after some parley confessed that he was not prepared to furnish so large a sum in gold. "Be so good, then," said the indignant banker, "when you write to your masters, as to ask them how they dare to throw out my acceptances when they cannot pay their own? If there is to be an exchange of paper against paper, mine is as good or better than theirs." Content, however, with bringing on this scene of humiliation, the banker withdrew his notes, and had the forbearance not to press his just and undoubted claim. This proves how vulnerable the parent establishment has made itself by too great an extension of its branches.

VOL. LI.—SIO. 7.

BANK OF THE UNITED STATES. The "Globe," in reply to a statement of the New York "Courier & Enquirer," that the bank of the United States had "offered to pay the government for all the shares it holds of their capital at the rate of \$111 47 per cent," says—"On inquiry, we learn that no offer has been made to pay that or any other specific sum; nor to pay any sum at any particular time, or before the deposit of the surplus next January with the states, as intimated by Mr. Clay in his Woodford speech, and by the National Gazette. On the contrary, the treasury department has expressed its desire to receive any sum at the earliest day, and to credit it towards what may in the end be found due on the shares of the United States."

BALTIMORE AND OHIO RAIL ROAD. The present sheet contains the highly interesting and important report, made by skillful engineers, to the convention which assembled at Knoxville, Tennessee, on the 4th of July last, and the tenth annual report of the directors of the Baltimore and Ohio rail road company. The following gentlemen were, on Monday last, chosen directors of the latter company.—They were all members of the last board: Joseph W. Patterson, Philip E. Thomas, William Steuart, John McKim, jr. James Swan, H. W. Evans, Jacob Albert, Samuel Jones, jr. J. I. Cohen, jr. Fielding Lucas, jr. John I. Donaldson, William H. Marriott.

At a meeting of the directors, on Tuesday last, JOSEPH W. PATTERSON, esq. was unanimously elected president of the company.

TENNESSEE. The legislature of the state of Tennessee assembled at Nashville on Monday, the 3d inst. at an extra session, called by the governor, to consider the expediency of passing a law to authorize the functionaries of the state to receive their dividend of the surplus revenue, (over five millions of dollars), which will be in the treasury on the 15th January next.

MICHIGAN. We publish the proceedings of the convention rejecting the terms proposed by congress for the admission of Michigan into the union. After having thus decided, the convention appointed three delegates (*Austin E. Wing, Andrew Mack and Robert Clark*) to repair to Washington during the session of congress, to enforce the claims of Michigan upon that body, as she understands them.

ARKANSAS. From this new state we learn that on the 19th ult. AMBROSE H. SEVIER and WILLIAM S. FULTON were elected senators of the United States. The former, the well known delegate to congress from the late territory, received the vote of every member of the legislature present, and the latter, the late governor of the territory, received every vote but four.

ROBERT A. WATKINS had been elected secretary of state for four years; and a law had passed the legislature directing the mode of electing electors of president and vice president in that state to be by general ticket. [Nat. Int.]

WISCONSIN. Governor DODGE, of Wisconsin, by virtue of the law of congress passed at the last session organizing that territory, has issued a proclamation apportioning the members of the council and house of representatives of the first legislative assembly, ordering the election to be held for that purpose on the 2d Monday of October, and convening the members on the 25th of the same month at Bellemont, Iowa county. The following is the apportionment made by the governor:

	Councillors.	Representatives.
Brown,	2	3
Crawford,	0	2
Des Moines,	3	7
Du Buque,	3	6
Iowa,	3	5
Milwaukee,	2	3
	13	26

MEXICO AND TEXAS. The New York Courier of Thursday says: We have good reason to believe that general Gaines has been recalled from his command in Texas, and that col. Arbuckle will succeed him as long as our troops remain there. It is probable, however, they will be ordered into winter quarters somewhere in our own undisputed territory.

BALTIMORE INSPECTIONS. The register of Baltimore has returned the following statement of the inspections of that city for the quarter ending on the 30th ult. exclusive of returns made to the state:

50,283 barrels wheat flour.	
1,741 half do.	
8,269 barrels rye do.	
334 hds. corn meal.	
1,989 barrels do.	
98 barrels beef, foreign packed.	
29 half do. Baltimore do.	
405 barrels pork, foreign do.	
1,481 kegs butter.	
479 do do.	

RICHMOND FLOUR INSPECTION. A comparison of the quarterly returns of the Richmond flour inspector, for this year and last, shows a great falling off in the present season. During the quarter ending October 1, 1835, there were inspected in that city 43,063 bbls. During the corresponding period this year, the inspection of flour amount only to 16,123 bbls.—thus exhibiting a falling off in three months of 26,944 bbls. It should be remarked, that the harvest this year was ten days or a fortnight later than last; and that circumstance, together with other causes, tends to account for the disparity, on other grounds than that of short crops.

REVENUE OF BOSTON. The revenue that was secured at the port of Boston during the financial year 1835, was—

Fourth quarter, 1834,	\$490,415 95
First do 1835,	552,731 29
Second do do	1,086,432 73
Third do do	1,311,666 59

\$3,871,246 56
Amount of revenue that accrued during the financial year 1836.

Fourth quarter 1835,	\$643,941 33
First do 1836,	1,032,825 84
Second do do	1,090,202 81
Third do do estimated at	1,514,160 00

\$4,272,129 98
Increase of revenue over the financial year 1835, \$800,883 42.

TOBACCO. From a circular issued by the commission house of Riley & Van Amringe, of Philadelphia, it appears that the quantity of tobacco exported

From 1772 to 1775 inclusive, was 397,497,139 lbs.
From 1776 to 1782 " 86,649,533 lbs.
From 1787 to 1789 " 167,311,000 lbs.

The amount annually for the last 21 years is 99,331,000. In 1820, the quantity of tobacco raised in France was 27,406 hogsheads of 1,200 lbs. each. The export of manufactured tobacco increases with reference to quantity, but not to price.

The war of the revolution checked the tobacco business, probably by causing the Europeans to turn their attention to its cultivation.

It is remarked that 100,000,000 lbs. supply the foreign demand, and if the export in any year exceeds that amount, that of the next year is correspondently below. [U. S. Gaz.]

COTTON. Comparative view of the imports and exports of cotton into and from the whole United Kingdom, from the 1st January to the 20th instant, and of the imports and exports for the same period last year.

Into the kingdom this year.	Bags.
American	628,659
South American	94,104
West Indies, Demerara, &c.	3,723
East Indies	115,611
Egypt, &c.	18,478
Total of all descriptions	855,575
Same period last year.	Bags.
American	618,388
South American	95,890
West Indies, Demerara, &c.	4,615
East Indies	60,289
Egypt, &c.	11,632
	791,814

Increase of import, as compared with the same period last year bags 64,261

Exports in 1836—American, 12,926; Brazil 4,412; East India, 41,995; West India, 30; other kinds 20. Total in 1827, 59,394 bags. Same period in 1835, 67,050 do.

GOLD COINAGE. Statement of the deposits and coinage of gold at the mint of the United States, in the month of September, 1836.

Balance remaining uncoined, Aug. 31, \$1,228,415

Deposites for coinage.

Bullion of the United States	\$30,980
Foreign bullion	1,105
U. States coins of former standard	225
Foreign coins	238,865
	270,677

Amount of gold coinage with the month of September, of which \$285,985 was in quarter eagles 432,905

Balance remaining uncoined, Sept. 30 \$1,016,185
[Globe.]

NAVY DEPARTMENT—OFFICIAL. A board of examination composed of naval surgeons, is directed to convene in the city of Washington on the 1st of November next.

The board will consist of doctors Thomas Harris, Wm. Turk, Samuel Jackson, Thomas Williamson and M. Morgan, and is convened for the purpose of examining assistant surgeons for promotion.

Assistant surgeons whose commissions bear date anterior to the 1st January, 1833, who have served *two years at sea*, have permission to present themselves to the board, and are required to report at the time and place above mentioned, to Dr. Harris, president of the board.

BANK OF ENGLAND. *London, Aug. 29.* The quarterly return of the weekly liabilities and assets of the bank of England, from the 31st of May to the 23d of August, presents the following results on comparison with the like return made up to the 26th of July: The circulation of the bank of England has increased in the sum of £121,000, and the deposits have increased in the sum of £301,000. The securities in the possession of the bank have increased in the amount of £1,030,000; whilst during the same period, or rather since the last monthly return, the stock of the bank to meet liabilities in paper and deposits the same in effect, to the amount of £32,857,000, has been reduced to £6,325,000, which is £601,001,000 less than on the last return. The amount of the rest has increased in the small sum of £7,000. On the half year, that is, from the 9th of February, the stock of bullion has decreased in the sum of £146,000, but the circulation has increased in the sum of £634,000. On the year, the stock of bullion has decreased in the sum of £1,000; but the circulation has increased in the sum of £279,000; and notwithstanding the large investments in hand, the deposits on the year have increased in the sum of £45,000.

From the N. Y. Express.

The advices by the arrivals from England will have a most important bearing upon the money market in this country, and upon our internal improvements. The bank of England, it seems, is making war upon American merchants. See the letter below.

Correspondence of the New York Express.

Liverpool, Sept. 1st.

"We delayed writing for the purpose of getting the most correct information respecting the existing discord between the American merchants and the bank of England, the latter having taken a bold stand and refused to discount any and all paper where the name of the following houses appeared, viz: Barings, Browns, Wiggins, Wildes, Morrisons, Crydens & Co. Wilson & Ligard. The president and directors of the bank do not doubt the solidity of all these houses, but they say that their object for adopting this course was to check the exportation of gold, which has been immense this last quarter; and also to stop the lodgements of American securities, which increase the paper currency without increasing the circulating medium.

We know that there have been large exports of gold to the states on stock security; it increased the discounts and reduced the means of the bank, although the loan was not directly effected with the bank, yet its deposits were reduced by those who did take it. Barings assisted Mr. Jaudon to this loan, and wholly by keeping it quiet, getting a few thousand dollars at a place.

We are exceedingly glad to inform you that the affair has come to an amicable adjustment, the par-

ticulars of which have not been made known here, but no doubt will in a day or two. Mr. Wm. Brown and two of the directors of the Liverpool Joint Stock bank, left here by post and four on Monday for London, and returned but last evening; and, as the "Times" does not allude to the affair, we feel confidence in our communication. The directors of the bank were convinced, by pursuing the course they had adopted, it would lead to the complete prostration of the object they wished to attain. In our next we shall be able to give you more minute particulars. Money is scarce and discounts high. Yours, &c.

"AWFUL DISCLOSURES OF MARIA MONK." A book with this title, published in New York, purporting to contain the disclosures of a woman named *Maria Monk*, of the doings of the priests and nuns in the nunnery of the "Hotel Dieu," at Montreal, Canada, of which she said she was an inmate for several years, has created much excitement in some sections of the country. It represents the priests and nuns as living in a state of the most abandoned prostitution, and murder as the common resort to destroy the infants produced by their crimes. The particulars are of the most horrible and disgusting character, yet so managed as to impose upon those whose minds were already blinded by prejudice. As might have been expected, a very earnest discussion ensued between the friends of *Maria Monk* and the friends of the nunnery—and various propositions to test the truth of the charges by an inspection of the premises were discussed without coming to any positive arrangement. In this state of the case, the nunnery was recently carefully and critically examined (*Maria's* book in hand) by *Wm. L. Stone*, esq. the editor of the *New York Commercial Advertiser*, who was on a visit to Montreal, and he has, in a detailed statement of his examination, proven, beyond the shadow of a doubt, every charge of *Maria Monk* to be false, and that she never was within the walls of the nunnery! Col. Stone thus closes the narrative of his visit.

"I will therefore now close this protracted narrative, by expressing my deliberate and solemn opinion, founded not only upon my own careful examination, but upon the firmest convictions of nearly the entire population of Montreal—embracing the great body of the most intelligent evangelical Christians, that *Maria Monk* is an *errant imposter*, and her book in all its essential features, a *tissue of calumnies*. However guilty the Catholics may be in other respects, or in other countries, as a man of honor and professor of the Protestant faith, I most solemnly believe that the priests and nuns are innocent in this matter. WILLIAM L. STONE.

New York, October 8, 1836."

APPOINTMENT BY THE PRESIDENT. Samuel L. Lightfoot to be surveyor of the port of Norfolk and Portsmouth, in the place of Arthur Taylor, jr. deceased.

HEIGHT OF MOUNTAINS. The height of the different mountains and hills above tide water between Baltimore and Wheeling, Virginia, as taken by the survey of the national turnpike, furnished us by a correspondent from authentic information.

[*Georgetown Metrop.*

	Feet.		Feet.
Cumberland,	537	Woodcock hill,	2,500
Wills mountain,	1,000	Laurel hill,	2,412
Frostburgh,	1,792	Monroe,	1,065
Big Savage mountain,	2,534	Union town,	952
Little Savage do.	2,480	Canly's hill,	1,274
Coranby hill,	2,437	Brownsville,	833
Red hill,	2,437	Krepps hill,	1,041
Meadow mountain,	2,550	Belville,	1,110
Little crossings,	1,979	Hillsborough,	1,750
Negro mountain,	2,825	Eggnory hill,	1,532
Key's ridge,	2,845	Washington,	1,406
Winding ridge,	2,534	Claysville,	1,552
Smithfield,	1,405	Alexandria, Va.	1,795
Barren hill,	2,450	Wheeling hill,	850
		Wheeling city,	748

SCALE.

One mile,	5,280 feet.
Half a mile,	2,640 do.
Quarter of a mile,	1,320 do.
Eighth of a mile,	660 do.

B. RATHBUN—AGAIN! We learn from the *Buffalo Journal* of the 1st instant, that B. Rathbun was arrested on the morning of that day, on a warrant granted by a justice of the peace in Batavia, Genesee county, on a charge of forgery. His bail immediately applied for a writ of *habeas corpus*, and he was brought before judge Stryker. After hearing he was remanded to the custody of his bail by

whom he was forthwith handed over to the custody of the sheriff, and recommitted to prison.

Mr. Rathbun's property at Buffalo has sold altogether better than was expected. His creditors, it is thought, will get all their demands, principal and interest.

POPULATION OF THE UNITED STATES IN 1836.

The population of the United States, at the present time, may be approximately estimated as follows:

Maine, the north eastern most	555,000
N. Hampshire, south of Maine	300,000
Vermont, bordering on Canada	330,000
Massachusetts, most densely peopled	700,000
Rhode Island, with the least territory	110,000
Connecticut, the most agrarian	320,000

Aggregate of the north eastern states 2,315,000

New York, the most populous	2,400,000
New Jersey, the thoroughfare state	360,000
Pennsylvania, the banking state	1,600,000
Delaware, the narrowest state	90,000
Maryland, the water state	500,000

Aggregate of the middle states 4,950,000

Virginia, the largest state	1,360,000
North Carolina, the modest state	800,000
South Carolina, the palmetto state	650,000
Georgia, the southern most state	620,000

Aggregate of the southern states 3,430,000

Ohio, the thrifty state	1,300,000
Kentucky, the bagging state	800,000
Indiana, the improving state	550,000
Illinois, the prairie state	320,000
Michigan, the lake state	120,000
Missouri, the north western most state	250,000

Aggregate of the western states 3,340,000

Tennessee, the central state	900,000
Louisiana, the south western most state	350,000
Alabama, the cotton state	500,000
Mississippi, the river state	500,000
Arkansas, the least populous	70,000

Aggregate of the south western states 2,220,000

District of Columbia	50,000
Florida, with the most extensive coast	50,000
Wisconsin territory	20,000
Oregon, or the far west	5,000

Aggregate of the territories 125,000

Indians 400,000

The entire population within the limits of the United States, Indians included, amounts therefore to 16,800,000

CANAL TOLLS. The tolls collected on the New York state canals from the 15th to the 30th of September, amount to the sum of \$136,156 16. The collections for the whole month of September, amount to \$243,261 74. This sum exceeds the receipts for tolls in September, 1835, by the sum of \$12,674 30.

The Erie canal tolls for the month of September, compared with 1835, have been diminished at the offices named below as follows, viz:

Rochester, about	\$4,000
Lyons,	2,500
Albion,	2,500
Brockport,	2,300
Syracuse,	4,750
Schenectady and Fultonville,	1,500
Little falls,	1,000
Montezuma,	1,500
Rome,	500

\$20,550

At Lockport and Palmyra the tolls are about the same as in September, 1835. The failure of the wheat crop in many of the western counties has materially affected the tolls at most of the places above enumerated.

There has been an increase of Erie canal tolls in September over the same month in 1835, at several offices, as follows, viz:

Albany	\$11,642 99
Troy	1,925 50
Utica	1,000 00
Salina	600 00
Oswego	1,132 52
Geneva	1,132 00
Buffalo	9,746 61

Total \$27,079 62

The increased toll at Buffalo is principally paid upon products coming from the far west, and the increased toll at Albany and Troy is principally paid upon merchandise for the same region.

If the tolls from the first of October to the close of navigation, are the same this year as in 1835, the total receipts on all the canals for the navigation season of 1836, will amount to the sum of 1,620,000 dollars. [Argus.]

SUB-MARINE FORESTS. The singular discovery by professor Hitchcock, in the Vineyard sound, of which he took note in his geological survey of the commonwealth, pretending that forests of trees had, probably at some period anterior to this, flourished in the bottom of the sound, was made on the fact that many stumps of trees firmly rooted in the sand are found in the bed of the harbor of Holmes's Hole. The singularity of this discovery led us to inquire of a very old gentleman, who resides on the shore near the spot, in relation to its probable correctness. He says he clearly recollects when the spot where the stumps now are was a meadow, protected from the wash of the sea by banks of sand on either side; that he cultivated corn on the spot; but that, in process of time, the sand banks gave way, the meadow was overflowed, and has at length become a navigable portion of the harbor. The stumps, therefore, which are now found upon the bottom, but are annually becoming fewer in number, were, in all probability, those of trees which grew upon dry land, and have no relation to professor Hitchcock's new cognomen of "sub-marine forests." [New Bedford Gazette.]

ANOTHER SLAVE CASE. We are informed that a colored man was discovered on board a vessel in the harbor on Saturday, by some colored men who were passing the vessel, and he making signs to them, they approached him, desirous of ascertaining his wants, but were not allowed to come along side. Supposing all was not right, they made known the circumstances to S. E. Sewell, who immediately furnished a writ of habeas corpus, but no sheriff being at home the writ was not served. Meanwhile the captain of the vessel becoming alarmed, obtained a writ and had him committed to prison for debt, twenty-five dollars, being the charge for his passage. The place and cause of his confinement was, however, soon discovered, and the necessary bail being furnished, he was of course liberated, and by this time is probably well on his way to Canada. He is said to be a fine looking youth of about eighteen, possessed of a good degree of intelligence. It seems that he escaped from Norfolk by secreting himself under a deck load of lumber, with a supply of provision, but the deck load being washed over-board on the passage, left him exposed, and the captain continued his voyage with the intention of returning him to his owners at an early opportunity. [Boston Journal.]

OUR WANTS. The following paragraphs, published editorially in the last number of the Red River (Natchitoches) Gazette that has reached us, are copied by us for the benefit of whom they may concern:

A Protestant preacher wanted. From the late ordinance of the trustees of the town of Natchitoches, by ordering the stores, &c. to be shut up during that part of every Sunday when Divine service should be attended, indicates a due respect for religion and morality, most praiseworthy; but that inestimable ordinance loses the good effect as intended, in consequence of our having no place of Protestant public worship where our pious inhabitants can meet together in thanksgiving and prayer.

A Protestant preacher well to look upon, and of good report, would be kindly received at Natchitoches.

A dancing master wanted. Some eight or ten years ago we had in Natchitoches an excellent dancing master and fiddler; unfortunately he lost his life by an improper use of that quack composition of Le Roy. Since which no gentleman of that profession has visited this town; during the administration of the much lamented Durant, the inhabitants were much benefitted by his instruction.

"Dignity and grace were in every motion."—Since, a manifest difference is observable.

A dancing master, well recommended for his morality and professional qualifications, would meet encouragement at Natchitoches.

BLANNERHASSETT'S ISLAND. A correspondent of the Boston Atlas gives the following description of this island, which is situated on the Ohio river:

"Just below the town of Parkersburgh, lies Blannerhassett's island, which Wirt's highly wrought description has made celebrated. We approached this spot about twilight, and lay moored near to it

all night. Without any romance, the island did appear to much advantage. We first saw it at its northern extremity, which, as the river sweeps by on both sides, forms a shore in the form of a crescent, fringed with trees. The new moon was in the east, and her reflection was on the water, while the crimson and purple tints on the western clouds were also thrown upon the unbroken surface of the Ohio, just in advance of the black shadows of the trees. This island is, I believe, nearly a mile and a half in length, while its average width must be less than an eighth of a mile. It is well wooded, and the shores on each side are very picturesque. But alas! for the shrubbery that Shennstone might have envied.' The garden walks of Blannerhassett are overgrown with weeds and with tangled wild grass, where the copperhead and the rattlesnake glide unmolested. And alas! for the music that might have charmed Calypso and her nymphs,' which once resounded among these sylvan shades! We heard nothing of it, unless 'Old Hundred,' chaunted forth by some of our passengers as we lay moored by the island, may come under that description. You can see no vestige of the mansion of Blannerhassett, except a few moss-covered stones and shattered bricks. A wilderness waves above the ashes of his home."

PROSPERITY IN ENGLAND. It would seem new towns are springing up in England almost as rapidly as in our own country. We find the following in the last London paper:

"Heywood. The cotton spinning and power loom weaving is very brisk. Joiners, bricklayers, &c. are scarce. Nearly 400 houses have been built, or are now in a state of erection."

What a contrast this to the days of England's military glory! Then every branch of industry was paralyzed, the cries of poor, starving laborers came up in groans, and riots, and shouts of revolution.—Now peace has spread quiet and prosperity on every side. [Journal of Commerce.]

TEA DRINKING IN ENGLAND: It would seem by the following extract from Mr. Rush's late work on England, that tea is in a fair way to supersede gin:

"We proceeded on towards Greenwich. Going through the streets and stopping a moment, an incident arrested my attention. A woman stood at the door of a house where cheap refreshments were sold. Some laboring people passing along, she called out to ask if they would take tea. It was about one o'clock. Houses of this kind, I understood, were not uncommon in London. I had myself observed tea sold in the streets near Charing Cross, by huckster women, who obtained the boiling water by means of coals in a pan, or a lamp. In a country where the wines are not produced, the first step to temperance is small beer, the next tea. The national schools in England have done much towards ameliorating the condition of the people. The use of tea has co-operated, by doing more of late years, probably, than any other physical cause, towards lessening the appetite for ardent spirits. It acts not so much by reclaiming old drunkards, as diminishing the stock of new. What a sight to see this woman beckoning men to tea, instead of drams! The use of tea in England is universal. It is the breakfast of the wealthy as of the poorer classes. On passing to the drawing rooms from the sumptuous dinner table, the cordial cup of Mocha is first brought in: but after an interval, tea is also served. A general in the duke of Wellington's army told me that, when worn down with fatigue, there was nothing for which the officers in the peninsula war used to call so eagerly as tea. Servants in London take it twice a day, sometimes oftener, and the occurrences at Greenwich show the taste for it to be spreading among laboring classes at all hours. What strong motives are those in countries where tea is used, for the law-makers to reduce the duty on its importation to the lowest possible point, or for abolishing it altogether."

GALVANISM. M. Magendie has reported to the French academy of sciences some successful results arising from the application of galvanism to a young patient, a Polish officer, who for five years had been perfectly deaf, dumb and deprived of all taste. Several modes of treatment had been adopted at Vienna and Trieste, without success, but M. Magendie, by directing the galvanic current to the nerves affected, has reproduced sensibility in those of hearing and taste, and is now trying to restore the power of speech.

THE VINE AND OLIVE. M. Lakanal has addressed a report to the French academy of sciences, containing his experiments concerning the naturalization of the vine and olive in the United States.—

It appears they have been unsuccessful, and that he is now obliged to abandon the attempt; concluding that, as all his endeavors have failed, it is matter of responsibility. At Kentucky, after rearing various sorts, in various soils and aspects, he procured grapes which dried up before maturity, and the wine of which immediately turned to vinegar. The fruit of the olive would not ripen in any instance.

A MACHINE, ON A NEW PRINCIPLE, FOR RAISING COALS, WATER, &c. "The construction of this power is very simple, and its steady operation is quite assured. Its chief agent is a pair of wheels, or, if necessary, a series, moving with their diameters in the direction of the weight to the used—say the shaft of a mine. Taking the one pair of wheels, moving on the same fixed axis, we find that from the end of a radius or arm in each a chain descends, so as to hang on opposite sides of a square passage. To each chain are suspended, at different but regular distances, quadrangular frames, to the upper sides of which strong projecting iron rims, moving on the principle of the hinge, are attached. The boxes, or receptacles for the weight to be raised, have corresponding edges on each side. When the wheel above is turned, and a single box below is placed in connexion with the lowest frame, it is caught by its rim, and with one revolution of the wheel is sent up as high as the frame on the opposite side to that on which it is borne; here it is again caught and sent up to the apparatus on the opposite side again; and so on, by alternate transmission, it is brought to the top of the shaft. The machine being kept constantly laden below, and its wheel constantly turned above, it follows that at each revolution of the wheel a box is delivered; and thus, in an exceedingly short space of time, a vast body of matter can be carried up through any depth of shaft. [The raising of water is performed by means of the same machinery, only buckets with valves in the bottom are used instead of boxes.] The machine could be most humanely employed, in great mines, in quickly sending the workmen up or down, to save them from their present tedious and tiresome expedients for that purpose." [Mining Journal.]

UPPER CANADA.—BURNING SPRING NEAR HAMILTON. It is a matter of some regret to us that we have never before directed public attention to one of the greatest natural curiosities to be met with in, perhaps, the whole world, and that, too, within a few miles from our thriving town. We are alluding to the burning spring, which, as some of our readers know, is situated in the township of Barton, near the wealthy and pleasant settlement bearing the auspicious name of Albion. It is more with a view of directing the attention of scientific persons to the phenomenon, than of attempting to describe its appearance, that we now make any observations respecting it; and it is not without surprise that we think of the length of time it has passed disregarded, except by a few.

More than twelve years have elapsed since the properties of the burning spring were first discovered by some of the early settlers in its neighborhood, since which its medical virtues have been frequently proved by the invalid of the woods, whilst its inflammable qualities have caused many a bit of fun to the boys around. But it is comparatively unknown; and were it not for the occasional visits paid by some very adventurous visitor from the old world, who prefers using his own eyesight to taking on trust the opinions of others, it is likely that scarcely an emigrant would think it worth his while to go to see it. It is to be hoped that a subject so interesting as the development of the qualities of the water will not much longer be neglected.

LOWER CANADA.—THE CRISIS. We are in possession of the Quebec papers of Saturday, and Montreal of Monday. The house of assembly, after an extended and exciting debate, has adopted an answer to the king's reply to the address of last session, which brings the difficulties between the popular and conservative branches of the government to a crisis. The address does not allow the minister's assumption that their proceedings, in the last session, arose from misapprehension, but persists in all former demands, and in the resolution to withhold all supplies, and to cease the exercise of all legislative functions, until those demands are granted. Among these demands are some to which the parent government can never assent, at least not until the constitution of that government shall have undergone a radical change. Of course, Lord Gosford has no other alternative but to dissolve the parliament. The Quebec Mercury adds of the answer of the house:

It clearly shows that no good can result from the authorities in Downing street continuing to bandy words with these agitators; they must act vigorously and promptly, for greater evils will arise from following a system of "insinuation, parley, and base truce," than from a manly resistance to the revolutionary spirit which is now arrayed against the government and constitution as it at present exists. The address concludes with some favorable expressions toward the governor, personally, which his excellency can hardly receive as a compliment, coming, as they do, at the tail of a tirade against the measures which his lordship's friends have adopted in regard to this colony.

The Montreal Courier of Monday says:

THE CRISIS MAY NOW, THEREFORE, BE SAID TO HAVE ARRIVED. We are glad of it, and would call upon all who dissent from the party proceedings of the house of assembly, and those who scorn to be the slaves of a national faction, to consider well what energetic measures they must now adopt for their own and their country's interest. Something must be done.

ELECTIONS.

PENNSYLVANIA.

The general election in this state was held on Tuesday last, and a variety of returns are before us, from which we gather the following particulars.—The city and county of Philadelphia comprise three congressional districts. In the first, col. Paynter, (V. B.) is elected by a majority of about 500 votes over Joel B. Sutherland (opposition). In the second district, composed of the city of Philadelphia, the whig candidates, Sergeant and Toland, are elected—

For John Sergeant, (whig)	5,330
Geo. W. Toland "	5,315
John M. Read, (Van Buren)	2,945
Morris Longstreth "	3,078

In 1834 the average whig majority for congressmen was 1,884. The vote in 1834 was a good deal larger than at present—the highest whig candidate having received 5,589, and the highest administration candidate 3,710.

In the third district the contest was between Mr. Harper (V. B.) and Naylor (whig), and it is stated that the former has been elected by a small majority.

The whigs carried their entire city ticket; also the county commissioner, auditor and coroner; while the Van Burenites have elected their members of the legislature in the county by a small majority.

The votes in each congressional district and county will be given in our next; and from the returns before us, it is certain the result will show a considerable Van Buren gain both in the legislature and in congress.

NEW JERSEY

From New Jersey as from Pennsylvania the returns are incomplete and cannot be relied on with much certainty. The results are, as far as heard from, council 6 whigs and 1 Van Buren—assembly 22 whigs and 3 Van Buren. There are fourteen counties in the state: those to be heard from elect 7 councilmen and 22 assemblymen. Particulars next week.

From Ohio we have no returns.

GEORGIA ELECTION.

The state of Georgia is divided into ninety counties, returns from twenty-nine of which give the following results of the congressional election:

Union ticket.	States' rights ticket.
Glascok, 18,823	Alford, 12,184
Cleveland, 10,881	Black, 12,109
Coffee, 10,657	Colquett, 12,181
Grantland, 10,854	Dawson, 12,283
Haynes, 10,900	Habersham, 12,152
Holsey, 10,830	Jackson, 12,135
Jackson, 10,827	King, 12,118
Owens, 10,866	Nesbit, 13,172
Towns, 10,928	

MISSOURI ELECTION RETURNS—COMPLETE.

Governor.

Briggs (adm.) 14,315 | Ashley, (oppo.) 13,075

Lieutenant governor.

Carmon " 13,942 | Jones " 10,210

Congress.

Harrison " 16,470 | Owens " 7,533
Miller " 15,129 | Strother, unknown 1,477
Birch (opposition) 10,007 | Wetmore " 259

[Globe.]

MARYLAND ELECTIONS.

The following complete our returns of the delegate election in this state.

Allegany county.

Whig.	Van Buren.
Bruce 903	Buchanan 888
Smith 904	Perry 887
Mitchell 842	Berry 870
Raymond 776	Hamm 797

Kent county.

Whig.	Van Buren.
Usilton 601	Greenwood 447
Primrose 589	Spencer 447
McDaniel 594	Miller 442
Price 592	Hurt 430

Calvert county.

Whig.	Van Buren.
Duke 376	Parran 379
Billingsley 375	Kent 364
Laveille 373	Allnut 342
Smith 361	Barber 327

WAR IN FLORIDA.

A letter received by the editor of the *Fredericksburgh* (Va.) *Arena*, dated Fort Heilman, Sept. 27, states that there are, at that post, only about 150 men out of eleven companies fit for duty, of 90 men of the company to which the writer is attached, he says that there are not ten able to do duty, and that, "instead of being able to make a summer campaign, the men are unable to stand the climate when stationary; instead of being able to advance into the enemy's country, we have had to retrograde. Micanopy was abandoned in consequence of its breaking down the men escorting wagon trains laden with provisions. We have had to fall back upon Black creek to which place provisions can be brought in steamboats. General Scott has been censured for not carrying on the campaign during summer—it would have been absurd to attempt it. He did all that any general could under the same circumstances. The nature of the country was the great cause of his failure. He had to contend against the obstacles which nature threw in his way, and not against the Indians, who hover about, deliver their fire, and fly off, without the possibility of getting at them. They have trails through their immense hammocks, with which they are familiar, and in this way they harass us with impunity.—General Jackson never advanced into these hammocks; he never penetrated farther than the Suwannee river, and he had friendly Indians who could ferret out the hostiles, so that he could get at them. A new campaign is about to open, but no one can anticipate the result. There are about 3,000 men now in the territory. Gen. Call has advanced as far as the Suwannee with the brigade of Tennesseans, and the militia of West Florida, making 1,900 men. General Jesup is advancing from Tampa Bay with about 800 regulars and 600 Indians, while major Pierce, the commanding officer at this fort, will advance, soon, with about 200 regulars, and form a junction with gen. C. at Camp King."

The Indians lately attacked a house near Orange Pond occupied by Mr. and Mrs. Updegraff, and killed them both.

Gov. Call has made a requisition on the states of Georgia and South Carolina for volunteers or militia to be sent immediately to Florida. He expects to have upwards of 6,000 men in the field in twenty days.

The *Apalachicola Gazette* of the 24th ult. says: Between nine hundred and a thousand friendly Creek Indians, under those brave and intelligent chiefs, Paddy Carr and Jim Boy, and about 200 United States marines, have arrived here during the past week, in the steamers La Flora, Rein Deer, Hyperion, Minerva and Ann Calhoun, destined for the seat of war in the peninsula, to operate against the Seminoles. These friendly Indians have been in the service of the United States in the late campaign against the hostile Creeks, and have ever acted in the best faith towards their white allies, and have evinced the utmost bravery and good conduct in the field.

It is stated, says the *Federal Union*, of the last of September, that general Jesup has ordered major Dearborn, with about two hundred United States regulars into Lowndes county, for the protection of that and the surrounding country against the depredations of Indians. It is anticipated, that when operations shall be renewed in Florida, parties of Creek Indians, perhaps accompanied by their Seminole allies, will return through our south western counties to their ancient homes; and this force is designed, we learn, as a preparation for such a state of things.

Creek Indians. The *Huntsville* (Ala.) *Times* of the 27th ult. mentions that a body of about 2,500 Creeks, under charge of the removing agent, colonel W. A. Campbell, passed through that place on the previous Thursday, for their new residence beyond the Mississippi. They are stated to be the Upper Creeks, and chiefly from the counties of Benton and Talladega. They were to proceed by land to cantonment Gibson. The *Times* says—The whole nation, about 18,000 in number, are said to have commenced their journey to the wilder regions of the far west, where, if they do not find

more congenial homes, they will at least be free for a while, from the avarice and cupidity of the white man.

FOREIGN NEWS.

From London and Liverpool papers to the 10th of September, received at New York.

GREAT BRITAIN AND IRELAND.

The condition of the money market, caused by the refusal of the bank of England to discount the bills of certain American houses (see page 96) is still the subject of discussion in the British prints. The latest intelligence is contained in the following extract of a letter from the London correspondent of the *New York Commercial*, dated September 10. "Opinions are as much divided as last week among those not practically acquainted with the system which has been adopted for some time past, connected with the speculations to which we have just referred. Although the effect has been to increase the difficulties of obtaining money among the merchants and manufacturers generally, still it is believed, as we mentioned in our last week's report, that the bank has adopted the most politic course to avert the contemplated evils.

"A very high rate of interest has been given to negotiate American paper, since the bank notices were issued; and although our merchants and manufactures will be subjected to temporary inconvenience by the rise in the rate of discounts, speculation has been checked, which, not the least doubt exists, would, sooner or later, bring about a reaction to the injury of this country. The foreign exchanges have not, however, yet taken a decided turn in favor of this country, there having been, yesterday afternoon, rather an abundance of money, and a scarcity of bills. The state of the crops in many parts of America, and the necessity which will exist for considerable importations of grain into the United States, will, however, give a turn to commercial operations, which, with other circumstances, leaves little doubt but that specie will soon begin to flow back to England. Shipments of bonded grain have already been commenced across the Atlantic, to some extent; and it is estimated that but for the check imposed upon the facilities hitherto afforded in obtaining discounts, at least 50,000 quarters of grain would have been in the course of exportation to American ports.

The Americans, according to the latest commercial advices, were making preparations for entering into contracts for the importation of wheat and other descriptions of corn, to make good the deficiency in the produce of this year's crops. The circumstances just noticed, it is therefore confidently expected, will prevent any farther extensive drain of the precious metals, and will turn the balance of trade in favor of this country, and this too without the recurrence of any panic in the commercial world, which the alarmists in the city are so confident must be the result of the advance in the rate of interest by the directors of the bank of England."

Liverpool, Sept. 6, 1836. Immediately on the return of the deputation, the bank of Liverpool made known they were ready to disclose all the acceptance offered to them of the house in question.—We have now in this town and in Manchester 14 joint banks, whose money capital amounts to about £5,200,000. This is not a small sum. The responsibility which they conjointly offer in other respects, cannot, in the lowest view of it, be taken at less than £20,000,000 more. Prices of manufactures at Manchester are rather looking down; the purchases for export are diminishing.

The notion of a trial of strength between the joint stock banks and the bank of England has frequently been hinted at, and the growing strength and importance of those in Lancashire should prepare the public for some demonstration on their part at no great distance of time. If the state of opinion here, however, on this subject is to be truly stated, we should say, that objectionable as the management of the bank of England has been in many respects, the great majority of men of property would think it a far greater evil that the currency should tell under the direction and control of joint stock banks. They would wish the bank of England to be reformed on many points; to have its management confided generally to men of a superior character; and to see it perhaps a bank of issue, and nothing else, but to be placed in any degree at the discretion of its country rivals, with less responsibility, less experience and with infinitely more temptation as well as opportunity to commit errors fatal to the whole community.

The proper effect of the mere threat of such a contest should be to draw the attention of the government the sooner to the reform which is desired is the administration of the bank of England, without which the contest will, at all appearance, shortly come on. Ministers have probably been told,

or entertain the persuasion, that the bank is out of their reach during the continuance of the charter, but the directors have brought themselves into a state to require advice and assistance, to maintain their character and the dignity of the corporation with the trading interest, and would, therefore, probably be as docile and tractable as if they were now on the eve of a negotiation for another charter.

FRANCE.

The French papers announce the formation of the new cabinet, which is thus stated:

Count Mole, minister for foreign affairs and president of the council.

M. Guizot, minister for public instruction.

M. Gasparin, minister of the interior.

M. Perail, minister of justice.

M. Duchatel, minister of commerce.

Admiral Rosamel, minister of marine.

Marshal Soult, or Molitor, minister of war.

Count d'Argout resumes his former post as governor of the bank.

This arrangement brings the *doctrinaires* into power, and will incline the government to the Russian policy, to the extinction of the *quasi* alliance with England. It is also said to be the precursor of the reinstatement of the duke de Broglie as president of the council and foreign minister, which posts will be speedily vacated by count Mole.

Count Mole, the prime minister, was born in 1780. His father perished on the revolutionary scaffold. He is a member of the institute. Napoleon noticed him by making him pass through the different grades of *conseil d'état*. In 1814 he coquetted with the government of Napoleon, at first accepted office, but shrunk from going on with it, and refused to sign the declaration that Napoleon drew up. Nevertheless, after the second restoration, Messrs. Talleyrand and Pasquier put his name on the list of peers. Count Mole is said to be a timid and circumspect man, and so fearful of committing himself, that his tenure of office will probably have elapsed ere he has arrived at taking one decision. Count Mole is thus by nature an anti-interventionist. These qualities should have secured for count Mole the confidence of the Parisian monied class. But his supposed leaning to Russia, rather than to England, produced a fall in the French funds. It was said that M. Thiers was preparing to pass some time in Switzerland and Italy, but the *Journal des Débats* pretends that he is going to Belgium and Holland. Another journal says that he is going with marshal Maison to an estate which the marshal possesses near Dusseldorf.

There have been some arrests at Paris, under the apprehension of an intended insurrection of the garrison; but it is more than probable that this is a mere *ruse* of the police under the new ministry, as an apology for a more rigid system which they intend to pursue.

Reports of these plots and counterplots have gone so far as to allege that another attempt has been made to take the life of the king, and to make him and the royal family prisoners. That such disposition constantly exists among a large portion of a people so remarkable for their restless temperament and desire to change, no one can doubt; but that any immediate plans to dethrone the present dynasty exists, is questionable. The guards, however, at the chateau de Neuilly, where the king was residing, seem to have been augmented. The *Droit* alludes to the subject thus:

"A plot was laid for surrounding the prefecture of police, setting the building on fire, and at the same time making an attack upon the palace of Neuilly. A republican council was, during the whole of the time, to remain sitting at the house of a wine dealer in the Rue Valois-Batave, and thence direct the proceedings.

"Of all this the prefect of police had timely information from his secret agents, and reinforced the municipal guards whom he stationed with several brigades of *sergens de ville* in the court yard of his hotel. The troops were closely confined to their barracks, cartridges were distributed to them, and they remained with their muskets loaded ready to march at a moment's notice."

The *Messenger* says—The garrison of Paris consists of 24,000 men; 12 or 15 regiments of cavalry and infantry, amounting to 25,000, were in barracks within 25 leagues of the capital; and there are at the camp of Compiègne 30,000 men. Thus an army of 70,000 men, that is a third of the whole army, now guard the capital.

SPAIN.

Madrid papers to the 31st of August, had been received in London. No more disturbances had taken place up to that date. The queen regent had issued a proclamation, addressed to the Spanish people, promising a faithful and sincere adherence to the constitution of 1812, but announcing that the said constitution will be revised and amend-

ed by the cortes, to be assembled for that purpose on the 24th of October.

In addition to this document, the queen regent has published an exposition of the present state of affairs throughout the kingdom, signed by the ministers. They recommend the immediate enrollment of all unmarried men and widowers without children, between the ages of eighteen and forty, in the national militia, to be employed in garrisoning the fortresses, thus leaving the regular troops free to march and fight against the Carlists. The queen has issued a decree, in fulfilment of this recommendation.

A forced loan of 200 millions of reals has been ordered. Also, in compliance with the ministerial recommendation, a decree has been prepared and published, directing the sale of church property, and appropriation of the proceeds to state purposes. This decree is to be submitted to the cortes.

There is little news from the seat of war. One of the Carlist generals named Castor is said to have been defeated in Biscay, and on the other hand there is a report of Gomez (Carlist) having surprised Palencia, in Leon, and levied a contribution of sixty thousand dollars. Don Carlos is said to have left his army, and gone, of all places in the world, to Paris. Conjectures are rife as to the object of this movement. A letter from Bayonne says that Don Carlos goes to Paris to obtain surgical assistance, being much afflicted with the stone.

The provincial junta of Cadiz had been dissolved on the proclamation of the constitution, and the example was expected to be followed by the other juntas.

Senor Isturitz, the late minister, had arrived in London.

The new ministry had despatched a large reinforcement to the army of the north; the accounts say fifty thousand men, but this, we think, must be a mistake. Five thousand is probably nearer the mark. The Portuguese auxiliaries had set out on their return to Portugal.

M. Mendizabal had been appointed by the queen to a sort of supplemental office in the financial department, being commissioned to provide funds for the speedy termination of the war.

Gen. Mina was so very ill that his life was considered in extreme danger.

On the whole, the aspect of affairs is rather favorable to the queen. Don Carlos was very much in want of money, and unless the ultra liberal spirit which is now triumphant in Spain is carried to the excess of revolution, it is probable that the civil war will soon be brought to a termination. The constitution of 1812 is more formidable than an army to Don Carlos.

GREECE, TURKEY AND MALTA.

The Boston Post of Saturday, has a letter from Malta, dated August 13th, from which we extract the following items of intelligence:

Information has been received within these few days, of the death of Mr. Marino Lazzaro, the first American vice consul at the Dardanelles; all American travellers who have stopped at this town, while a pass through the straits was being obtained from the Turkish authorities for the vessel in which they were passengers—or, as was the case with the writer, arriving at night, fatigued from an overland journey from Stamboul, will regret the loss of so hospitable and intelligent a person.

Commodore Porter still remains at this place—he is quite feeble, but during his three months visit, his health has been gradually improving. S. D. Heap, esq. United States consul at Tunis, is also here with his family—the only Americans, Messrs. Catlin, of New York, Dr. Ferris, of do. and F. C. Oliver, of Boston, were at Constantinople the last month, on their way to Russia. Messrs. Door and Curtis, of Boston, were a short time since, travelling in Greece, and making their way to Alcona.

The same letter mentions the mysterious disappearance of Mr. Cowper, purser of the British frigate *Portland*, who went on shore at Corinth, in company with some of the frigate's officers, parted from them to rejoin the ship, and had not been heard of after. The frigate remained six days at Corinth, which were vainly employed searching for him. It was feared that he had been robbed and murdered, or had fallen into one of the deep pits among the ruins in the neighborhood of the town.

BRAZIL.

Rio Janeiro papers of the 14th August have been received by the New York "Courier & Enquirer," brought by the barque *Eunomus*, captain Endicott, from that place. They contain intelligence of the restoration of tranquillity in the city and province of Para, and of the re-establishment of the authority of the imperial government of Brazil.

On the 11th April, the new president assumed the reins of government at Tatuca, an island in the river Amazon. On the 19th he caused some

vessels under the command of captain Maryatt, to reconnoitre the island of Carnapijo, where the rebels had constructed a small fortress which was destroyed. From thence he proceeded with all his squadron to the island of Uaraperanga, carrying with him his prisoners and establishing there a military station. Expeditions were then sent to different points in possession of the rebels, from all of which they were consecutively driven, and afterwards, notwithstanding considerable resistance, the Brazilian squadron succeeded in completely blockading the town of Para. On the 12th May indications were perceived from the vessels of an intention on the part of the rebels to abandon the place, and at 3 o'clock on the afternoon of the following day they left the port in thirteen small armed vessels were pursued by the light ships belonging to the squadron and some destroyed. On the same day the president landed at Para with four hundred men, and on the day following he disembarked all his forces, and established himself in full possession of the capital. Many of the rebels dispersed, and the rest fled to the upper Amazons pursued by the Brazilians.

On the 14th August the princess Donna Januaria having attained her fifteenth year, took, before the legislative chambers, the oath required by the constitution, that she would maintain the Roman Catholic religion and the laws of the state.

The treasury at Rio Janeiro was robbed between the 23d and 25th July of 5,000 millions Reis in paper money.

MICHIGAN—OFFICIAL.

STATE OF MICHIGAN—IN CONVENTION,

Ann Arbor, Sept. 27, 1836.

Whereas, the congress of the United States, by an act entitled "an act to establish the northern boundary of the state of Ohio, and to provide for the admission of the state of Michigan into the union, upon the conditions therein expressed," approved June 15th, 1836, did enact and declare, "that the constitution and state government which the people of Michigan have formed for themselves be and the same is hereby accepted, ratified and confirmed; and that the said state of Michigan shall be and is hereby declared to be one of the United States of America, and is hereby admitted into the union, upon an equal footing with the original states in all respects whatsoever," thereby acknowledging our constitution as republican, and in accordance with the constitution of the United States, and the ordinance of 1787.

And whereas, congress have also in the said act inserted a proviso proposing a radical alteration of our southern and south eastern boundary, secured by the articles of compact contained in the aforesaid ordinance of 1787, and which, if acceded to by the people of Michigan, would deprive us of all jurisdiction over the waters of Lake Erie, and gratuitously bestow on Ohio the exclusive jurisdiction on the waters of the said lake, from the Pennsylvania line to the mouth of the Detroit river; a gift, the extent of which (we believe) neither congress nor the state of Ohio fully comprehend; and have required the people of this state to give their assent to the aforesaid change of boundaries, by a convention of delegates to be by them elected.

And whereas, the legislature of this state, without any authority derived from our constitution, by an act entitled "an act to provide for the election of delegates to a convention," refer particularly to said act of congress, and seem to adopt it as the basis of their action, and to acknowledge the power therein assumed by congress.

And whereas, this convention taking into consideration the just rights of Michigan, as respects her southern and south eastern boundary, and also her constitution, embracing that part of our territory claimed by Ohio, and believing that the assent required by the said proviso cannot be given by us, without a palpable violation of our constitution, (which provides the only way in which it can be amended, and over which this convention have no control), without a sacrifice of our rights and interests, and without committing an act of self-degradation, therefore,

Resolved, That this convention cannot give their assent to the proposition contained in said proviso—but the same is hereby rejected.

AFFAIRS OF TEXAS.

We published the other day a statement of Messrs. Wilson and Postlethwaite, whose characters for integrity and veracity were amply vouched for, concerning the state of affairs in Texas. To that publication a reply of considerable length has been made in the Louisville Journal, by gen. Chambers, (an agent of the Texans), which reply contradicts the statements of the first named gentlemen in very plain terms. There seems to us to be a propriety,

having copied the first statement, to copy also so much of the reply as is in the nature of *testimony* conflicting with that of the returned emigrants. In that view of the matter we make the following extracts from the publication of *gen. T. J. Chambers*, to which the editor of the Louisville Journal gives entire confidence and credit: [Nat. Int.]

[EXTRACTS.]

Disappointed in his ambitious pretensions to rank, and finding that no lands were to be had in Texas without first fighting for them, Mr. *Wilson*, it seems, determined to abandon the country, and march back the "Ladies' Legion" to old Kentucky. But his influence was not sufficient to bring back more than 30 or 40 of the brave 300 that left Kentucky with him; the balance nobly determined to join the army, and seek the enemy; and they were received, as Kentuckians ever will be received by the lovers of chivalry, with an enthusiastic and hearty welcome.

The facts as set forth in this statement of Mr. *Wilson's* "march to Texas and back again" are established by a variety of testimony in my possession; but the following letters upon the subject will be sufficient to satisfy the public. The two first are from lieuts. *Combs* and *Brashear*, very respectable young officers attached to col. *Harrison's* battalion from this city, now with the main army; the third is from the commandant of the post of Galveston; and the other is from Dr. *Read*, of the Texian army, a gentleman of high respectability, well known in Cincinnati:

Extract from the letter of 1st lieut. James Combs, of capt. J. P. Price's company, dated

"Near Matagorda bay, Texas, Aug. 12, 1836.

"DEAR SIR: We reached this place on Sunday last. The army is about twenty-five miles from us, and it is thought the next move will be for Matamoras. Colonel Harrison started up Red river. It is thought he is in Velasco, where the cabinet is now sitting. We saw colonel Wilson at Galveston. He has gone back with forty or fifty men; the balance, a part of two companies, are now encamped on the same ground with us. There are also two other companies within seven or eight miles of us. I suppose, when all of us join the army, it will consist of nearly twenty-two hundred men. Provisions are not so scarce as they expected they would be. There are three vessels now in the bay that have just been unloaded of provisions and clothing. Wild deer and cattle are innumerable on the prairie.

"J. COMBS.

"Dr. A. W. Hynes, Bardstown, Ky."

Extract of a letter from W. P. Brashear, 2d lieut. of capt. J. P. Price's company, dated

"Matagorda bay, on board brig Hope, Aug. 6, 1836.

"Head quarters are ten miles above Victoria, as we hear. They will be moved to Copano in a few weeks. An expedition is had in contemplation against Matamoras, as we have heard. Colonel Wilson, Burch, and about forty of the volunteers who came with them, returned on board the Flash to the United States. Burch told me their intention was to make a publication of facts, which would prevent another volunteer from coming to Texas. The fact is, they are disappointed in getting the offices they wanted, or those they came for. They then persuaded some men to return with them, that it might appear better; but were I there, (i. e. United States), and know what I now know, I should come, (i. e. to Texas).

"W. P. BRASHEAR."

Commandancy of Galveston, July 31, 1836.

SIR: The strange, and to me unaccountable circumstance of colonel Wilson's returning immediately back to the United States with some eighty of the men he brought out here with him from Kentucky, will no doubt cause some surprise in New Orleans, and be the matter of much speculation and conversation. Colonel Wilson sent, and brought with him, near 200 men: a majority of whom have determined to remain, notwithstanding a respectable minority have determined to return. Colonel Wilson speaks of being uncivilly treated by the cabinet, and is evidently disappointed in not receiving as high a commission as promised him by major Ira R. Lewis; and which, according to the regulation of the present government, he was not entitled to. Be that as it may, that any circumstance should have turned up to cause colonel Wilson and so many men to return without reporting for service at all, is a matter of serious regret.—Some of those returning are under an impression that no bounty land will be allowed to those "coming in after the 1st July;" which is not the case, as all those who come and serve Texas will be rewarded with land, notwithstanding they may have come in at the eleventh hour. Col. Wilson is represented as a very worthy and influential man; therefore, one

of his influence and popularity returning so unexpectedly and under such circumstances, may injure the cause of Texas materially. Colonel Wilson will have been at considerable expense in this business, independent of having to defray the expense of those men returning to New Orleans; I presume he does not expect the government to pay their passage, &c. out here. Captain Bridges has colonel Wilson's receipt for 90 odd men landed at Galveston; but there will be 80 odd returned in the Flash—more or less.

Respectfully, your servant.

P. S. At the time of writing the above there is some uncertainty how many men will go back.

Cincinnati, Ohio, Sept. 17, 1836.

DEAR SIR: I left Velasco on the 12th August, several days subsequent to the departure of col. Wilson, at which time volunteers were continually coming into Texas in great numbers, and were received in the most favorable and welcome manner. The universal opinion of all, civil, military and citizens, was, that those who came in after the 1st July would receive lands proportionate to their services. In a conversation held with president Burnet, I understood that col. Wilson's dissatisfaction arose from the fact that government could not grant him the commission of colonel, because he had not the complement of men to entitle him to that rank. With the exception of a small number who returned, the remainder of col. Wilson's battalion joined the main army, and I hope will never dishonor the flag, presented by the generous, patriotic and chivalrous ladies of Kentucky.

I have the honor to be, with sentiments of respect, your friend and obedient servant,

EZRA READ, M. D.

Gen. T. J. Chambers, Texian army.

But, to show at once their total recklessness of what they assert in this matter, and to make it evident that they have formed a picture drawn wholly from imagination. I will subjoin the following note from captain G. F. Lawrence, who is well known in Cincinnati as a gentleman of respectability and scrupulous veracity. Captain Lawrence went out to Texas as first lieutenant of captain Allen's company from Cincinnati, a short time before the "Ladies' Legion" marched from Lexington, and returned with a captain's commission. He is now in this city with a fine company of emigrants, and will shortly leave for Texas.

Cincinnati, Sept. 17, 1836.

DEAR SIR: As regards your inquiries of me respecting the discipline of the army of Texas, I take pleasure in stating that, as far as I am acquainted, (having done duty for several weeks at Galveston island), the army is under the same discipline as that of the United States, there being a regular roll-call of each company, and a regular guard mounted for camp duty daily, as in all camps of the United States, and reports of the same made to the commandant of the post. I was still at Galveston island when captain Postlethwaite arrived there with the Kentucky volunteers, and neither he nor colonel Wilson went to the west, where the main army was, during their stay in Texas. Respectfully, your obedient servant,

G. F. LAWRENCE, capt. Texian army.

To gen. T. Jeff. Chambers.

REPUBLIC OF VENEZUELA.

U. S. consul, La Guayra, Aug. 31, 1836.

To the editor of the United States Gazette:

SIR: I hasten to transmit to you a translated copy of an order or decree just published, on the subject of banished individuals, and interesting to our merchants. And remain your ob't serv't,

BENJAMIN RENSCHAW, U. S. consul.

TRANSLATION.

Department of state, office of the interior on Domestic affairs, Caracas, 24th, Aug. 1836.

To the hon. secretary of state for foreign affairs:

SIR: The government having taken into consideration the several communications addressed to it by the charge des affairs of his Britannic majesty and the United States, as likewise of the consul of France, relative to the resolution of the 19th July last, and perceiving that they have not been able to avail themselves of the whole term therein specified, in order to give the necessary information to the commercial community of their respective nations, in consequence of the secretary for foreign affairs not having been able to communicate said resolution at an earlier period: and further, being anxious to give every facility to the mercantile interests of friendly powers, consistent with good order and the security of the republic, has resolved,

Firstly, That the above mentioned resolution of the 10th July last, shall be no longer in force in all cases, where the captain of any vessel bringing into

a port of the republic one or more of those who fled the country, or were expelled (fugados o repulsados), shall deliver them over to the local authorities, in order that they may be dealt with according to the laws of the country.

Secondly, That if any captain of vessel bringing into a port of the republic one or more of the said description of persons, (fugados o expulsados) under their own proper name, or it shall be proved that he has brought them under any other name, being privy to the fact of their identity, and the authorities should think proper to order them out of the country, the captain will be compelled to maintain them at his own expense during their stay in port, in any place designated by the said authorities; and will be required to re-embark and take them whence they came. On the prosecution of their voyage, or to any port without the country, under a penalty by bond of 500 dollars, which shall remain in force until a certificate he produced from the authorities of the port of his or their disembarkation, proving that he or they have in fact been so disembarked.

And 3dly, That the term of 40 days allowed in the former resolution of 19th July, shall be extended to 60 days, commencing from the date hereof.

I have the honor to communicate the above in answer to your note of 19th instant, and to state that under this same date I have apprized the governors of the different provinces of this new order.

I remain your ob'd serv't,

(Signed)

J. S. RODRIGUES.

(True copy.)

(Signed)

GALLEGO.

A PEEP AT CHINA.

From the Whitehaven Herald, (England).

We have great pleasure in publishing the following letter, not merely as coming from the pen of our respected townsman, captain PINDER, but as furnishing the most graphic and interesting description of Chinese manners which we have met with since the voyage of M. Gutzlaff. Captain PINDER is so well known in the mercantile world, that it is, perhaps, unnecessary to state that, after extensive experience in almost every part of the globe, he has for some years been engaged in the trade to Canton, to which port he has conducted more vessels from England than any other man living, and, from the important mercantile operations which he has conducted, has enjoyed more opportunities of close observation than falls generally to the lot of occasional visitors. At the date of the letter he was employed in loading a large vessel for Mr. Brocklebank, of Liverpool.

Canton, Feb. 22, 1836.

MY DEAR SIR: The joyous days of mirth and glee, the new year, are now in the meridian of their sunshine in China, a memorable anniversary in the Celestial Empire, and proving so very interesting to me that I write you a brief description of what has crossed my observation. The new year's day of China is mutable, and regulated by the moon; this year it falls on the 17th February. It is the Chinese custom to settle all accounts, pay all debts, and receive all balances before the close of the old year; for, agreeably to their law, no claim can be made after the new year commences. Commerce has, in consequence, for several days, been totally suspended, paying and receiving money being now the staple occupation; and it is interesting to witness the general bustle that prevails—merchants and tradesmen enveloped in books and accounts; coolies (laborers) hurrying along with baskets of dollars in whatever direction you turn; the servants even exact from you the last cash (a small copper coin). Every house, shop and hong undergoes the same process of ablution, being the only time during the year that this is performed. The eager anxiety to be traced on the countenance of each at the near approach of this momentous epoch is discernible to all, and particularly about 11 o'clock at night of the last day, when despatch in the truest form now assumes its mastery to those whose business remains uncompleted, and with a throbbing pulse many dread the expected peals of the signal gong that proclaims the old year over. The myriads of gongs that follow, and the incessant explosion of crackers, would lead you to believe that the heat of the battle of Waterloo could be but faintly compared to it; and this is continued without intermission for several days. Next are seen merchants, shopkeepers, tradesmen, &c. &c. with hurried steps, winding their way to Joss houses, (temples), with their thin-chin (a sort of prayer on paper) which they commit to the flames of a burning caldron, on an altar, in front of the Joss (Chinese god). There, after sundry superstitious gestures, they prostrate themselves, with their foreheads knocking the ground three times. This is a prayer for luck, thanks for that which they have received, and a

supplication that all devils may be driven from their dwellings. The continued noise of the gongs is to assist in frightening them away; their religious rites being performed chiefly by fire, the crackers are to carry them (the devils) from them.

On the morning of the new year commences the scene of rejoicing and a week of festivity and enjoyment: all thought of sleep is banished from their minds, and they seem determined to deprive every one else of that pleasure, for nothing but the noise of crackers, each with a report equal to that of a pistol, is to be heard; and each house is supplied in great abundance for this occasion. Instruments of discord, not of music, are sending their any thing but tuneful notes out of almost every hoing and shop on the astounded ear; above all, the changing gongs, sweet music to Chinamen, are in constant use. I was also astonished at the universal cleanliness in the dress and person of all, but particularly the lower class; each Chinaman with a head clean shaved, except the crown, from which is pendant to the heels a neatly plaited tail. A new suit of clothes could be discerned on all, not certainly of a Bond street cut, but of one admirably adapted to the climate, and enveloping men often with bodies and limbs that even an Englishman might envy. In these holiday clothes it was difficult to recognise your own servants. Maternal pride at this interesting moment seemed to divest itself from its former sluggishness, and to triumph for a few days over poverty and labor. The lower class of females in China have to rear and support themselves and children, and often the husband also. Many of those matrons have frequently ferried me over the river in their garbs of labor, when those little urchins dangling by their side, dressed in clothes of red, green, yellow and blue, were crawling about the boat in the clothes that nature had given them, with one only necessary appendage, a kind of life-buoy, slung round between their shoulders, to save them from drowning when they tumble overboard—a bath which, perhaps involuntarily, they often take. I frequently thought I could trace a smile of self-gratification on the countenance of those dames when passing a rival sister of the skull or oar, and a significant toss of the head, enough to say, "my children look better than yours."

Old times have been recalled to my memory in witnessing the sports and games going on here: although different in a small degree from those practised at our fairs at home, many bear a near resemblance. Those pastimes in England pursued only in the years of boyhood are practised here with anxious solicitude from the youth of seven years to the gray beard of three score and ten. Gambling, which at all time, I think, is more prevalent in China than any other part, is now carried to great excess: you can scarcely walk five yards without meeting a group squatted on the ground at this seemingly interesting occupation: even the beggars, more numerous than I ever witnessed in any other part, relax from their former labors, throwing off the look of melancholy, disease and death, and enjoying the *otium cum dignitate* of those around them, staking their "cash" at the dice. While those amusements are passing among the lower classes, the rich are not idle. We find them engaged in visiting and being visited. The hong merchants and others have their apartments decorated in gay splendor, with tables groaning under the loads of pyramids of cakes, sweetmeats and fruits; the most fragrant scents in abundance; and flowers of every description meet the eye in every direction.

We have also sing-songs; alias theatres, but they do not eclipse Drury Lane or Covent Garden; tragedians, but not equal to a Kean; comedians, so truly ridiculous that they would make a Liston laugh. We have singers, but their notes are not a "concord of sweet sounds." We have dancers, not on "the light fantastic toe," but clogged in 11-8 inch of pine. We have pirouettes that would astonish Taglioni or Celeste; but perhaps the English admirers of this dance would be disappointed in the too modest performances of the Chinese ladies.—The massy profusion of silk and satin with which the opera ladies here are adorned is such that all the rotary motion their agility can give to the anatomical forms is scarcely sufficient to raise the dreamy folds of their robes more than to convince the spectator that long full trowsers may show an ankle that a Vestris might envy. Not being acquainted with the Chinese language, I can say nothing relative to their drama; judging from view, I should suppose it to be no mean performance, with the exception of the scenes of nature frequently personified in a manner repulsive to the ideas of civilization. We have the Gatee Gardens—no bad resemblance to Vauxhall; and the blazon of China beauty in richest splendor there displayed. To those gardens the most respectable of the Chinese ladies with their children, resort in the evenings of

these holydays, and thread the avenues with the crippled step of the little foot, painful to the feelings of a European. Beauty, although of a peculiar description, they can boast; but, not content with cheeks and lips of nature's coloring, by artificial means they attempt to outvie the lily in the former, and "the red, red rose" in the latter. I find myself quite unequal to the task of describing their dress, bespangled and bedecked with jewels and silks of costly price. All the above mentioned sights, and many more, the "outside barbarians" are freely admitted to as spectators. I must add, that the last week is the most interesting of any experienced in China, and regret that in the limits of one sheet I cannot enter into details as I wished.

Since my arrival, through the occurrence of a most destructive fire, and at the moment of their greatest confusion, I got within the walls of the city, so strictly prohibited to all foreigners. I perceived little of any interest to cause seclusion, or to note herein. On another occasion, I was one of the many foreigners, consisting of English merchants and shipmasters, to take a petition inside the city gate, to be presented to the viceroy, for the release of the *Faerie Queen's* letters, from Liverpool, and the second officers in charge of them, unlawfully detained by a Mandarin. We were detained four hours, pent up between the inner and outer gates, before a decisive promise could be obtained for the grant of our petition. The foyeun, or next in authority to the viceroy, held several audiences with us through the linguists, and seeing our determination to remain there till the object we had come on was concluded, he consented to lay it before the viceroy. Previous to this, tiffin (lunch) had been sent for; and when, in the midst of a serious debate, two coolies heavily laden with sandwiches, wines, &c. made their appearance, the debate was cut short, and the foyeun's ears deafened with three of the most hearty cheers he ever heard. At this insult, he ordered the soldiers to charge. Busy at a different occupation than fighting, the charge was at first successful in causing a small retreat; but, immediately forming a complete body, and rallying with no other arms than sticks, the lost ground was regained, and the soldiers driven outside the wicket—proving the magnanimity of Chinese soldiers, when 40 or 50 Englishmen could keep at bay at least 1,000 Chinese. The foyeun was not a little surprised to observe the cool indifference with which the English, after recovering their ground, enjoyed a hearty meal, each with a stick in hand at his post. Many were the imprecations he uttered on us, and "Fanquai!" or, white devils, was often heard. He left us, and soon returned with all we required. Again three cheers announced that our business was done. Three of our party received light wounds, and from the active motion of many of our sticks some sore heads would be felt next day by the Chinese. They fought with pikes of hard wood, sharp at one end.

Before concluding, I have to add that we have had here lately a fall of snow, said to be never witnessed before in Canton by the oldest inhabitant; and as it was the occasion of many anecdotes among the astonished natives, I add a few: A respectable Chinese, when asked what he considered snow like, replied "cotton and goose-tails." One person bottling snow, when asked for what purpose, replied "to make his stomach cold when he had the fever in hot weather"—thermometer at the same time 90 to 96. Groups were seen working it into all kinds of grotesque shapes, and afterwards taking it to the fire to harden. Others, where the sun was powerful, watching with the greatest anxiety its gradual decay. Some remarked that the Fanquai, not content with coming themselves to China, had brought Fanquai with them. Such, then, is the wisdom of those sage men of China who are pleased to designate us barbarians, and more frequently by a less respectful name! I remain, yours truly,

J. PINDER.

THE HINDOO EXHIBITION.

We export ice to the East Indies, and import the natives. Certainly there are no bounds to American enterprise. Although Hindostan has been so long part and parcel of the British empire, such an exhibition has never been carried to England. Indeed the collector at Calcutta expressed his surprise as these figures passed the custom house, and insisted that they were not the work of Hindoos.—One can hardly realize, as he enters the hall, that a voyage of four months will place him in the midst of a population of nearly a million of human beings such as he sees before him. Whatever may be the errors of the Hindoo faith, their conduct, in many instances, affords examples that may be beneficially imitated by the most enlightened nations. During the past year the celebration of the Doorga Poojah was continued nearly three weeks; and the streets

of Calcutta were thronged day and night; yet not an instance was observed either of quarrelling or of intoxication.

The Hindoo character has been drawn in the brightest and darkest colors. Missionaries generally represent them as worse than other heathens; while sir Wm. Jones speaks favorably, and the marquis of Hastings and bishop Heber, unite in describing them as amiable and virtuous.

Their mode of trade seems peculiar; many amusing accounts are given, among which may be found

THE FAIR OF MAKERIEFF.

On the confines of Europe and Asia, and near the Wolga, is situated the miserable village of Make-reiff, celebrated for the great fair which is held there in July every year.

There we find assembled people of all nations, and merchandise of every description. Among the most remarkable articles for sale, and perhaps the most interesting to the ladies of Europe, must be mentioned the shawls of Cashmere. One of my friends having had an opportunity of attending as a witness at the purchase of a parcel of these manufactures, has given me an account of the transaction, which appears so curious that I think the detail will be amusing. The conclusion of a bargain for shawls always takes place before witnesses. Having been asked to attend in that capacity, I went to the fair with the purchaser, the other witness and a broker, who was an Armenian. We stopped at a miserable house, which was however the abode of a rich Hindoo, and being ushered into the cellar, beheld eighty large packages piled against the wall—parcels of the most valuable shawls are sold without the purchaser seeing any more than the outside of them; yet he buys by a descriptive catalogue procured by the broker from Cashmere. He and his witnesses and brokers, (for he sometimes has two), all sit down. He does not however say a word; every thing being managed by the brokers, who go continually from him to the seller, whispering in his ear, and taking him to the farthest corner of the cellar. This negotiation is continued till the price first asked is so far reduced, that the difference between that and the price offered is not too great; so that hopes may be entertained of coming to an agreement. The shawls are now brought and the two principals begin to negotiate. The seller displays his merchandise and extols it highly; the buyer looks upon it with contempt and rapidly compares the marks and numbers.

This being done, the scene becomes animated; the purchaser makes a direct offer, the seller rises as if to go away. The brokers follow him crying aloud and bringing him back by force; they contend and struggle; one pulls one way, and one the other; it is a noise and confusion of which it is difficult to form an idea. The poor Hindoo acts the most passive part; he is sometimes even ill treated. When this has continued some time, and they think they have persuaded him, they proceed to the third act, which consists of giving the hand, and is performed in the most grotesque manner. The brokers seize upon the seller and endeavor by force to make him put his hand into that of the purchaser, who holds it open for the purpose, and repeats his offer with a loud voice. The Hindoo defends himself; he makes resistance; disengages himself, and wraps up his hand in the wide sleeves of his robe, and repeats his first price in a lamentable voice.

This comedy continues a considerable time; they separate; they make a pause, as if to recover strength for a new contest;—the noise and struggling recommence;—at last the two brokers seize the hand of the seller, and notwithstanding all his efforts and cries, oblige him to lay it in the hand of the buyer. All at once the greatest tranquillity prevails; the Hindoo is ready to weep, and laments in a low voice that he has been too hasty. The brokers congratulate the purchaser; they sit down and proceed to the final ceremony—the delivery of the goods. All that has passed is *mere comedy*; it is, however, *indispensable*, because the Hindoo will by all means have the appearance of having been deceived and duped. If he has not been sufficiently pushed about and shaken, if he has not had his collar torn, if he has not received the full compliment of punches in the ribs and knocks on the head, if his arm is not black and blue from being held fast to make him give his hand to the buyer, he repents of his bargain till the next fair, when it is very difficult to make him give his hand on any terms. In the above affair the Hindoo demanded 230,000 roubles, and came down to 180,000. A new dispute arose about the time of payment, which, however, being finally settled, the whole party knelt down to pray.

My prayer was fervent and sincere. I prayed Heaven to be pleased to cure the women of Europe, as soon as possible, of their extravagant fondness for this article of luxury. We then separated, and each went his way.

OFFICIAL ROGUERY.

From the Boston Morning Post.

The following article contains an authentic and detailed statement of the dishonesty practised by John Reed, late constable of this city, on a young convict, Archer, from whose effects he abstracted a diamond breastpin. It is interesting, as exhibiting the great opportunity possessed by police officers to prey on the friendless and unprotected prisoners who may fall into their power, and demonstrates the necessity of selecting for such officers men of sterling integrity and respectability, that they may not, while enforcing the law upon offenders, at the same time bring disgrace upon it, and render it a mere instrument of rapine and cruel oppression. The public have not only to guard against "judge law," but also against constable law:

STATEMENT. In the month of July, Samuel Archer was arrested in the city hall, in the very act of picking a gentleman's pocket, by constable John Reed. The public papers of the day praised Reed very warmly for his skill and perseverance in following up and securing the adroit young rogue. Geo. W. Phillips and Geo. T. Bigelow, esqs. were counsel for Archer, and he described the property that Reed had taken from him after the arrest, viz: clothes, a diamond pin, and a diamond ring, and upwards of \$70 in money. He no doubt had that sum of money, as but a short time before he picked a gentleman's pocket of more than that sum. This property remained, according to law, in Reed's possession, until the case was disposed of in the municipal court.

Reed told the counsel that he would keep the articles all safe, but said that the pin was of *no value*, and that the money amounted to only about fifty dollars. Archer was convicted on the 12th of August, and he gave his counsel an order on Reed for his property, to be placed in the custody of the warden of the state prison till the expiration of his sentence. Reed delivered the clothing and fifty dollars, keeping back six, as he said, for compensation for taking care of the rest; the ring and pin he was to return at another time.

A day or two after, Reed handed to the counsel the diamond ring, but, instead of a *diamond* pin, he only returned a common pin of no value. He insisted upon it that he took both the pin and ring from Archer. The pin differed so entirely from the diamond described by Archer, that the counsel at once suspected Reed of an attempt to rob the very pickpocket he had received so much credit for capturing. They communicated their suspicions to the warden of the state prison, who, without hinting the object of his inquiry, induced Archer to describe his pin minutely; differing in every particular from the one returned by Reed, which was then shown to Archer, who promptly said it was not his. There was now but little room to doubt that Reed had played the cheat. Upon inquiry at J. Bigelow's jewelry store, it was ascertained that Josiah Gooding had spoken of buying such a pin of a constable. Mr. Gooding was then called upon, and he stated that he had bought such a pin of Reed for \$25; it was produced, and corresponded in every particular with the description given by Archer; and when it was carried over to him, he instantly claimed it as his.

Possessed of these facts, the counsel sent for Mr. Reed, and first stated to him their suspicions, without giving him their reasons for them; he showed some agitation, but affirmed that the pin he gave them was the very one he took from Archer; they then presented the diamond pin, and told him he was deceiving them, that this was Archer's pin, and what he had done with it. He still denied the fact; said that he did sell that diamond pin to Mr. Gooding, but that he had it a year ago of a man in Providence for debt, and had worn it sometimes. There was still no legal evidence against Reed, as Archer was a convict, and consequently incompetent. Presuming on this as his protection, Reed had probably first conceived the design of embezzling the property, and now persisted in his denial. He told the gentlemen his character would bear investigation, that he was always very particular in these matters, and that it was their duty to proceed against him if they believed him guilty. Satisfied beyond all question of his guilt, though it was doubtful whether it could be legally proved, as Archer, being a convict, could not testify in court, the counsel still determined to ascertain if legal testimony could not be procured. Archer described the store in New York where he purchased it, the salesman, the price, the time, conversation, and the kind of bills he paid for it with, &c. &c.

With this statement in writing, taken from his lips, Mr. John Wilson, constable, went to New York, taking the pin with him. He found the store with all ease, by Archer's directions; the pin was identified at the store, and it still had the private shop mark un erased, and the books showed it had

been sold for the sum named by the convict, and at the time specified by him. The other particulars of Archer's statement were found to be equally true.

On Mr. Wilson's return from New York, the facts stated above were laid before Mr. Justice Simmons, who was decidedly of opinion that Mr. Reed should be immediately arrested, and subjected to a rigid examination: Reed was arrested and held to bail. After the case came before the grand jury, the salesman, who was described by Archer as the person who delivered him the pin in the store at New York, came to Boston, identified the pin, and remembered the circumstances attending the sale. He went over to the state prison, where he and Archer mutually recognized each other.

Reed was indicted by the grand jury, and, not appearing was defaulted. To show how far back he probably meditated his theft, it is only necessary to say that, in the advertisement in the Transcript, a day or two after Archer's arrest, of the property which had been found upon him, the diamond pin was omitted; no breastpin was mentioned; the ring had been seen by persons present at the arrest, and had been worn by Reed; but the pin, being in the folds of his shirt bosom, was not seen, as Reed supposed, by any body but himself. As to the money, it could not be proved there were \$70, and Archer was content to let it be \$56, the amount given by Reed. In this case, there was no doubt that Archer was guilty, and that Reed told substantially the truth; but it cannot fail to suggest itself to every one that a dishonest police officer has a very strong motive to procure the conviction of a prisoner, and it would not be unreasonable to suppose that this powerful stimulus may have operated in other cases, on such a man as John Reed, to the serious prejudice of other persons charged with "criminal offences."

POLITICS OF THE DAY.

From the Knoxville Register.

The following letters were received from the hon. Henry A. Wise and Balie Peyton, responsive to invitations to attend the dinner given to judge White, at this place, on the 31st ultimo:

Station Camp, near Gallatin, Aug. 18, 1836.

GENTLEMEN: I have had the honor to receive your communication of the 11th instant, inviting me, on behalf of the citizens of Knox county, to a public dinner to be given to the hon. Hugh L. White on the 31st, and much regret that business of importance, which calls me to the south, will prevent my participation in a festival proposed in honor of one whose uncommon worth and elevation of character I have had so good an opportunity to know, and so much reason to admire.

Public entertainments, considered merely as collections of individuals to enjoy themselves at the festive board, are comparatively of small importance; but they are all-important when looked to as indications of public sentiment with regard to the vital contest now going on between party despotism and government patronage on the one hand, and the right to the free enjoyment of the elective franchise on the other! Your distinguished fellow citizen (judge White) has, for the last twelve months, been placed in a situation of peculiar difficulty: assailed by a majority of the party with which he had hitherto acted, to whom he was too proud to crouch, and too honest to join the opponents of his principles, he stood alone in the senate, without a single political friend with whom to counsel during the storms of executive wrath which raged both around him and the constitution of his country. The polar star of principle, and the shield of a character acquired by a well spent life, have hitherto saved him from the destruction to which he has been doomed by the worse than inquisitorial caucuses of the most despotic and unprincipled party which this nation has ever known—I mean the party of Mr. Van Buren, from which all the real and true friends of Andrew Jackson have long since been driven. And why? Not that they have not served him with a truer devotion than ever political chief was served before, but because they refuse to surrender the right to think for themselves with regard to the individual who ought to succeed him. *The president of the United States—the last man and the only man in the United States who should be silent on the occasion—not only nominates a candidate, but denounces and drives from him his best friends if they refuse to support the nomination.* Why is judge White denounced by him and his minions, from Maine to Louisiana?—Because he is opposed to Mr. Van Buren. "*This is the head and front of his offending.*" No more.—If he would have gone into *this leading and absorbing measure* of the administration, he would now still be the fearless patriot he was when twice invited by the president to a seat in his cabinet, and when he was offered the vice presidency of the

United States by "the party." This, too, is the mortal offence which Mr. Bell has committed, and which has drawn down even upon my humble head the presidential denunciation. Is it not, gentlemen, an awful thing to see a president of the United States—and one so popular as Andrew Jackson—not only wielding the whole power and patronage of this mighty government to secure the election of a particular favorite, but, in person, with a drawn sword, at the head of an army of a hundred thousand officeholders, actually mingling in the contest for the succession! But if the president should succeed in *dictating the succession*—and if so, there is an end of civil liberty for the time being—we have still one consolation left us, that we shall have discharged *our duty*; and that our own state (Tennessee), though most exposed to the storm, stands erect, preserves her political integrity and independence, unawed by the frowns of power, unseduced by the charms of patronage; and whether she succeed or fail in the present contest, reserving her strength for future efforts to convince unprincipled demagogues who may in future tamper with her political virtue, that however tenderly she may act towards the old man whom she has loved, if "not wisely, but too well," that she is the Sparta, at least, if not the Tarpeian rock of the republic.

For the very flattering terms, gentlemen, in which you have alluded to my humble efforts in this great contest, please accept my sincere thanks, and present my acknowledgments to those whom you represent, for their kind invitation, and allow me again to express my regret that I cannot be with you.

I am, gentlemen, with great respect, your obedient servant,

BALIE PEYTON.

Gen. S. D. Jacobs and others, committee.

Accomack, C. H. E. S. Va. August 29, 1836.

GENTLEMEN: I received your invitation to a public dinner to be given to judge White, in Knoxville, on the 31st instant, dated the 11th, on the 23d inst. It did not reach me in time, possibly, for an answer by mail, much less for my personal attendance on the occasion. It should have been answered, however, immediately, but for illness which has confined me for several days.

If my state of health, and time and distance had permitted, the disposition was not wanting on my part to go any length in doing honor to an honest patriot, who is an honor to his state and his country, to both of which he has done more than some service. His services, it is true, have not been of that glaring and dazzling kind which have caught the popular gaze, and have been trumpeted on the blasts of war, but they have, nevertheless, been equally valuable and useful, and perhaps more important to a republic. If they have not been dazzling, they have not been to destroy; if not warlike, they have been peaceful and laborious; if not famous, they have been useful; if not of the captain, of the judge; if not of the general, of the senator; if not of a Cæsar, of a Cato. His light has shone, not to deceive or mislead, but steadily from the bench of justice and judgment, from the council chamber and the committee room. Silent and unobtrusive in the path of duty, a nice sense of which is his greatest characteristic, he has kept the "even tenor of his way" in a long life of virtuous example, whilst others have looked behind or turned aside after "a name." No sublime passions or grand achievements have ever extolled him a hero, but knowledge and experience, soberness and truth and reason, a private and public character, unsullied by a single vice, unrent by a single act of violence, imprudence, or indiscretion, have sanctified him with all the respect and veneration of "*sage*." History teaches us plainly which class of public servants it is safest for a republic to reward and cherish. The present times admonish us how inestimably valuable a character like that of judge White is to his country. You know him better than I do. I know him well enough to testify of his merits; if the nation never knows him as we do, never rewards him as we would, "*he knows himself*," and will live and die contented in his own consciousness of having done his duty, of being "a good and faithful public servant."

My own course has not been worthy of the praise you bestow; but my ambition has been different from that of most public men in power, I must confess—not to obtain public office for the "*spoils*." I am proud of my relation to Tennessee in more senses than one; that is the state of my adoption; and I am prouder of the associations I have formed with a majority of her talented, virtuous and patriotic representatives. She is illustrious in men and statesmen—in patriotism, public spirit and popular independence. Please present—mine *pro tunc*, it must be now—my hearty salutations to your guest and company; give them for me the toast sub-

joined, and accept for yourselves the humble respect, &c. of HENRY A. WISE.

Tennessee—She can give to the nation another "jewel" as bright—a sage as well as a hero.
S. D. Jacobs and others, committee.

The following letter was addressed by Robert Lucas, esq. governor of Ohio, to a friend and relative in Sciota county, Ohio, in reply to some interrogatories relative to an imputed change in his political sentiments.

Executive office, Ohio, Columbus, Sept. 9, 1836.

DEAR SIR: I received your letter of the 4th inst. making some inquiries in relation to my political opinions, and I will promptly answer your interrogatories with candor. As to a change of opinion, that is out of the question; my political opinions have been too long established to undergo any change. They have been declared to the world, in all my public communications; my motto has always been, *democratic republican principles, democratic republican measures, and men to carry those measures into full operation.* The foundation of these principles are—that all power resides with the people—that they are the only legitimate source of power; that public offices were created for the people; that officers are only the agents of the people, and are bound to discharge the trust reposed in them to the promotion of the happiness and prosperity of their principals and according to their wishes; in short, all our officers being servants of the people, (not masters, as the aristocracy suppose), are bound to obey their will. Ours is truly a government of public opinion, and the only supreme tribunal in our government is the tribunal of the people. This being briefly a sketch of democratic principles, corresponding measures are necessary to extend their benefits to the community, and men professing similar principles must be selected as public officers or agents to carry them into effect, for no confidence ought to be placed in a public agent who did not make the good of his principal (or in other words his employer) his greatest concern. We now come to the point of selecting our principal agents (say president and vice president of the United States), that will carry these measures into effect, and that will discharge the important trust reposed in them, with a single eye to the public good, the prosperity of the nation and the happiness of the people. The question naturally arises, where shall we find men best qualified to perform these important trusts? I will answer without hesitation—in MARTIN VAN BUREN for president, and RICHARD M. JOHNSON for vice president. This is my settled opinion after much reflection, and I have no doubt that this opinion will be responded to by the voice of the American people. If the signs of the times can be depended upon, Martin Van Buren will be our next president, and R. M. Johnson our vice president. As to the report of my being in favor of Harrison and Granger, it is barely worth a notice, for I am sure that the thought of supporting either of them never entered my mind; Harrison I consider to be a weak, imbecile old man, and Granger's federal anti-masonic and abolition principles, as well as his vote against Ohio in the last congress, in the settlement of our northern boundary, would forever prevent my voting for him.

Our prospects throughout the state are flattering. Present my respects to our old democratic friends. With sentiments of respect, I AM your obedient servant,
ROBERT LUCAS.

"REFORM OR REVOLUTION" IN MARYLAND.

The following address from Dr. Washington Duval, the recusant elector of senate from Montgomery county, appeared in the "Baltimore Republican" of Tuesday last.

TO THE PUBLIC.

I had hoped that nothing would occur to make it necessary for me to appear again before the public. In the address of the nineteen electors which I signed, it is announced to the people of Maryland, that no one of them would participate in the formation of a senate. The reasons for that determination are succinctly given in that paper. They were understood by me when I signed it—they were sanctioned by me then—they are adhered to now, and at no time since that publication was first made, have I by act or word justified a belief that I would change the position then assumed; on the contrary, I have uniformly declared before and since the last election, that I had deliberately formed the opinion expressed in the address, and had solemnly determined to act in accordance with it. Notwithstanding this unequivocal and undisguised course on my part, some busy bodies who appear to think they know better than I do myself what I

propose to do, have continued to circulate the report that I intend to go to Annapolis, and afford an opportunity to the gentlemen there assembled, to form a senate. It appears to me to be a duty that I owe to the people of the whole state, to put to rest at once, and I hope, forever, this idle, mischievous and unfounded rumor. For that purpose, I now publicly declare that I do not intend to change the ground assumed by me, as one of the nineteen electors. It was not taken without full reflection, and subsequent observation, has served to satisfy me that by the course we have pursued, and by it alone, can the people of Maryland be speedily and peaceably restored to their inalienable rights and privileges. The issue of the last election, alone, ought to satisfy every reasonable and unprejudiced man that a convention ought to assemble to revise and amend the constitution of this state. The election was in some degree a trial of strength between two great political parties. By one of them twenty, and by the other sixty members of the house of delegates have been chosen and by an examination of the returns of the election, appears that the twenty delegates elected by one party, represent about 176,000 of the free white inhabitants of the state, and the sixty delegates have been chosen by about 113,000 free white inhabitants.

If there was then, no other defect in the constitution but that which produces such a gross inequality as this, in the power possessed by the people to vote for those who are to levy and disburse taxes—to participate in the passage of all laws, and in the formation of the executive and judicial departments of the government, the constitution of Maryland would be utterly unworthy of the age. But the unjust apportionment of representatives to the house of delegates is not the only objection felt by me, and entertained by those who are my constituents, to the present state constitution. I desire to see all life estates abolished, and a less tyrannical, and more economical judiciary establishment created. I desire to see power given to the people to elect their own governor, senators and county officers, and hope the day is not far distant when Marylanders will enjoy like privileges, in the choice of all those who make and administer the laws, to those that are now enjoyed by the people of nearly every state in the union. I know that great pains are taken by many men to inflame the public mind and intimidate the friends of a convention. These artificers for that purpose have had, and shall have, no influence on my determination. I know the present constitution was formed by a convention of delegates chosen by the people. If the people of Maryland, in the midst of a revolution, could calmly assemble, by their representatives, and form a constitution, in the name of common sense, why cannot we do so now. We are at peace with the whole world, and have no cause to apprehend that we shall not continue at peace with one another. And if so, with the advantages of experience under our own constitution, and with opportunities to observe the action of governments all around us, such as the people of Maryland appear to desire, why may we not peaceably, speedily and harmoniously proceed to do justice to all parts of the state, by forming a constitution well calculated to protect and foster all its various interests.

The population of the state appears to be willing to make an honorable compromise with the counties, by giving to each of them, without regard to the numbers of their inhabitants, the right to elect a senator, and there can be no good reason why the representatives of the counties should not in return give to the population a small increase of the number of its representatives in the house of delegates. All good and permanent governments are formed in compromise, and I have no reason to fear that the people of Montgomery, in the midst of whom I was born and have ever lived, will disapprove the course which I have adopted, since it is calculated to afford an opportunity to the whole people of the state to meet in convention, and there by a spirit of magnanimity worthy of freemen, lay the foundations of a government, republican in its character and impartial in its dispensations of benefits and burdens to the whole people, for whose good and happiness it is to be created. The political panic makers may, for a time, stagger and alarm the timid. But there will be such a reaction as will carry dismay to the hearts of those desperate men, who, for mere party purposes, are now jeopardizing the peace and good order of society, by circulating the most disgraceful and unfounded falsehoods.

To the people of Montgomery, by whom I was elected, I beg leave to tender now publicly my heartfelt gratitude for their generous and prompt approbation of my course, and to invite them to

unite with the republicans of other portions of Maryland, in that spirit which did honor to, and immortalized the patriots of seventy-six, in the good and just work of establishing peaceably and soberly a form of government worthy of the descendants of Chase, Carroll and Paca. I am, very respectfully, your fellow citizen,

WASHINGTON DUVAL.

From the Baltimore Republican of Wednesday last.
TO THE PUBLIC.

I perceive, that some of the newspapers continue to insist that I am about to go to Annapolis, and unite with the twenty-one electors in the election of a state senate. Nothing that I have said justifies such statements. After I returned from Annapolis, having signed the address to the people of Maryland, with eighteen other electors, I said publicly that I would not go again to Annapolis to elect a senate, unless instructed to do so, by a majority of those who had elected me; and that I would not, even if such instructions were given, assist to make a senate, until I was first fully satisfied that the other eighteen gentlemen, who have signed the address with me, could justly say that I had fulfilled all the engagements into which I have entered with them. Several weeks have passed since I made these public declarations, and no such instructions have been given to me; neither do I believe that any considerable portion of my political friends wish me to go again to Annapolis as an elector of senate. This being the case, I desire to say distinctly, that I have neither heard nor seen any thing to make me change the opinions expressed in the address to the people of Maryland; nor have I any intention whatever, to change the position taken by me in that address. This statement is given in the hope that it will assist to quiet the excitement, which unfortunately, and without good cause, prevails. The people of Maryland, when once well satisfied that they have the power to amend the old constitution of the state, or form a new one, by choosing delegates to a convention, will proceed, I have no doubt, to elect their delegates to a convention for that purpose. And I am equally confident that my friends and neighbors of Anne Arundel county, of all political parties, have too much good sense and love of country, to refuse to meet the people of other counties of the state, to arrange all our public affairs, so as to produce general content and prosperity. It is proposed that each county shall send an equal number of delegates to the convention; and in such a body, no man ought to doubt, that all parts of the state, will find complete protection for all kinds of property, and all possible public and private interests. I am, very respectfully, your obedient servant,

WESLEY LINTHICUM.

Baltimore, Oct. 11th, 1836.

MASSACHUSETTS MECHANICS.

From the Boston Courier.

The Massachusetts Charitable Mechanic association celebrated, on Thursday, the 16th inst. its tenth triennial festival. The association walked in procession from Concert Hall to the Odeon, where prayers were offered by the Rev. Mr. ROGERS, select passages of scripture were read by the Rev. Mr. PIERPONT, and an address was delivered by JAMES L. HOMER, esq. The address was plain, practical, sensible and judicious, without affectation of style or delivery. The orator took a rapid view of some of the improvements of late years, and urged the propriety of vigorous measures to promote their progress.

After the services at the Odeon, the procession was again formed, and proceeded to Faneuil Hall, where a dinner was provided. STEPHEN FAIRBANKS, esq. president of the association, presided at the table. Among the guests were the mayor and aldermen, the president of the common council, judge Thacher, hon. Abbot Lawrence, the president of the senate, Rev. Messrs. Homer, of Newton, Rogers, Pierpont and Sharp, of Boston; Messrs. W. Sturgis, J. Phillips, G. Bond, and T. B. Wales, merchants; several distinguished members of the bar, the president and past presidents of the Salem Mechanic association, &c. &c. The Rev. Dr. HOMER made a prayer at the table.

After thanks had been returned by the Rev. Dr. SHARP, the president gave the following sentiment: "Agriculture, commerce and the mechanic arts—The base, the shaft and the capital of the column which supports the colossal figure of our republic. May each branch be like the tree of life, whose leaves are for the healing of the nations."

Among other toasts were the following: "Practical mechanics—May their workshops be schools of science, where industry can produce wealth from the cheapest material—may their houses be the abode of peace, the home of content, the sanctuary of virtue."

A toast having been given, paying a just tribute to the worthy mayor of the city—

Mr. ARMSTRONG (the mayor) rose and said—

I rise, Mr. President, to acknowledge the obligation conferred by the reference to me in the sentiment which has just been delivered. By the favor of my fellow citizens, I am in this place to-day; and gratitude for such an honor will best be shown by readily complying with your invitation.

During the hour which has just passed, while surveying this great company of my brother mechanics, my thoughts have roved to Russia, Poland, and other distant countries, and I have compared our lot here with the lot of mechanics there. The condition of our fathers, too, just before and preceding the revolutionary struggle, has occupied my mind. Let us but contrast our full supply with their hard fare, our liberal pay with their scanty rewards, our unceasing calls for labor with their inconstant employment. How greatly are our present enjoyments enhanced in value by the contrast. How much should our gratitude be excited by the contemplation of the goodness of God; how firmly should we pursue those measures which will tend to perpetuate and transmit those blessings, rewarding the sacrifices of those who have preceded us, by laboring for those who shall come after us. The well-spread board, like that of to-day, was not their possession, probably was never within the scope of their hopes. If we would fulfil the just expectations which posterity will form of us, we must, like our fathers, be men of deeds—for, sir, words alone will not suffice.

It was said somewhere that mechanics are a degraded class. If we are a degraded class in the estimation of others, the fault is our own. Employment is not degrading. Industry, economy, frugality, temperance, are not degrading qualities. Labor is not degrading. My reverend friend alluded to the example of labor in the garden of Eden. Throughout the Bible, industry and frugality are inculcated by precept and by example. You, Mr. President, know who said, "My father worketh hitherto, and I work." The industrious classes are not certainly without illustrious examples.

This day, sir, is a great occasion. Probably the sun in his course does not shine on an assembly more interesting than this, which is now before me—possessed of all that makes life desirable, free, independent, intelligent; enjoying temperately the fruits of honest labor in useful vocations. Who, beholding this company, but will allow that man can govern himself; that labor is consistent with intellectual improvement, and with a preparation for a future state of enjoyment and improvement? The day has passed when the active must say to the idle, *ye are honorable, but we are despised*. The world is no longer upside down.

But I will not weary you with further remark, except to introduce the sentiment with which I shall conclude what I have to say at this time. It is manifestly unjust, Mr. President, to confine the term *industrious* to those alone who labor at mechanical employments; the farm, the factory, the study, the ship, the shop, contribute alike to the public welfare. Allow me, then, Mr. President, to propose this sentiment:

"The legitimate rewards of industry—Health in time of youth—competence in time of age—and honor at all times."

ANOTHER TOAST.

*"Our colleges and schools—*The enginery, whose mighty power gives security to freedom, energy to patriotism, impulse to genius, ardor to virtue, and constancy to truth."

[The president here read a letter from Mr. Quincy, the president of Harvard university, stating that he had relied upon joining the association in the festivities of the day, but was prevented by official duties, of a nature not to be omitted. He offered the following sentiment: *"The mechanic interest—success and support to it; as being at once the fulcrum which sustains, and the lever which elevates national prosperity."*]

*"Our representative in congress—*An enlightened statesman, a munificent merchant, a trusty friend, an honest man. The value of his services is manifested by the regret of his constituents at the prospect of losing them."

Hon. Abbot Lawrence rose amid loud and repeated cheers. He alluded to the kind and flattering reception of the toast which had reference to him, and stated very briefly some of the reasons which induced him to accede to his nomination as a representative to congress; and of those which he thought forbade him to be a candidate for re-election. He spoke of the responsibilities of the man who undertakes to represent in congress the various interests of this district—one of the most numerous in its population of any in the union. He then adverted to the important influence exerted by

the mechanics in all that concerns the public welfare, and spoke with great feeling in regard to his having been recently admitted an honorary member of the association. He concluded with this sentiment:

"The memory of col. Paul Revere—one of the patriot mechanics of the revolution, and the first president of this association."

*"Our merchants—*Their honor is a capital that can never fail; their credit a currency always above par; they never barter principle for interest, nor permit drafts upon their public spirit to be protested."

Mr. Sturgis rose and said he could not suffer that draft to be protested. He said that, in the early part of his life, his home was on the deep. He had sailed thousands, tens of thousands, and he believed he might say hundreds of thousands of miles, with a perfect feeling of safety, relying on the skill and fidelity of the Boston mechanics. And this confidence had never been disappointed. Since he had been in extensive business as a merchant, a period of more than thirty years, it was in his power to say, and he thought it but a matter of duty to say, now that he was about retiring from active business, that, in all that period, extensive as his connexions with the mechanics had been, he had never had a law suit with one of them—he could say, with truth, that he had hardly had even a misunderstanding. After referring to the respectability and influence of this class of the people, and expressing his sense of the honor he felt in his associations and intercourse with them, he concluded with the following sentiment:

*"The young mechanics of Massachusetts—*In this age of innovation, may they not innovate upon the industry and integrity of their fathers."

The rev. Dr. Homer, of Newton, having signified his wish to offer a sentiment, rose and said—

Mr. President of the respected charitable and moral society before me: Permit me, as a son of pure mechanic blood, to offer the following sentiment, drawn from the correspondence of an early and beloved classmate, Isaac Coffin, now an English admiral of the first rank, baronet of Great Britain, and grand cross of Hanover. I wish it to be associated with *Trimountain water*, which, during his several visits to this his dear birth-place, he always drank to the table toasts, whenever I had the pleasure of dining in his company. The sentiment is: *"Our ancient fathers of every grade—*No speculation, arising from an intense desire of becoming suddenly rich, consigning families to poverty, formed a part of their character. Perseverance in their respective callings, connected with inflexible honesty and perfect temperance, were their safe guides to competence or occasional affluence." Citizens of Boston, and others present, point your children and your children's children to their fair and happy example. "However the moderns may excel us in science, (so sir Isaac), in probity the ancients are equal." You will permit me, most respected sir, to add an illustrating sentence, the fruit of his personal acquaintance with the cited individual master mechanics of old Boston. "Homer, (including the very respected grand sire of the orator of the day, and my honored father), Daws, Tileston, Clements, cum multis aliis, LIVED WELL AND DIED REGRETTED."

To this let me add a curious article, which had such an important bearing on his future promotion, and his pre-eminently active character, especially as port-admiral, fitting out at the shortest notice fleets for the ocean. "Salt the cooper, Brewer and his son, block makers and Cotton" the blacksmith, were my masters in my school-boy days. Thursdays and Saturdays, (in part holidays), I have WORKED HARD WITH THEM. The knowledge I then acquired has been of infinite service to me, during the time I was actually employed in the naval line. These reminiscences, (as closely connected with our mutually dear Boston), comfort me much in my declining years."

The following toast was next drank:

*"The clergy—mechanics of the highest order—*operatives in various handy-work. As tailors they fit us with good habits; as printers they correct our errors; as bakers they raise our heavy hearts till the whole lump is leavened; as gaugers and survey-

*The father of a very distinguished member and founder of the mechanic association.

†Sundry exposures of his person by ship disasters, and his once jumping, (in 1794), with hat, coat and boots from a frigate's deck into the beating waves of the North, at the cry, "a man is overboard," and snatching him from a watery grave, at the imminent hazard of his own life, have brought infirmities on his person, which disable him, at seventy-seven years of age, from revisiting his native shores.

ors they rectify our spirits; the cordwainers admit their skill in mending souls; and all of us, who are married, are indebted to their faculty as joiners. Verily, the laborer is worthy of his hire."

The rev. Mr. Pierpont said that the toast which had just been announced by the chairman had sufficiently explained why the mechanics and the clergy should be bound together. And as it represented the clergy as men of all work, it would be a pity if none of them could be found able to make a speech. And though, perhaps, it would be unnecessary to say any thing more on that point, he might be excused for adding that the clergy and the Massachusetts Charitable Mechanic association ought to be associated together, as being alike engaged in the good work of succoring the widow and the fatherless. He remembered that some years ago, when the association appeared in procession, each member or officer wore upon his breast the badge of the association, with the motto, "Be just and fear not." He observed, that on this occasion they were without these badges. He knew of no other reason why that honorable motto was now absent from that place, unless it might be that the members had determined to wear it for the future in their hearts instead of on the outside. He alluded to some remarks that had been made by the orator of the day, in which a proper and just tribute had been paid to English skill and ingenuity. He was the more rejoiced at this, because he had lately had an opportunity of observing that such a spirit of true justice was not wanting on the other side of the water. He overheard a conversation, while in England, between two gentlemen, respecting the immense improvements of late years in the cotton manufacture. One of them, not knowing that Mr. P. was an American, said, "It is a fact that every important machine now used in England in the cotton manufacture originated in America." When in the east, the captain of the steamboat which run between Smyrna and Constantinople said to Mr. P. "The world is indebted to your country for the two greatest and most beneficial inventions ever made—steamboats and temperance societies." Mr. Pierpont then descanted upon the benefits to the world of these two inventions, and gave as a sentiment, (which was drunk, at least by the giver, in cold water):

*"Hot water and cold water—*The first, the greatest source on earth of mechanical power; the last, the safest thing on earth to direct and control that power."

ANOTHER TOAST. "The law; our city of refuge—our lawyers, the watchmen on its walls. We expect them to be the defenders of our liberty, the protectors of innocence, the champions of right, the avengers of wrong."

Mr. Austin (attorney general) replied to this toast, which he said was the first he had ever known to be given at a similar entertainment, complimentary to the profession to which he belonged, and gave an account of the dissolution of the associations of the bar, which had recently taken place in this city and in other counties of the Commonwealth. After some remarks complimentary to the mechanics as the invariable friends of law and order, he proposed the following sentiment: *"The intellectual, moral and physical powers, as exhibited in the general character of the mechanics of our country; their united strength will keep the ship of state safe at its moorings, in the wildest storms of the political elements."*

The president, addressing himself to the company, said: About forty years since, a few enterprising and philanthropic mechanics assembled together and formed themselves into a society for the promotion of the arts, and for charitable purposes.—Of the benefits resulting from this association, it is not now my purpose to speak. We may, however, be permitted to congratulate ourselves, that, by the blessing of Providence, several of this patriotic band are now with us. Here they are, gentlemen, living monuments of the value of their own motto—"Be just and fear not." I propose the following sentiment: *"The founders of our institution: their children have risen up and called them blessed." May their children's children say amen.*

Benjamin Russell, esq. one of the founders alluded to, then addressed to the company, by way of response, a few reminiscences, and offered a sentiment, which is not at hand. Henry Purkitt, esq. another of the original members, also addressed the association, and concluded with a sentiment. Mr. J. T. Buckingham said he would avail himself of the occasion to remind his brethren of the association of another of the original members—only nine or ten of whom were now living—a gentleman who had, in former years, been an active and successful mechanic, and one whose public services ought not to be forgotten; one who had for many years served his fellow citizens as one of their selectmen, as a

representative and a senator, but who, for some years past, had lived in retirement, and withdrawn himself almost entirely from any intercourse with the world. He would not enter into a detail of the causes of this retirement; they would be painful for him to relate, and equally so to his friends to hear, and they were also too well known to require a detail. He asked leave to offer as a sentiment, "*Jonathan Hunnewell*: May his last days be as peaceful and happy as his early years were prosperous and useful."

BALTIMORE AND OHIO RAIL ROAD.

TENTH ANNUAL REPORT

Of the president and directors to the stockholders of the Baltimore and Ohio rail road company.

In obedience to the requisitions of the charter, the president and directors propose to lay before the stockholders a statement of the affairs of the Baltimore and Ohio rail road company, for the official year, ending on the 1st of October, 1836.

In the ninth annual report, the board announced the completion of the main stem to Harper's Ferry, and of the branch road to Washington. Since then, the Winchester and Potomac rail road, which is virtually a prolongation of the Baltimore and Ohio rail road up the valley of the Shenandoah, has been opened for general use. At present, some delay and difficulty take place in transporting goods and passengers from one road to the other. This, however, will be obviated, when the viaduct across the Potomac is finished. The stone piers of this structure have been completed for some time, and the wood work will be ready for the passage of cars during the present year. The passenger and burden trains of the two companies will then stop, side by side, in the same depot, and the transit from one to the other will be effected promptly and with great convenience.

Surveys are now in progress for the extension of a rail road from Winchester to Staunton, and there is reason to believe that this work will be undertaken. It is of great importance to Baltimore, and, when completed, will furnish a continuous rail road of two hundred and fifteen miles in length, from this city into the heart of Virginia.

In the last annual report, the results of the reconnaissance of the chief engineer of the route for a rail road from Cumberland westward were laid before the stockholders; and the general satisfaction that they afforded, and the sentiment universally expressed, that the time had arrived for the adoption of vigorous measures in the prosecution of the road to the points of its original destination, caused the board, early in the spring, to organize an engineer force, for the purpose of making detailed surveys and examinations between Harper's Ferry and the summit of the Alleghany, with a view of continuing them, afterwards, to Pittsburgh and Wheeling. Four brigades, under the charge of competent officers, were accordingly employed, and have since, without interruption, been diligently at work. A continuous line has been surveyed from Harper's Ferry to the top of the dividing ridge between the eastern and western waters, and the engineers are now engaged in making the surveys on either side of the first line necessary to determine the best route for the location of the road. The rough and mountainous country over which the surveys have to be carried, and the importance of leaving no practicable route, of the many that present themselves, unexamined, render the labors of the engineers, necessarily, very tedious; and it will be some time yet before the exact route to be adopted can be ascertained. The board have considered these surveys as one of the most important subjects claiming their attention, and have urged them forward with all diligence; in doing which they have been fully seconded by the officers in charge of them. So far as they have gone, they have been very satisfactory, and fully corroborate the fact stated in the last annual report upon the reconnaissance of the chief engineer, "that the mountains between Cumberland and the western waters can be passed, without the use of stationary power, by locomotive engines and their trains." For a full account of surveys, up to the end of the current official year, reference is made to the reports of the chief engineer, and the engineer of location in the appendix A.

In the month of August last, the brigade employed on the Potomac above Harper's Ferry was broken up by the severe illness of nearly every one of its members, owing to the unhealthiness of the region in which they were at work. Protracted indisposition ensued; and it is only recently that the brigade has been reorganized. The country upon the Potomac will not be sufficiently healthy for the brigade to resume its labors there before the first of November. In the mean time, it has been directed to institute surveys at Parr's Spring ridge, with a view to the relocation of the road there, so as to

dispense with the inclined planes, that have so long been a source of heavy expense and injurious delay. When originally located, the then state of knowledge, on the subject of rail roads, and their machinery, and the character of the country for a long distance on either side of the point of crossing the ridge, left no alternative but to adopt them. Since then, however, the astonishing development that has taken place of the capacities of locomotive engines makes it certain that the ridge where the planes occur can be surmounted by a uniform grade, adapted to the economical and efficient use of locomotive power. When this is accomplished, the interest of the stockholders and the public will be mutually and most materially advanced.

At the December session of the legislature of Maryland, eighteen hundred and thirty-five, the board of directors memorialized that body, praying for aid to complete the road to Pittsburgh and Wheeling;—and, at the same time, a similar application was made to the mayor and city council of Baltimore. The latter, at once, and with great liberality, and responding to the universal sentiment pervading this community, resolved to subscribe three millions of dollars to the capital stock of the company, whenever the existing legal difficulties were removed, which prevented, at that time, the extension of the work in an unbroken line, westward, from Harper's Ferry. The bill before the legislature, however, for subscribing to the stock of this company, and also in aid of other works of internal improvement in which the state was interested, met with determined and strong opposition; and, at the end of a protracted session, the subject was postponed to an adjourned meeting of the legislature in May ensuing. In the interval, a numerous and highly respectable convention, the interest of which attracted delegates from Pittsburgh and Wheeling, was held in Baltimore; and the various subjects connected with the internal improvements of the state were fully discussed. When the legislature reassembled in May, the subject was again brought before it; and a law was finally passed by a large majority, containing, among other subscriptions, one of three millions of dollars to the capital stock of the Baltimore and Ohio rail road company. This law released the company from the restrictions that prevented the extension of the rail road westward from Harper's Ferry, and, in so doing, enabled it to comply with the condition annexed to the subscription by the mayor and city council. Before the law could take effect, however, it was necessary that it should receive the assent of both the Baltimore and Ohio rail road and the Chesapeake and Ohio canal company. The assent of the first was, as the stockholders are already aware, given at the general meeting held on the 18th July last. The assent of the latter was delayed, in consequence of apprehensions entertained by some of its stockholders that the provisions of the law, in regard to the joint construction of the rail road and canal, along the Potomac, would, if carried into operation, materially impair the permanency and usefulness of the canal. To obviate this difficulty, the stockholders of the rail road company, at their meeting of the 26th July last, authorised the board of directors to enter into stipulations with the canal company, touching the matters in question; and the apprehensions of the canal company being thereby removed, its assent was given to the law, which, in consequence, went into immediate operation. A copy of the stipulation with the canal company, entered into by the board, in conformity with the directions of the stockholders, will be found in the appendix.

The subscription to the stock of this company authorised by the law of the extra session, was made to depend upon a guarantee being given to pay six per cent. per annum, to the state on the amount subscribed by it, at the end of three years from the payment of each of the state's instalments; with the proviso, that should the profits of the road exceed six per cent. the state was to receive no greater dividend in consequence, but the excess to be divided among the other stockholders. In consideration of the interest, so to be secured to the state, the company was authorised to charge one cent per mile, in addition to its present charge for each person transported upon the road. At their general meeting on the 13th of July, the stockholders directed the preparation of the guarantee in question, which was accordingly prepared and transmitted, as required by the law, to the treasurer of the western shore. A copy of it will be found in the appendix. The right of the company to make the additional charge is now perfected. Had it been made during the last official year, the net revenue of the main stem would have been doubtless much greater than it has been.

Another important provision, contained in the law of the extra session, is that which releases the

company from the obligation to erect "a close fence of boards" between the rail road and canal, at the narrow passes from the Point of Rocks to Harper's Ferry, as a condition precedent to the use of steam between the two places; provided the rail road company shall first tender to the canal company the price of a post and rail fence, for the corresponding portions of the river edge of the towing path. The objections to building the board fence were such that they prevented (and but for the law of the extra session would have continued to prevent) the use of steam above the Point of Rocks, and obliged the rail road company to maintain an expensive horse power to do the transportation thence to the ferry, a distance of twelve miles, which the engines, that crossed the valley of the Monocacy, could have done with but little additional cost. As soon as the commissioners appointed under the act shall have ascertained the cost of the post and rail fence, it will be tendered to the canal company, and the locomotives, that are now obliged to stop at the Point of Rocks, will supersede the horse power beyond that place, and continue their route to Harper's Ferry.

With regard to the other provisions of the law of the extra session, it is not the intention of the board to enter into detail. The act itself was before the stockholders for their acceptance, and they must be sufficiently familiar with its provisions. Those parts of it only, requiring the present action of the stockholders or the board, have been particularly referred to. The board are gratified in being able to announce to the stockholders, that the various conditions precedent to subscription, which it contains having been complied with, the subscription of the treasurer of the western shore for thirty thousand shares of the capital stock of the company, (\$3,000,000) was made on the 23d of September last; and also, that on the 27th of the same month, the same amount of stock was subscribed, under the ordinance to that effect, by the mayor of Baltimore.

Six millions of dollars have thus been added to the effective means of the company for the prosecution of the rail road to the western waters.—What the amount that will be necessary, to finish the work to Pittsburgh and Wheeling, may be, it is impossible, at this time to say, with any approximation to accuracy. Every effort is being made to complete the surveys to ascertain it. Cost what the road may, however, it will be a cheap road to Baltimore; as, restoring to her the trade of which the great works of rival cities have deprived her, it will place her in possession once more, and forever, of all the advantages to be derived from her geographical proximity to the west.

The time limited in the charter for the completion of the main stem within the state of Maryland, extending only to the 4th July, 1838, an act, prolonging the period for five years from that date, was applied for and obtained at the last session of the legislature.

In the year 1835, the legislature of Pennsylvania incorporated a company to construct a canal from the great Pennsylvania canal, at Columbia, to the Maryland line, along the eastern shore of the Susquehannah. At the following session, this company applied for permission to change the location of the proposed canal, with a view of constructing it on the western side of the river, and prolonging it, under authority from Maryland to a terminus in the neighborhood of Havre de Grace. The legislature of Pennsylvania gave the desired permission; but upon condition that the Baltimore and Ohio rail road company should first assent to the junction, with the main stem of their work, of a rail road from Pennsylvania, entering Maryland on the dividing line between the former state and Washington county, and striking the Baltimore and Ohio rail road at or near Hagerstown or Williamsport.—To have assented to this, unconditionally, would have put it in the power of the connecting rail road companies of Pennsylvania, by lowering their rates of toll, to abstract the travel and transportation from the Baltimore and Ohio rail road, east of the point of junction, diverting it along their respective roads to the rival city of Philadelphia—and so enabling the latter, notwithstanding its greater distance from the western waters, to receive or forward goods as cheaply as could be done at or from Baltimore; thus making a work, constructed with the means of Maryland, enure to the benefit of the commercial emporium of a rival state, that had contributed nothing to the undertaking. Pledged as the Baltimore and Ohio rail road company now is, to pay to the state six per cent. on its late subscription, it would have been impossible, with any regard to the interests of the stockholders, to reduce the toll, in competition with works, many of which were the property of the state of Pennsylvania, and the policy of all of

which would have been to attract the business from the Baltimore and Ohio rail road, east of the point of junction, to themselves. With a view of obviating this difficulty, a condition was inserted in the act, that in case of a reduction of the tolls on the Pennsylvania works in connection, mediately or immediately, with the Baltimore and Ohio rail road, the tolls on that road, west of the point of junction, might be increased in proportion; so as to keep the charges on persons, goods or produce, going to or coming from Pennsylvania, uniform throughout the distance they were to be transported; thus putting it in the power of the Baltimore and Ohio rail road company to countervail, at all times, the effects of a reduction of tolls on the Pennsylvania roads in connection of their own work. The law of Pennsylvania, with this provision, has been assented to by the board of directors, and has gone into operation. To have refused the assent, would have been illiberal towards Pennsylvania, which had already permitted a connection by Maryland with her works, in the cases of the rail road to York and the canal along the Susquehannah, as well as inconsistent with the spirit of the age, which is to multiply all means of intercommunication, and increase the number of markets accessible to the producer; and it would, besides, have deprived the citizens of Baltimore, deeply interested in the Susquehannah improvement, of what was deemed of great value to them and to the community. The road from Pennsylvania, whose junction with the main stem, is to comply with the provisions of the above law, has not yet been designated.

In several of their preceding reports, the board of directors have adverted to the efforts made by them to perfect a locomotive engine, adapted to the curved character of their road, and capable of using anthracite coal as fuel; and the very satisfactory results obtained have been, from time to time, detailed. The further experience of the board fully justifies the steps heretofore taken by them in this particular. There are now eleven first rate locomotive engines in use upon the main stem and Washington branch, all of which have been manufactured at the company's shops; and six more are being built, which, it is expected, will, when the road over Parr's ridge is relocated, and reconstructed without inclined planes, enable the company to dispense entirely with the use of horse power, except in the city of Baltimore. A very considerable diminution in the cost of working the road will thus be effected.

Since the death of Phineas Davis, mentioned in the last annual report, Messrs. Gillingham and Winans have taken the company's shops, at the Mount Clare depot, and continue there the manufacture of locomotive engines and rail road machinery, commenced by Mr. Davis. Within the last year, the force employed by them has been considerably increased; a circumstance much to the interest of the company, as it furnishes the means of a prompt compliance with the wants of the road, and, when this is extended westward, will insure a supply of locomotive power and the various necessary machinery, as fast as it is wanted. It may be observed here, that the work shops at the Mount Clare depot are carried on by Messrs. Gillingham and Winans, independent of the company. They are bound by contract to supply the company with locomotive engines, and all other rail road machinery, at a stipulated price, and, at all times, to give precedence to the company's demands for work. They have the use of the ground and buildings occupied by them, with the fixed machinery left by Mr. Davis, without rent, being bound to keep the same in repair, and return them as they received them. In consideration of this, they manufacture the company's engines, so much below the market price for them elsewhere, that the interest on the cost of buildings and fixed machinery, above mentioned, is fully paid; and, indeed, it would take but a little while, when the extension of the road westward required a larger number of engines, to reimburse to the company the entire outlay for the shops at the Mount Clare depot.

Recent experiments, made with the two last engines built by Messrs. Gillingham and Winans, shew a power of traction exerted by them when the weight of the engine was but eight tons—much exceeding the greatest power that has yet been exerted on the Liverpool and Manchester rail road by a twelve ton engine. When the necessity of having powerful engines to overcome the heavy grades and sharp curves, that must be encountered in the mountain region, is considered, the results here mentioned cannot be too highly appreciated. They make that easy, which, but a few years since, would have been deemed impossible; and the practicability of passing the Alleghanies with locomotive engines and their trains is owing, not more to the topographical advantages of the particular route,

than to the powerful machines that have been invented and perfected in the work shops of the company. For particulars of the experiments with the locomotive engines, reference is made to the report of the chief engineer on the subject. Appendix B.

The gross receipts from the main stem during the year ending on the 1st instant, have been \$281,966 87, exceeding the gross receipts of the preceding year by \$18,598 77. The expenses of transportation during the same period have been \$128,177 41, exceeding those of the preceding year by \$14,210 23. The repairs of the road for the year just ended have been \$53,401 32, while the repairs of the year ending October 1st, 1835, amounted to but \$25,103 63, making a difference of \$27,997 69. The repairs of machinery and cars have also exceeded the repairs of the preceding year by \$9,380.

It will be at once observed, that the expenses of transportation have increased in a much greater proportion than the gross revenue. This is to be accounted for by the extraordinary inclemency of the winter of 1835-'36. The frequent falls of snow, lying for a long time upon the ground, alternating with rain and cold freezing weather, so coated the rails, as to prevent, very frequently, the use of steam for transportation, and made it necessary to employ a number of horses to prevent the business of the road from being interrupted. The snow was often so deep, and the ice on the rails so thick, as to defy the ordinary modes of removing them, and the employment of gangs of laborers became necessary for the purpose.

It is gratifying to the board to be able to state that while many of the rail roads to the north of the Potomac were either obliged to suspend operations altogether, or were interrupted for days together, by the inclemency of the season, not a single trip was lost either on the main stem of the Baltimore and Ohio rail road, or on the lateral road to Washington.

It will also be observed that the repairs of the road, which in the year ending October 1st, 1835, amounted to but \$25,103 63, have this year been increased to \$53,101 32, which is to be attributed to the decay of the wooden string piece, upon which the iron rail has been laid on a considerable part of the line of the road. This it was expected, when it was adopted, would last, from eight to ten years: on the contrary, during the last year, after it had been in use but six years, and some of it not so long, the wooden string piece very generally requires replacing. The graduation and masonry of the road continue in good order along the entire line; the repairs, which form so large an item among the charges against the income, occur in the superstructure—thus corroborating the opinion, which is now generally entertained, that where the means can be obtained with which to procure it, a heavy iron rail is the best and most economical in the end.

The repairs of machinery, engines and cars have also, as is seen above, considerably exceeded those of the year ending October 1st, 1835. This is owing chiefly to the increased number of locomotive engines now in use upon the road.

On the Washington road, the gross receipts, since it was opened, including a part of the year ending October 1st, 1835, have been \$178,333 95, of which the state tax, amounting to \$40,564 26, is a part. The expenses of transportation upon this road have been but \$26,540 47, or nearly fifteen per cent. of the gross receipts, while the expenses of transportation upon the main stem are 45 1-2 per cent. of the gross receipts. The difference is to be chiefly attributed to the more ample charge allowed for the transportation of passengers on the branch road, and to the fact of steam being employed exclusively as the moving power throughout. When the planes at Parr's ridge are done away with, and horse power on the main stem superseded entirely by steam, the result, with the increased toll authorized by the act of May session, will be in proportion favorable on this road also. The expenses of repairs of the Washington road have been \$15,423 17, of which the sum of \$10,000 is properly chargeable to construction—having been spent in the removal of slides and the adjustment of embankments, and forming a part of the cost of construction as justly as the original excavation and graduation of the road bed. The net earnings of this road since it was opened, and which constitutes a fund for dividends, amount to \$38,772 03. Besides the dividend that the main stem is entitled to receive as a stockholder in the Washington branch, it must be borne in mind, that a considerable sum is annually received by the former for the use of that part of the road which is common to both works. The board have little doubt, therefore, that the receipts from the Washington branch will be more than suf-

ficient to meet the interest on the money borrowed by the main stem to construct it; and indeed the increase of travel and transportation between Baltimore and Washington has been such, since this means of intercommunication has been opened, that there is every reason to believe, that the net profits of the branch, exceeding six per cent. per annum, will become a source of income to the main stem, fully justifying the company in undertaking to construct it.

In the last annual report, the board expressed the belief that they would, thereafter, be enabled to make regular semi-annual dividends among the stockholders. In making this assertion the board believed that they would be borne out by the increasing business of the road. Not only did they anticipate the increase, which past experience had led them to expect, but they were under the impression, that, upon the opening of a continuous rail road communication with Winchester, the additional trade and travel would so add to the income of the company, as insure the payment of regular dividends to the stockholders. They were under the impression too, that the receipts from the Washington branch would be sufficient to meet the interest due on the money borrowed by the company to pay for its stock in that work. In these anticipations the board of directors found themselves, when the time for declaring the expected dividend arrived, disappointed. And they have found it necessary to call for an instalment of five dollars per share on the stock.

On the first of October, 1835, at the date of the last annual report, the receipts of the company for the preceding six months had amounted to \$148,541 63. Instead of this amount being received for the ensuing six months, ending on the first of April, 1836, when the dividend should have been made, the receipts were but \$124,614 23, making a difference of \$23,927 40. Again, the board had no reason to believe, that the general expenses of the company for the six months, ending on the first of April, 1836, would exceed the expenses of the six months immediately preceding. The expenses of the latter exceeded, however, the expenses of the former period, by \$26,320 70, making, in the two items alone, a deficiency, not anticipated on the 1st of October, 1835, of \$50,248 10. The causes of this diminution of receipts and increase of expenses have been already stated in a previous part of this report. The board had expected too, that the 30,000, interest due on the money borrowed to make the Washington branch, on the 1st of April, 1836, would have been met by the dividends received from that work. Instead of this, however, it became a charge upon the main stem, making, with the items already enumerated, the sum of \$80,248 10, by which the disposable revenue of the company was reduced below what had been anticipated, when the belief that regular dividends could be declared, was expressed in the report of October, 1835. These matters are stated at length, to explain why it was that, with the confident belief entertained by them at the date of their annual report, the board of directors still found themselves unable to continue the payment of semi-annual dividends.

During the current year, the construction of the Potomac viaduct—additional sidings and turnouts—right of way and damages—surveys—real estate, and construction of depots and water stations—locomotive steam power and machinery have caused expenditures properly chargeable to the capital stock, but which have had to be met, in anticipation of instalments, by the revenue as it accrued. The amount of the capital in the main stem is \$3,311,250, while the money actually expended is \$3,474,600 08. On the Washington branch, the capital paid in is \$1,500,000, and the capital expended, is \$1,588,899 61; making on the main stem, an over expenditure of capital of \$163,350 08, and on the Washington branch an over expenditure of \$88,899 61; in all an over expenditure of capital of \$252,249 69. To meet this, the company has borrowed money, and has appropriated the net revenue on the main stem and also the net revenue from the Washington branch. To discharge the debt for borrowed money due, as aforesaid, the instalment above mentioned has been called for.—The amount that has been appropriated out of the revenue of the main stem and applied to purposes connected with the construction thereof, and not to general expenses, other than construction, it is proposed, shall be divided by the number of shares of stock in the main stem, and each share credited with its proportion, as so much paid on it. In the Washington branch, where the stock has been paid in full, this means of giving to the stockholders the benefit of the revenue, which has been appropriated to construction, cannot be adopted. A new stock, to the desired amount, may therefore be cre-

ated, sold, and the proceeds divided among the stockholders. For an amount of the receipts, expenditures and condition of the company, on the 1st instant, reference is made to the accompanying statement C.

Of the ultimate profit of the Baltimore and Ohio rail road to the stockholders, the board of directors can only here reiterate the favorable opinion that they have so often heretofore expressed. To doubt its making a return on the outlay, when it shall be completed to the western waters, is impossible, when the probable travel and transportation upon it then, is considered. There is hardly a rail road in the country, that has been completed, that is not now realizing a handsome return on the cost of its construction; and the chief reason why this is not done by the Baltimore and Ohio road, is, that it is *not completed*. If it were, at this day, proposed to make a rail road to Fredericktown or Harper's Ferry—(supposing the Baltimore and Ohio rail road to the west not to be projected even), no one would be willing to undertake such a work through so difficult a region—for every one would, at once, doubt its affording an interest on its cost. To expect, therefore, that the Baltimore and Ohio rail road, which now, is not a road to the west but a road to Fredericktown and Harper's Ferry only, should make the dividends declared by the finished rail roads of the country, were vain indeed. The full extent of its profit can only be realized on its completion.

It is to be remarked here also, that when the charter of the Baltimore and Ohio rail road was granted in 1826, by the legislature of Maryland, it was the first rail road for general purposes that had been projected in the country—and so sanguine of profit were its friends, that the charge for passengers was deemed ample at three cents per mile, and for merchandise and produce, four cents eastward and six cents westward, making an average as experience shows, of about four and an half cents. Experience has since shown, that, upon a costly road, through a difficult country, these rates are too low, upon the limited amount of business that has heretofore been done by this company: and there are but few rail roads in the union on which the charges are not higher.* Combined with the low rate of charge, to which this company is limited, may be mentioned those causes of expense—the working of inclined planes, and the maintenance of an expensive horse power to be used in the city—from which other rail road companies, whose stocks give large dividends, are exempt. These matters are mentioned here, by way of showing the difference between the companies that are often cited as examples of productive institutions, and the Baltimore and Ohio rail road company, and to show that the cases are by no means parallel. The Portsmouth and Roanoke rail road for instance, is allowed to charge six cents per mile for passengers, and 8 cents per ton for freight. The Washington branch makes the same charge for passengers—but only four per cent. for freight—and has to pay a bonus of one-fifth of its receipts from passengers to the state—Were this bonus not paid, and the Portsmouth and Roanoke rates charged, it would be able to declare out of the earnings of last year alone, a dividend of eight and three-fourths per cent. to its stockholders—and at the same rates, for the same time, the main stem could have declared a dividend of eight and a half per cent. When this road is finished to the west, there can be no doubt of its productiveness; and even in the mean time, what, with the increase of toll already authorised, the avoidance of the planes at Parr's ridge, it is believed that a return may be made to the stockholders. It is the desire of the board to see the great work finished, that is to unite Baltimore indissolubly with the west. They believe that the prosperity of Baltimore depends upon it. The liberality of Maryland—the munificence of the city most interested, have contributed nobly to the enterprise; and the board cannot doubt, that when the surveys shall have ascertained beyond cavil, the expense of construction, any deficit which may exist, will forthwith be furnished.

By order of the board,

J. W. PATTERSON, *president*.

LOUISVILLE, CINCINNATI & CHARLESTON RAIL ROAD.

The following very interesting and important report was made by skilful engineers, at the great

*On the Petersburg rail road, for persons per mile	for goods per ton per mile
Winchester & Potomac 5 cts.	10 cts.
Portsmouth & Roanoke 6 cts.	7 cts.
Boston and Providence 6 cts.	8 cts.
Boston and Lowell 5 cts.	10 cts.
Mohawk and Hudson 3½ cts.	7 cts.
	8 cts.

meeting held at Knoxville (in Tennessee) on the 4th of July last, consisting of representatives from the states of Ohio, Indiana, Kentucky, Virginia, North Carolina, South Carolina, Georgia, Alabama and Tennessee, in relation to the above proposed rail road—a scheme of greater magnitude than any of the kind that has been before attempted either in this country or in any other, and which, vast and extensive as it is, will, it is hoped, be effected without loss of time. [Books are to be opened to receive subscriptions for the stock in October next.]

The convention was organized by the unanimous appointment of general ROBERT Y. HAYNE, of South Carolina, to be president, and the honorable PRYOR LEA, of Tennessee, to be secretary. After sitting from day to day until the 8th, and transacting much other business, the following PREAMBLE and RESOLUTIONS, being the report of a committee of forty-five, composed of delegates from all the states interested, were UNANIMOUSLY AGREED TO by the whole convention, and ordered to be published to the world in their name and behalf.

REPORT.

The committee to whom was referred the report of the South Carolina commissioners, and the four resolutions directing them to consider the *charters*, and report thereon, and also to inquire and report on the *practicability*, *probable cost*, and *commercial and other advantages* of the proposed Louisville, Cincinnati and Charleston rail road, and also on the *measures necessary to be adopted* in relation thereto, have had these important subjects under consideration, and find that charters have been passed by the legislatures of South Carolina, North Carolina, Tennessee and Kentucky, for the purpose of extending a rail road from Louisville and Cincinnati to Charleston, through the states above mentioned. Having examined the provisions of these charters, the committee are of opinion that they should be accepted, and accordingly report a resolution to that effect.

With respect to the second branch of their inquiries, they report that the charters enacted by the several states require that the road shall pass through the states of Kentucky, Tennessee, North Carolina and South Carolina; and the committee are directed to respond to the inquiry, whether there has been found a practicable route through these states between Charleston, in South Carolina, and some point in Kentucky between the Cumberland mountains and the Kentucky river, from which point two roads may be made, one leading to Louisville, and the other to Cincinnati, by way of Lexington, and thence by a branch to Maysville. This cannot be answered better than by referring to the report of captain Williams, of the United States topographical engineers, and chief engineer of the South Carolina commissioners, which has been referred to this committee, and which, after due examination, is found to be entitled to entire confidence, as well on account of the able manner in which it has been drawn up, as the skill and accuracy of the engineers who have assisted in making the surveys. From this report, corroborated by the personal observations of many members of this committee, it will appear that within the chartered limits of the company, there is no practicable pass through the Alleghany mountains but the valley of the French Broad river; and most fortunately for the undertaking, the general direction of this river, within the mountain region, coincides with a straight line drawn from Charleston to the branching point in Kentucky; and what recommends it more strongly for adoption is the fact that its head waters rise on a level plain, which begins at the summit of the Blue ridge, and stretches to the north west in an open valley, without any descent perceptible to the eye for 30 miles, to a short distance below Asheville, in North Carolina; and for the next sixty miles it has a very regular descent to the point where it issues from the mountains, which descent, in the whole distance, averages only 13 feet to the mile; and in only one mile is there a descent of 45 feet. And while the river runs over this regular descending bed, its curvatures are such, that with no very extraordinary labor a road can be made in it to admit locomotives with their trains to pass without difficulty. This committee have no hesitation, therefore, in declaring that this must be adopted as a part of the line of our road, and that it is perfectly practicable.

The attention of the committee has next been called to the approaches to this great opening in the mountains, and particularly to those through the Blue ridge, which lead to the comparatively level country of North and South Carolina.

The Blue ridge presents two openings, which have been examined, and minutely surveyed. The first is down the Reedy Patch creek, called the Reedy Patch gap, which leads directly into Broad

river. The descent here is 777 feet in the distance of 5 miles and 1,371 feet; and in the Broad river below there is a descent of 567 feet in 6 miles and 3,155 feet, to a point where the difficulties of this line terminate, and the country becomes so level as to present no serious obstructions to the use of locomotive power. By the Butt mountain and Green river the Blue ridge may be passed by an opening which leads into the valley of Broad river. From the depression of the Blue ridge at this mountain there is a descent of 198 feet in 4 miles and 2,003 feet, to the bridge on Green river, and from that bridge down the valley of that stream there is a descent of 1,102 feet in 18 miles and 3,377 feet, to a point where the level country begins, and all serious obstructions cease. A third route is found by passing the Blue ridge at the depression of the Butt mountain, and crossing the Saluda mountain into Greenville district, down Gap creek. On this line, which has been accurately surveyed, the road will have a descent of 198 feet in 4 miles and 2,003 feet, to the Green river bridge, and then down Gap creek, where the descent is 1,096 feet in 6 miles and 3,989 feet, to a point on the head waters of the middle fork of Saluda, where the obstructions to the use of steam power terminate.

One of these three passes, it is supposed, may be adopted; but which of them, it would be premature to decide. This decision can be made by the company alone, after full surveys and a careful consideration of all the attendant circumstances.

This committee, however, have no hesitation in declaring their opinion that a rail road may be made through either of these passes with much less difficulty than has been overcome on lines of road possessing in other respects no superiority to ours. Three, or, at most, four *inclined planes* may be here required to be worked by steam or water power, which latter element can be commanded to any extent at all of them. And when it is recollected that our road exceeds one hundred miles in length in the highest mountain region of the U. States, it is only a matter of surprise that so few of these auxiliaries to locomotive power are required. On the Alleghany and Portage rail road in Pennsylvania, the same ridge of mountains is passed by ten inclined planes.

Below the Blue ridge, (whichever pass above indicated may be adopted), the line of road will find no surface which may not be graded with great ease to locomotive power, as tested by present experience. In fact, this region to the seaboard is remarkably favorable to the use of steam power, as will at once appear when the estimates of this part of the line are presented.

Issuing from the valley of the French Broad on the north west of the Alleghany, our road may pass round the south west end of the Clinch mountain, and reach the Cumberland mountains at Cumberland gap, at Wheeler's gap, or at the Cross mountain gap; either of which may be adopted, as may be best recommended by their own facilities and the approaches to and from them. In the present state of our information, it would be presuming too much to express a preference for either. The first has been accurately surveyed by the engineers ordered by the war department on this service, and the second has been explored by captain Williams. It is supposed that one inclined plane may be required here. And from the summit of the Blue ridge to the Ohio river, a distance of 370 miles, it is probable that this will be the only inclined plane which may be required.

The committee have not had time to go into details, and must therefore refer to the report of the commissioners of S. Carolina, the report of Messrs. Gadsden, Brisbane and Holmes, and the report of capt. Williams, which, on examination, will be found fully to sustain this statement, and it is further corroborated by the personal knowledge of the committee, to some of whom every part of the line is known.

The cost of this work constitutes another branch of this inquiry. And here the committee have again to refer to the report of captain Williams, and they recommend a careful consideration of this part of it by every friend of this great work, from which the accuracy of his estimates may be duly appreciated. If any error has entered into them, it is the opinion of this committee that it will be found in placing the cost too high, rather than too low. It should be here observed that the estimates have been made on the supposition that the line of road is to be located by passing by Columbia, South Carolina, then up Broad river and the ridge between it and Thicketty creek, and by the Reedy Patch gap to the table lands of Buncombe county, North Carolina; and from the mouth of the Nolachucky, by Knoxville and Wheeler's gap, to the branching point south of the Kentucky river. This has been

adopted without intending in any manner to recommend it in preference to any other. The decision on this point belongs exclusively to the company, who will be in possession of all the requisite information, (which is not the case with this committee), and this decision will be controlled by no influence but the best interests of the stockholders, which may be always assumed as coinciding with the best interests of the community. The route on which the estimates are made is assumed as the basis on which to predicate the cost of the work; and, should a shorter, better and cheaper one be obtained, this will be so much gained to the company. The following are the results of the estimates of captain Williams:

From Charleston to Branchville, 62 miles, where there is now a single track, the cost for a second will be \$4,500 per mile	\$279,000
From Branchville to Columbia, at 11,433 dollars per mile 62 miles	711,946
From thence to the junction of Thicketty with Broad river, 65 miles, at \$12,000 per mile	780,000
Thence to the junction of Green and Broad rivers, at \$14,300 per mile, 52 miles	743,600
Thence to Asheville, 40 miles, for the first ten miles through the Blue ridge \$40,000 per mile, and the next 30 miles at \$12,000 per mile	760,000
Thence down the French Broad to the mouth of the Nolachucky, 60 miles, at \$30,000 per mile	1,800,000
Thence to the junction of Elk with the clear fork of Cumberland, crossing the streams in East Tennessee, 90 miles, at \$30,000 per mile	2,700,000
Thence to Cincinnati, 190 miles, at \$12,162 per mile	2,310,780
The branch to Louisville, assuming its cost to be equal to the road from Columbia to Charleston	990,000
The branch to Maysville, 60 miles, at \$12,162 per mile	729,720
	\$11,804,046

As the South Carolina canal and rail road company will, in all probability, seek a union with this road on terms of perfect reciprocity, and make a double track to the point of junction, wherever that may be, the estimated costs of this part of the road may be deducted

990,000

Leaving this sum \$10,814,046 to be provided, to construct, (in connexion with the present South Carolina rail road), the entire rail roads between Charleston and Louisville, Cincinnati and Maysville.

This estimate is based on the supposition that there will be a double track the whole way.

A view of the extent and population of the states granting the charter, (through which it must pass), and also of those states which, lying contiguous on the east, the north, and the west, may unite themselves with it by lateral and other connecting rail roads, canals and navigable rivers, may aid in demonstrating the value and extent of the commercial and social intercourse it may be made to establish. But the limited time allowed the committee has prevented them from descending to particulars, or exhibiting more than a general survey of this extensive region. It will be seen that the most direct influence of our road will embrace the eastern but largest portion of Kentucky, the whole of East Tennessee, the western section of North Carolina, and the entire state of South Carolina. In this region, taking the census of 1830 as the basis, and adding the supposed increase to this day, the present population will not vary much from two millions, or a little less than the entire population of the United States at the declaration of independence. And before the time limited for the completion of our work by the charter, allowing our population to double in thirty years, which this road will probably help to accomplish, it will, no doubt, exceed that number, and nearly equal the entire population of the states at the adoption of the federal constitution.

But a more enlarged view of this matter must be taken. The connexions with our road, as exhibited hereafter, will show that the whole region, to be intimately united with our work, will embrace the entire state of Georgia and a part of Florida, the eastern part of Alabama, the southern part of North Carolina extending eastward to the ocean, a large portion of Ohio on the south and west, almost the entire state of Indiana, and a part of Eastern Illinois. Adding these extensive regions, and it will

be seen at least one-third of the United States, which is now settled, forms the immense country from which this road will draw its support, and to which it will dispense its blessings. And it cannot be doubted that, by the time it is completed, the circle of its influence will embrace more than 5,000,000 people, inhabiting a country which stretches over at least 12 degrees of latitude and 10 degrees of longitude, and is blessed by every variety of soil, production and climate found in any part of this union.

This view of the subject alone would seem to render almost unnecessary any further development of the extensive usefulness and vast importance of the undertaking; except merely to point out the connexions of our road with the rail roads, rivers and canals, which have been completed, are in progress or contemplated, and soon may be accomplished, should our happy union be preserved, and its unexampled prosperity sustained and continued. To show these various connexions, it has been found necessary to go somewhat into detail, but with as much brevity as possible.

GEORGIA.

This state requires but a single main trunk of rail road to unite all her contemplated improvements with ours. This trunk, opening on our road in the valley of East Tennessee, may stretch to the south through the Alleghany mountains and Blue ridge by Tennessee river and Rabun gap, where a practicable route has been found to exist; or by a line further west, flanking these mountains, on ground favorable to its construction; and may reach some common point in this state, from which the following branches may diverge:

The most eastern branch will be extended to Athens, where it will meet the road now being made to Augusta, the largest inland town in the southern Atlantic states, where it will meet the rail road to Charleston, already in successful operation, and at present the longest finished rail road in the world, and the steamboat navigation to Savannah. From the same common point a branch will run to Forsyth; from which place to Macon a rail road is now being constructed. Here it will meet the central rail road of Georgia, which has been incorporated to run to Savannah, and also the steamboat navigation of the Ockmulgee, which reaches the ocean at Darien. The most western branch from this common point will proceed to Columbus, and meet there the steamboat navigation of the Chattahoochee, which is the most eastwardly navigable stream which discharges into the Gulf of Mexico. All these roads have received the enlightened consideration of the people and legislature of Georgia, and are regarded as entirely within her means; and there seems no doubt of their early accomplishment. It has been ascertained by a survey made made by lieutenant Colcock, that, in case Georgia should run their main road through the Rabun gap, a road passing into Pickens district, in South Carolina, may branch from it over ground deemed by no means impracticable.

ALABAMA.

The western branch of the Georgia rail road, before mentioned, in its way to Columbus will run so near to West Point, on the Chattahoochee river, that a short road may connect it with that place; from which there is now constructing a rail road to Montgomery, which there meets the steamboat navigation of the Alabama river that terminates at Mobile, the most commercial and rapidly increasing town on the Gulf of Mexico, and destined to have no superior in the south west, except New Orleans. The legislature of Alabama has incorporated a company, that is now organized, to carry a road from Wetumka, at the head of steamboat navigation on the Alabama river, about seventy miles, to the upper part of the rapids of the Coosa river. This company propose to extend their work to meet the western branch, or main trunk of the Georgia rail road, and thus to connect with ours. The connexion of our road with North Alabama and the southern part of West Tennessee will probably be by steamboat down the Tennessee river from Knoxville, or the point where the Georgia trunk will leave that river, to the Tusculumbia rail road, which passes round the Muscle shoals, and is now in full operation; and should our road pass the Cumberland river below the falls, it will cross the head of small steamboat navigation on it, and thus be connected with Nashville, and the northern part of Middle Tennessee, and the western part of Kentucky. Should it cross above the falls, it may have this connexion by a lateral rail road of no considerable extent.

NORTH CAROLINA.

The connexion of our road with the works of this state will probably be made at Beatty's ford, on the Catawba river. From that point a rail road has been chartered to Fayetteville, and thence to

Wilmington, on the Atlantic. From Salisbury, on the last mentioned road, to Clinton, and thence to Raleigh, the capital of the state, a rail road is contemplated, which is to be extended to Weldon, on the Roanoke, to meet the rail roads to Petersburg, now in full operation, and to Norfolk. This continuation will end on the Chesapeake bay.

VIRGINIA.

A company is chartered to meet a branch of our road, which it is contemplated to pass down the valley from the western extremity of Tennessee.

OHIO.

When our road shall reach Cincinnati, its continuation will be effected by a rail road from that city to Springfield, and thence by the Mad river rail road to Sandusky bay and Lake Erie. This continuation is now in progress to completion. At that city we shall also meet the canal from the Ohio river to Dayton. It is also contemplated to construct a canal from Cincinnati to the White Water canal, which will enter the Ohio river at Lawrenceburgh, in Indiana, and will extend above the national road in that state. At Maysville, our road will reach the Ohio river 47 miles below the entrance into that stream of the Ohio and Erie canal, which now extends entirely through the state of Ohio to Cleaveland, on Lake Erie.

INDIANA.

The connexion of our work with the White Water canal in this state has already been mentioned. When we reach Lexington, we shall meet the Lexington and Ohio rail road already finished to Frankfort and progressing to Louisville. On its way it passes within 20 miles of Madison, in this state; and from that town a rail road is already provided for, and a part of it about to be put under contract, passing through Columbus and Indianapolis, the capital of the state, to Lafayette, on the Wabash, where it will strike the canal to Lake Erie, already in part completed. This road will be continued to Lake Michigan, thus opening a direct and almost straight communication between that lake and the Atlantic ocean at Charleston. At Madison, another rail road has been chartered to connect that city with Rushville. At Louisville our road will end opposite to a rail road which has been chartered to run from Jeffersonville to Columbus, to unite there with the Madison and Lafayette rail road.— And at Louisville we shall end opposite to another road, which is intended to pass through Salem, Bedford, Bloomington and Crawfordsville, and end at Lafayette. But whether this road is to be a Macadamized turnpike or a rail road, depends on the result of further surveys ordered to be made. The state is pledged to the construction of one or the other. This road, as well as the one from Madison, will cross the central canal of Indiana, which will begin north of Indianapolis, and, traversing the entire valley of White river, enter the Ohio river at Evansville. The state has made provision for carrying the canal from Lake Erie, through Lafayette, and down the valley of the Wabash to Evansville, passing in its whole length within a short distance of Illinois. To the completion of these works, with several others, this state stands committed by the pledge of \$10,000,000; a sum within a trifle of the whole amount required from four states to complete our great work.

But your committee have yet to mention one of the most important features of our great undertaking. It will reach the Ohio river at three points, embracing a space on that stream of 209 miles. By this connexion we shall open on a steamboat navigation, that without interruption extends to *ten states and two territories*, and has at this moment as many steamboats floating on the waters as exist in all Europe.

The committee would gladly have availed themselves of this occasion to present a full view of the vast resources of the states particularly interested in the proposed road, and of its probable effects upon its future prosperity. A development of this subject in all its bearing, we are confident would present a most imposing view of the surpassing importance of the work which this convention is assembled to promote. The necessity, however, of presenting a report for the *immediate action* of the convention forbids us to attempt more at this time than a mere *summary of the advantages* which must result from the construction of such a road; and we are the more reconciled to this course from a thorough conviction that these need only to be stated to open at once to every reflecting mind a prospect so extensive and so striking, that their own reflections will bring our readers at once to the conclusions at which we have ourselves arrived. We would, therefore, merely call public attention to the following points, viz:

1st. *The impulse* which this road must give to the industry of the vast and fertile regions through which it will pass, by improving their agriculture,

adding to the value of lands, developing their mineral resources, introducing new manufactures, augmenting their population, increasing the demand for labor of every description, and building up villages in all directions.

2d. The great facilities it will afford for the easy, cheap and certain *transportation* of the various productions of the country through which it may pass, or with which it may be in any way connected; the wide door it will open to reciprocal exchanges; and the consequent extension of the *production* as well as the *consumption* of the people along the whole line and on its borders.

3d. The superior facilities which such a route would afford for supplying the whole Atlantic coast, the West Indies, and foreign countries, with the productions carried down the Mississippi river to New Orleans. When we look at the map of the United States, and trace the present course of the trade between the country bordering on the Ohio, and the cities on the south Atlantic coast, involving, after a tedious voyage down the Mississippi, a transshipment at that place, a dangerous and difficult voyage down the Gulf of Mexico, and around the capes of Florida, and estimate the loss of time, of property and the loss of life by which it is attended, the freight, insurance, the shipwrecks, &c. we cannot fail to perceive how vastly important it must be to substitute a direct communication with the Atlantic by a rail road, whereby all these inconveniences and losses would be avoided, and the markets of the whole world thrown open to the western country. It is believed that the saving in freight and insurance alone would pay the interest on the entire cost of such work.

4th. The vast amount of domestic manufactures of every description which would spring up in the west, where labor and provisions are so cheap and abundant, and where water power is so boundless—manufactures which need only good markets to become the source of unbounded wealth and prosperity to the people of that region, and which will be received by the south in exchange for their cotton, or for the foreign goods of every description of which they will be the *importers*, for the supply of the west, as well as of the south.

5th. The vast amount of foreign merchandise which, under such a system of mutual exchanges, would be required for western consumption—the consequent increase of the shipping interest in our Atlantic ports, and the enlargement of our south Atlantic cities by the extension of their commercial connexions—the consequent amelioration of the condition of the whole population of the western and southern states—by adding to their comforts, as well as to their intellectual, moral and social improvement.

6th. The facilities which such a road and its branches would afford for the certain and speedy transportation of the *mail*, and the circulation of literary productions and information of every description; thereby establishing an intellectual intercourse whereby the *public mind* will be enlarged, improved and liberalized—knowledge, the parent of virtue, be promoted, and the arts and sciences greatly extended.

7th. The facilities it would afford to emigration and *personal intercourse* among the inhabitants of different portions of our country, now separated from each other by almost impassable barriers—an intercourse which, embracing the millions of inhabitants extending from the upper lakes to the Atlantic, would soon become so extensive as of itself to insure a large income to the company, and which would be in all other respects eminently conducive to the harmony, improvement and prosperity of our common country. If, as we are informed, 30,000 persons were, in a short time after its completion, transported on the Liverpool and Manchester rail road, adding so much to its income as to increase the value of its stock *one hundred and eighty per cent.* who can count the multitude which would pass along our road, or estimate the profits to be derived from this source?

8th. The advantage in time of war, as affording the means of transmitting the products of the south and east across the continent when they could not be safely shipped, whereby some of the worst consequences of war would be averted to the people of both regions, while the prosperity of the company would be greatly promoted. Nor is it of less importance that the means should be thus afforded for the speedy transportation of provisions, arms, munitions of war and troops, from the interior to the seacoast, or repel invasion and suppress insurrection, while the military power of the country would be thus greatly increased, and a *feeling of security* (founded on a community of interest and sympathy of feeling) would pervade the land; there could be no jealousy or apprehension of danger from this source, since a communication by

rail roads can be *easily interrupted*, such communication being available only for the intercourse of *friends*, and capable of being instantly closed against the approaches of an enemy.

And lastly. Its controlling and permanent influence on the peace and perpetuity of the union, by practically increasing the reciprocal dependence of the north and the south, from Michigan to Florida—by establishing connexions in business, promoting friendships, abolishing prejudice, creating great uniformity in political opinions, and blending the feelings of distant portions of the country into a *UNION OF HEART*.

Such are the leading advantages of the proposed road, which we are here permitted merely to suggest, but the importance of which will be felt and appreciated by all. To follow out these suggestions in all their relations, is a duty which must be reserved for another occasion.

It now becomes necessary to determine what measures should be adopted to carry these views into effect. The charter provides that books shall be opened for a subscription to the capital stock of the company on the 1st October next, to continue open for six days. This capital is estimated at \$6,000,000, with liberty to the company to increase it if found necessary. Should this sum not be subscribed within the period mentioned, the books are to continue open until the 1st January next, in order to enable incorporated companies and states, as well as individuals, to make up the amount, and if, in the whole, the subscriptions shall on that day amount to the sum of \$4,000,000, the company is then to be considered as formed. The first important step, therefore, is to *secure the charter*. For this purpose a strong appeal should be made by this convention to the people of all the states feeling an interest in the proposed road, to induce them to become subscribers to the stock. That appeal should set forth its practicability and immense advantages in a social, commercial and political point of view; urging such facts and arguments as may be best calculated to rouse the people to a great and general effort for the accomplishment of the work. This appeal cannot be without its influence with an enlightened and patriotic people, capable of estimating the almost boundless resources of the states between which this road will form a connexion. Nor can a doubt be entertained by any one who will take an enlarged view of the connecting links of the great chain of communication between the south and the west which this road will establish, that it may be made as *profitable to the stockholders* as it must be *important to the country* in all respects—but especially in promoting friendship and harmony, and establishing a bond of union among the states.

It is, indeed, in this latter view of the question that it presents itself with irresistible force to the mind of every citizen who loves his country, and cherishes her institutions. Without enlarging on this topic at this time, we consider it as making an appeal to the *several states* through which the proposed road or its branches may pass, of so interesting a character that it will become a high, we should think a sacred, duty on their part to interpose, in their sovereign capacity, to *prevent the failure of the great work*. Let the considerations which enjoin this duty on the several states interested be set forth and urged, in the name and behalf of this convention, in such a manner as may leave no doubt of their obligations on this subject. Let the delegates here assembled pledge themselves to each other to exert all their influence to effect this object; and, in behalf of those they represent, let them have a mutual understanding that the states from which they come will (so far as it may be in their power to speak for them) *do their part of the proposed work*. A reasonable assurance that the road would, in no event, be suffered to fail, but that the states through which it may pass would be prepared to make up any deficiency in the subscription of their citizens, would have the effect of giving public confidence to the work, and secure the support of individuals and corporations. The late large and unexpected addition to the resources of the states, by the division among them of the surplus revenue of the United States, affords the *easy and certain means of effecting this most desirable object*. Let this be pressed home upon the states, and let them be urged by every consideration of patriotism and duty not to neglect the means which Providence seems at this time to have thrown in their way for the purpose of effecting the greatest object which it may ever be in their power to accomplish—*THAT OF FORMING A LASTING UNION BETWEEN THE WEST AND THE SOUTH*, by binding them in the golden chain of mutual sympathies and common interests; by breaking down all the barriers which now divide them, and causing the stream of commerce to spread its benign and fertilizing influence through

regions which want only this to become the *fairest portions of the globe*. Animated by these views, which time does not permit them fully to develop, the committee recommend to the convention the adoption of the following resolutions, viz:

1. *Resolved*, That, in the opinion of this convention, the charters of the Louisville, Cincinnati and Charleston rail road should be accepted, and, should alterations or amendments hereafter be found necessary, that application be made therefor to the legislatures of the states granting the same; and this convention hereby urges upon the said states the expediency of granting such application, should the same be made, and can entertain no doubt of the disposition which will be felt by the legislatures of said states to comply with all reasonable requests which may be made by the company when the same shall be formed.

2. *Resolved*, That it is important for Georgia and Alabama and Virginia to unite with the Louisville, Cincinnati and Charleston rail road company by branches connecting with the main trunk of the road, at points convenient for said connexion in Tennessee, on terms of mutual reciprocity and perfect equality as to the rate, accommodation and despatch in the transportation of freight and passengers.

3. *Resolved*, That, in the opinion of this convention, a practicable route for a rail road has been found for connecting the city of Charleston with the cities of Louisville, Cincinnati and Maysville, and that the same may be constructed at a reasonable cost, and entirely within the means of the several states interested therein.

4. *Resolved*, That, in the opinion of this convention, the amount of transportation and travelling on said road will increase for an indefinite period of time, and that it will, from the completion of the road, be such as to render its estimated cost a profitable investment.

5. *Resolved*, That, viewing the proposed road as one of vast importance to the people of the southern and western states, we hold them bound by every consideration of interest and duty to come forward to its support, by subscribing freely for stock when the books shall be opened in October next; nor can we entertain a doubt that, should the road be completed at an early day by the vigorous and united efforts of the people and the states interested therein, it will amply remunerate them for the capital invested.

6. *Resolved*, That we consider the Louisville, Cincinnati and Charleston rail road as a work eminently entitled to the patronage and support of the states through which it will pass, or which may be interested therein; and as, from the national character, great cost, and magnitude of the work, it could hardly be expected that it should be carried through by private enterprise alone, we would respectfully, and do hereby *most earnestly appeal to the said states* for liberal appropriations towards carrying on the great work, which, when completed, will be an enduring monument of their wisdom and patriotism.

7. *Resolved*, That we consider the fund which will be placed at the disposal of said states, by the division among them of the surplus revenue of the union, as *peculiarly applicable* to this great work, which, passing through several states, will open a channel to the most extensive social and commercial intercourse between the western states bordering upon the Ohio and the great lakes, and the states on the south Atlantic and the Gulf of Mexico, thereby strengthening the bonds of our union, and promoting the prosperity and happiness of a large and most interesting portion of our common country.

8. *Resolved*, That this convention does therefore earnestly appeal to the said states to appropriate and set apart said fund, or so much thereof as may be necessary for that purpose, and to cause the same to be faithfully applied to the execution of the proposed road. It is presumed that the states of Tennessee, Kentucky, Ohio, North Carolina and South Carolina cannot receive, under the distribution bill, the first year, much less than nine millions of dollars—a sum nearly sufficient to make the road; and, should Georgia, Alabama, Virginia and Indiana become interested in it by lateral roads, the whole amount required could be raised by the appropriation of the surplus of only a single year. We call upon these states, therefore, for the promotion of their own best interests, and for the sake of posterity, not to suffer the work to fail.

9. *Resolved*, That an address be prepared and published in the name and behalf of this assembly, embodying and enforcing these views, and urging in the strongest manner upon the states and people the duty of carrying the great work into effect.

On motion of Mr. WICKLIFFE, resolutions were entered into admitting the state of Georgia and its citizens to become participants in the construction and benefits of said road, and other adjoining states were also invited to partake in the work.

FOREIGN CHRONICLE.

Curious calculations. It has been estimated by some London statistician, that there are in that city, full five thousand men who would murder a man for the prospect of obtaining a shilling and escaping punishment.

The old diplomat *Talleyrand* still preserves the tenacity of life which belongs to him. He is so far recovered as to amuse himself daily in wheeling in an armed chair among the lawns and avenues of his splendid forest at Valençay—14,000 acres in extent.

Protestant Irish. In 1776, the Protestants in Ireland were nearly one-third of the whole population. In 1822, they were only one-seventh. In 1834, (the last census) they were found to be reduced to as small a fraction as one-tenth.

Unlicensed confessor. A young man in Paris, lately arrayed himself in the garments of a priest and placed himself in a confessional in one of the churches. A female penitent approached and had nearly finished her confession, when by some accident the cheat was discovered. The affair was brought before the tribunals; but the crime is said to be new, and the judges were puzzled what to do with it. All Paris was speculating about it for several hours, and finally the cause was taken up to the court of Cassation.

Albino elephant. The king of Siam is about to present to the Jardin des Plantes, at Paris, a white elephant, as return for the extreme kindness which the Siamese twins met with from the people of the French capital during their late exhibitions. The white elephant is said not to be a separate species of the class, but what is called an *albino*. It has, however, the peculiarity of having natural colored eyes, and can bear the alterations of light and darkness without inconvenience. It is an animal beyond all price in India. In the time of the ancient Persians it was treated with divine honors.

Logic class—Chip of the old block. As a specimen of the past utility of the logic class in the university of Edinburgh, an anecdote is current, in which the son of a facetious baronet, whose residence is not five miles from town, acted a part worthy of his descent. He was called up by the worthy professor of the time, and asked the notable question, "Can a man see without eyes?" "Yes sir," was the prompt answer. "How sir?" cried the amazed professor, "can a man see without eyes?" "Pray, sir, how do you make that out?" "He can see with one, sir," replied the ready-witted youth; and the whole class shouted with delight at the triumph over metaphysics.

[London paper.]

The dead alive. An old officer on the retired list, living at Santes, in the Charente inferieure, a few days ago fell into a lethargy, and was buried with military honors, under the conviction that life was extinct; but awakened by the firing of the platoon over his grave, which took place before the coffin was covered with earth, he made himself heard by his cries, was taken out, and walked home arm in arm with those who had believed they had taken their last farewell of him.

Old oak. A large oak in the forest of Cerisy, known under the name of the Puenesse, at a little distance to the right of the great road to St. Lo, is supposed, by comparing various data, to be eight or nine hundred years old. In 1824 it measured thirty-six feet in circumference, just above the soil, and was about fifty-five feet high. The trunk is now hollow, and will hold from fourteen to fifteen persons.

Fire in London. A fire broke out on the morning of August 30, in the warehouse of Mr. Wilson, tea merchant, on the Southwark side of London bridge, which, with several adjoining buildings and their valuable contents, was entirely destroyed. One of the warehouses destroyed was five stories high, 150 feet in length, and 80 feet wide. The loss of property was valued at £400,000. Mr. Wilson was severely injured in leaping from his bedroom window, on the second floor, upon the pavement, to escape the flames. It is stated that there has been no fire in London, which caused so great a destruction of property, since 1794.

Church of England schools. The donations by the friends of scriptural education at Liverpool, amount to £10,392 10s. 2½d. and the annual subscriptions in operation exceed £1,100. In the south schools, there are 276 boys, 97 girls, and 80 infants—in all 553. In the north school there are 400 boys, 230 girls—in all 630, making a total of both schools of 1,183.

Cattle steamboats. Such are the profits obtained by the Scotch farmers of Inverness, Aberdeen, &c. since the exportation of their sheep and black cattle to London by steam, that it is proposed to have a line of coast steamboats entirely appropriated to that object.

The three sons of the late Mr. Rothschild have taken their stand on the London Exchange, in the place so long and honorably occupied by their father. The firm was announced as N. M. Rothschild & Sons.

All medical practitioners, by the new medical bill, must attend inquests at the summons of the coroner, under a penalty of £5. The fee is one guinea, and

two guineas for a *post mortem* examination. The summons must be issued at the request of a majority of the jury.

Splendid Egyptian hieroglyphic. At the sale of Mr. Burton's collection of Egyptian antiquities, the splendid roll in memory of Nebesai, a scribe of the temple of Pthah Soker, at Memphis, on one sheet of paper, made of the papyrus plant, near one hundred feet in length, without a single join, (nothing new under the sun!) was bought for the British museum for £120.

A valuable portion of the manuscripts of Voltaire, stolen from Ferney in 1819, are reported to have been discovered in Hanover.

The highest chimney in the British kingdom is that at the chemical manufactory at Wigan, being 106 yards, or over 308 feet high.

The hereditary grand chamberlains of England, the marquis Cholmondeley and lord Willoughby d'Eresby, by their descent from the duke of Ancester, are to exercise their functions in alternate reigns.

Don Miguel has hired a magnificent mansion at Albaro, in the suburbs of Genoa. A marriage is talked of between him and a princess of Modena.

Silk and wine in Russia. Besides rail roads and beet sugar manufacture, the autocrat seems zealously bent on advancing his empire in all the arts:—

Last year about 95,000 mulberry trees were planted in Russia alone. Two hundred and sixty-four pools of silk were produced, (the pool at 36 lbs. English). The produce of the vintage in the Russian empire last year, was 1,664,209 barrels (*vedros*). In the Crimea, alone, above 600 kinds of vines are cultivated; among them are those which produce the Rhenish, French and Greek wines.

Easy method of detecting arsenic in food. M. Schweiger Seidel has invented a very simple method of ascertaining the presence of arsenic in food, &c. however small the quantity may be. He puts a portion of the matter to be tried, and doubles its weight of soda, into a little glass tube, he closes the open extremity of the tube with blotting paper, and heats the other end with a taper; the arsenic is sublimated in a few moments, and adheres to the sides of the tube in the part which is not heated.

DOMESTIC CHRONICLE.

New weapon. We have been recently shown one of the most awfully destructive weapons, made by gen. Houston's orders, and stated to be furnished after a device of his. It consists of a cutting and stabbing knife, to the back of which is fixed a pistol, the same handle serving for both weapons. The knife is nearly the size of that famous short sword, with which the Roman legionaries did such memorable service, and when *backed* and furthered by the great improvements of modern warfare, we entertain very little doubt of a fearful return of killed and wounded in the Mexican ranks in the next encounter, that is, if they should ever come to close quarters. The next accounts are looked for with impatience certainly, but with no apprehension.

[N. Y. Trans.]

The Massachusetts Silk company have at present 78,000 mulberry trees in flourishing condition. The company was incorporated a year ago with a capital of \$150,000.

The work goes on. In passing along Pearl street, and its crowded lots of merchandize, we noticed yesterday a row of boxes in front of Disoway & Brothers, marked *Liberia, Western Africa*. We are informed that this trade is becoming so important, as to make it necessary for the merchants in the colony to visit this country regularly for their supplies. The gentlemen just referred to received not long since, a lot of camwood from a firm at Monrovia, which sold in this market for seven thousand five hundred dollars. With the proceeds, the parties purchased a vessel, which was filled with a return cargo.

[N. Y. Com. Ad.]

A new bell, weighing upwards of six thousand pounds, has been hung over the rear entrance of the City Hall, New York, to be rung whenever there may be an alarm of fire. It was made in that city, and is said to contain less brass than the old, in consequence of which it will, as is supposed, be less liable to crack, although doubts are entertained whether its tones will be as clear and shrill as those of its predecessor. It was carried to its place of destination on a cart drawn by four oxen.

A revolving light has been placed on Cape Spear, at the entrance of the harbor of St. Johns, N. P. which went into operation on the 1st of September. It will burn at an elevation of 275 feet above the level of the sea, shows a brilliant flash at intervals of a minute, and may be seen at the distance of twenty miles. The stationary light at Fort Amherst is to be continued.

Remarkable snow storm. A letter from a friend in Skeneateles written on Thursday last, gives an account of one of the most extraordinary snow storms that ever occurred in any autumn in this state. On Wednesday morning it commenced snowing, and it

continued to fall profusely during the whole of that day and the next. It was computed that the fall of snow, but for the rapid melting, would have equalled three feet. As it was, the snow lay sixteen inches deep at the time the letter was written. Great destruction took place among the fruit and forest trees, which were broken by the burden of snow resting upon them. Such a storm at a period of the year, is altogether without precedent in this climate, and adds a prominent item to the eccentricities of this remarkable season. [N. Y. Com. Ad.]

Coal. The Providence Journal states that the exploration for anthracite coal which has been for some time in progress in Cumberland, (R. I.) has at length been crowned with complete success. A shaft has been sunk at that place to the depth of 78 feet, and excavations have been made on each side at that depth, one of 25 and the other to 80 feet. The stratum of coal is 13 feet thick, and dips to the north at an angle of about 65 degrees. There is every appearance of an abundant quantity of coal, which is softer than that obtained from the mine on Rhode Island. A steam engine is soon to be put in operation, and the price fixed for the coal is \$6 per ton, at the mine.

The shoe business was never more profitable than at present—and the New England manufacturers are reaping a rich harvest. One house in Salem, Mass. advertises for one hundred journeymen.

Major general Macomb, as we learn from the Army and Navy Chronicle, has appointed lieutenant John N. Macomb, of the 4th regiment of artillery, one of his aides-de-camp.

The grand jury of Oneida county, N. Y. have found true bills of indictment against three of the commissioners to distribute the stock of the Oneida bank, for *misdeemeanor* in fraudulently distributing it to themselves. The three indicted are Mr. Dauby, the postmaster in Utica, and editor of the Utica Observer, who is the elected president of the bank; William Osborne, junior, and John Ruger.

Saw mills in Maine. The editor of the Portland Advertiser computes the number of saw mills in Maine at from 1,500 to 2,000. The town of Rons alone has 200.

Dreadful leap. A gentleman from the south, on Friday, jumped out of a 4th story window in the Astor House upon the stone pavement. He was most severely injured, but not killed. He was insane as we understand. A few moments before he took this leap, he drove his servant from his bed chamber by drawing a large knife upon him. [N. Y. Express.]

Population of Salem. The population of Salem, Mass. as ascertained by a census just taken, is about 15,000. In 1830 it was 13,876.

A slave case. A mulatto was arrested a few weeks ago, at Reading, Pa. charged with being a runaway slave, belonging to an estate in Maryland. There was some informality in the papers under which the claimant acted, and no evidence was gone into to prove whether the mulatto was a slave or not. He was discharged, but immediately arrested on a charge of larceny. He was shortly after brought before a judge, on a habeas corpus, but again dismissed on the ground that the evidence against him was not sufficient to sustain the charge.

A Turk. A negro slave at Darien, named Tom Scudder, who had bought himself a wife, having paid \$700 to a neighboring tavern keeper for her, lately had her sold again under the hammer for \$750—he had a quarrel with her. He himself is the property of col. Deming; and though he is fully able to purchase his own freedom, and have a handsome sum besides, refuses to do so. He is a shoemaker, and pays his master \$2 per day for his time.

A letter received by a gentleman of this city, conveys the unpleasant intelligence of the death of gen. John Coffee, of Georgia; he died at his residence, in Telfair county, on Sunday, the 25th ult. at half past 2 o'clock, after an illness of six days. [Globe.]

The hon. William C. Jarvis, late speaker of the Massachusetts house of representatives, committed suicide in Wethersfield, Vt. on the 2d inst. by shooting himself through the heart with a pistol. He was deranged it is supposed.

Doctors. The Philadelphia Sentinel says that N. York has a greater variety of physicians than any other city in the world. The Sentinel enumerates them thus:—

Regulars, irregulars, Broussaianes, Sangradoarians, Morissonians, Brandvethians, Beechitarians, botanics, regular botanics, Thomsonians, reformed Thomsonians, theoretical, practical, experimental, dogmatical, emblematical, magnetical, electrical, diplomatical, homeopathians, rootists, herbists, florists and quacks.

The uninterrupted health of New Orleans has caused an earlier revival of the fall trade than usual. Twenty-five steamboats, either loading or discharging, were counted at the levee, September 22d a much larger number than usual at this season.

NILES' WEEKLY REGISTER.

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[VOL. LI.—WHOLE No 1,308.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED, BY WILLIAM OGDEN NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

95—The proceedings of the Van Buren party in Harford and Frederick and of the people in Washington and Allegany, exhibit a striking dissimilarity of sentiment in relation to the conduct of the recusant electors and the proper remedy for the present unfortunate condition of affairs. For, while the two first warmly applaud the conduct of the "nineteen," and look to the convention, which the recusants recommended to be holden in November next, as the only remedy, the meeting of Washington county, comprising leading men of both parties, recommend the electors from that county to go into the college and assist in forming a whig senate, provided assurances are given that a majority of senators will be favorable to the passage of a law calling a convention to remodel the present constitution.* The meeting in Allegany county, also composed of leading men of both parties, does not, however, make this stipulation, but openly denounces the conduct of the nineteen and the recommendation of the meeting in Frederick as leading "to anarchy and confusion."

Whether the stand taken by Washington and Allegany, the first named as deeply interested in the question of reform as any other county in the state, will arrest the convention, time only can determine—but there are those who are sanguine that a door will be speedily opened for the adjustment of the difficulty.

From Annapolis we learn that the electoral college was still in session, with at least three members always present, and that arrangements have been made for the speedy attendance of the other whig members as soon as a disposition is evinced by any of the recusants to enter upon the duty for which they were elected.

A disease termed "congestive fever" has been prevailing in Annapolis and its vicinity for some weeks past. But, by the last accounts, its virulence had abated, and all those afflicted with it were considered out of danger.

UNITED STATES AND MEXICO. The Philadelphia Daily Advertiser of Tuesday last contains the following paragraph. Mr. Gorostiza, it is said, was in Washington for nearly a month endeavoring to induce this government to withdraw its troops from the Mexican territory; and the public will look with anxiety for the correspondence which has taken place on the subject during his protracted visit to Washington—especially as it was induced to believe from the tenor of gen. Jackson's letter to the governor of Tennessee, countermanning gen. Gaines' requisition on that state, that the government of the United States was not only resolved to preserve the most strict neutrality in the Texian war, but disposed to vindicate itself from the slightest suspicion of a design to invade the Mexican territory—and hence that there was not the most remote prospect of a rupture between this country and Mexico.

"We understand that Mr. GOROSTIZA, the Mexican minister, arrived at the Mansion House yesterday from Washington. We are extremely sorry to hear, from a respectable source, that his negotiations with our government have terminated unsatisfactorily, and that he is preparing to return home with his diplomatic family. This will be unwelcome news to the friends of peace, and to the commercial interests of this country."

The New York American says—
"We heard yesterday from a pretty good source the same piece of intelligence, but in a shape somewhat more decisive, namely, that the Mexican envoy had made a peremptory demand for the recal of gen. Gaines from Nacogdoches, and a compliance with this being refused on the part of this government, he demanded his passports."

In reference to the above report, the "Globe" of yesterday contains the following:

Mr. Gorostiza. As in the case of the withdrawal of the French charge from this country, the editor of the Intelligencer, (who then called upon us for the grounds "upon which that intercourse was broken off," having them in his own pocket at the time), now calls upon us for Mr. Gorostiza's manifesto.

*Messrs. Wason and Magill, the electors, were present at the meeting, and, it is said, sanctioned the recommendation of the meeting.

VOL. LI.—SIG. 8.

We would inform the editor of the Intelligencer, that Mr. Gorostiza has not been as civil to us as Mr. Pageot was to him; and as he is notoriously the Gorostiza organ, we cannot doubt but that he is as well provided with materials for exhibiting the conduct of the Mexican minister in the best light, as he was to make the most of the French minister's case. The editor of the Intelligencer may, therefore, produce his budget, without taking the trouble of assuming diplomatic airs, and dissembling all knowledge of Mr. Gorostiza's motives and movements. He has doubtless had his fee, and sooner or later he must endeavor to make a Mexican party of his Nova Scotia whigs. Santa Ana, Bravo, Cos & Co. are true blooded whigs of the Intelligencer school, and are quite as much in love with our democracy as the fat little English editor, and those who rally under the tory banner. San Jacinto was not more fatal to his foreign allies, than are the victories which general Jackson has gained over his immediate friends at the polls. The Santa Anas of the United States have just as much reason to hate the people by whom their ambition is crushed, as the Mexicans have to hate the Texans.

Although we have no knowledge of the reasons given by Mr. Gorostiza for taking his leave, we think the following extract from a letter, just received, sheds some light on the subject:

Extract of a letter received in this city from a gentleman who left Tampico on the 12th of September last.

"The Mexican ports are now open to the Spanish flag, and the government of Mexico has despatched commissioners to Cuba for the purpose of raising a naval armament to cruise against the Texans.—Is it probable that men embarked in this warfare, would, or will return to port without prize money? The Texans have no commerce to gratify their enemies with, and all their armed vessels would not equal one decent prize. Therefore it behooves the commerce of these seas to be well protected against piratical movements. Several private letters from the interior of Mexico were shown to me at Tampico, from which the sentiment appears to be universal among the Mexicans, that war will be declared against the United States, in the event of their recognition of Texian independence."

From this it will be seen that Mexico, despairing of success single handed in the contest with Texas, is desirous of involving foreign powers in the war. This can only be done by exciting jealousy of the growing power of the United States. If Spanish vessels from Cuba, or pirates under the Spanish flag, can be induced to take part in the war, to prey upon our commerce in the Gulf of Mexico, and if in the collision thus produced, alarm for the safety of Cuba could be excited, the Mexican government doubtless supposes that the European powers might be brought to make common cause with it in the war against Texas; a war which will be represented by those willing to engage in it beyond the Atlantic, as intended to bridle the spirit of conquest in the United States. The pretext for it, is to be "the recognition of Texian independence!" After the quietus given to this attempt in the British parliament, we should have supposed further experiment would have been relinquished.

LATE FROM EUROPE. By the packet ship Normandie, captain Pell, at New York from Havre, the editors of the Commercial Advertiser have received Paris journals to the 15th of September. They add very little to our previous accounts of European affairs.

Marshall Soult's refusal of the war port folio is reiterated, and a rumor is given that general Bernard, so well known in this country, has been called on by the king to assume this post. It is not improbable, as the king is known to have great confidence in the general.

Letters from Spain say that the health of the queen regent is seriously affected by the troubles and anxieties she endures. The demands of the ultra liberals are said to be on the increase, they require now the abolition of hereditary peerages and of entails, as well as the suppression of all religious establishments. Nothing farther had been heard of the Carlist general, Gomez. The condition of Madrid is said to be frightful, and the armies are represented to be much infected with the spirit of insubordination.

A letter from Marseilles of the 10th of September mentions that the cholera has nearly subsided in the papal states.

BANK OF THE UNITED STATES. Bicknell's Reporter has the following paragraph. No other Philadelphia paper makes mention of the report:

"We understand from good authority, that the directors of the bank of the United States have it in contemplation to propose to our state legislature, at their next session, to abandon their charter, providing the bonus which has been paid to the state, be returned to the bank."

FROM FLORIDA. A gentleman arrived at Savannah on the 10th inst. from Jacksonville, informs the editor of the Georgian that the forces under gov. Call had met with some Indians near Fort Drane, and after a short skirmish with them on the third instant, drove them into the hammock, the Indians leaving four of their dead on the field. Next day another skirmish took place, with similar results, the Indians leaving five dead on the field—none of our men were injured. Major Pierce was on his way to join gen. Call, at Volusia.

The regulars moved off on the 3d instant from Black creek for Newnansville (with baggage train). They were, it is said, 800 strong.

DR. JOSEPH LOVELL, surgeon general of the United States army, died in Washington city on Monday last. Dr. Lovell entered the army in 1812 as a surgeon of the 9th regiment U. S. infantry, and served in the memorable campaigns on the Niagara frontier in 1813 and 1814. In 1818 he was appointed surgeon general of the army, which station he filled with honor and great advantage to the public service. His remains were interred on Tuesday evening last with every mark of respect, the president's family, the heads of departments and the principal officers of the government being in attendance.

"WASHINGTON!" The *Du Bugue Visitor*, relates the following instance in which the profanation of the name of "Washington" received a merited rebuke.

A gentleman, who had just risen, we presume, from the perusal of the details of the splendid victory of general Houston, at San Jacinto, and was exulting at the prospective triumph of liberty in Texas, proposed as a toast:

"Samuel Houston—The Washington of Texas." The table, which had been tolerably boisterous before, was hushed in an instant, and for a moment a solemn silence prevailed; and every breast appeared to vent its deep feeling in cries of "No, no!" "No, no!" "That will not do!" "That will not do!" We were never more gratified, and never felt so certain that the memory of the great and good man who bore our country safely through the storm of the revolution, was still cherished in the hearts of the American people, as at witnessing that spontaneous burst of feeling from a large company of citizens, collected from every quarter of our wide-spread country.

GREAT SNOW STORM. The Albany Journal of Wednesday the 12th inst. says—On Tuesday night of last week, snow commenced falling in this vicinity. It continued throughout Wednesday and the following night, with very little abatement; and up to Thursday morning is supposed to have fallen to the depth of at least 24 or 26 inches. Although thawing very fast, during the whole time, yet on Thursday morning a friend of ours took the pains to ascertain its depth in an open level field, which proved to be from 13 to 14 inches. From the extreme dampness and weight of the snow, much damage has been done to fruit and forest trees. It fell in solid sheets upon the branches still covered with foliage, and literally crushed them to the earth. Whole orchards (more particularly south of us) are in this way greatly injured—many trees entirely ruined—and even in the woods, many a noble tree has been trimmed of its fair promotions. The orchards and ornamental trees in and about the village have suffered materially, and will long bear marks of the ruin worked by the October snow storm of 1836.

P. 8. This morning, we have another snow storm; having had snow for three Wednesdays in

succession. It began briskly—and as to the ending we wot not of it.

REGARD FOR HUMAN LIFE IN ENGLAND. No man or woman is suffered, in England, to be put to death, either by ignorance, negligence, accident or design, without strict scrutiny into the facts. A coroner's inquest there is a real and searching inquiry, conducted by a competent and well qualified magistrate. One of the good results of such inquiry is stated in the annexed report. [*N. Y. Am.*]

Morrison's pills. Another life has been sacrificed at Hull, as alleged, from the taking of Morrison's pills. An inquest was held, on the 26th, on the body of Rebecca Russell, who had been taking from four to six pills a day, and got worse. Her husband then went to Mr. La Mott, an agent for the sale of the pills, and he recommended six to be taken at night of No. 1, and the same quantity the following morning of No. 2. Next morning, La Mott visited the patient, and ordered eight to be taken night and morning. He daily increased the dose to ten pills, and then to fifteen every three hours; but, as she got worse, he ordered them to be discontinued, as "hers was a very obstinate case." On her decease, a *post mortem* examination took place, and it was found that death was caused by inflammation of the intestines, brought on by excessive purging. The jury, after half an hour's deliberation, returned a verdict, "That the death of the deceased was occasioned by disease, in conjunction with medicine improperly administered, and by gross ignorance of the person prescribing." The coroner told the jury that, under these circumstances, it would be for them to return a verdict of manslaughter against the person by whose orders the medicine was administered, Mr. La Mott. The foreman replied, "Yes," and a verdict was accordingly entered of "manslaughter against Thomas La Mott."

MILTON'S WATCH. A poor family in this county lately received a box from America, as part of the effects of an aged relative, whose ancestors had emigrated to that continent soon after the time of the commonwealth. The box contained several coins of the reigns of Elizabeth, James and Charles I. and a few of the protectorate, but none of a later date. With the coins there was an old watch, and the family to whom the bequest came, being indigent, sold the whole to a silversmith, who was also a watchmaker. The purchaser gave the full price for the coins, but refused to give more for the watch than the value of the silver case, 2s. 9d. The works, with the face on, which looked like iron, were left in a drawer frequently opened. After a while the friction on the face showed it to be silver, with an inscription on it. This being deciphered by clearing the metal, was found to be "Johani Milniti, 1621," and contained also the name of the maker, a person in Pope's Head alley, London, whose name appears in the tables of the watchmaker's company for that period. The watch is well made for the time, and would seem an appropriate present for a young gentleman on entering life.—The present possessor had it as a token of gratitude for some former favor from the silversmith, and the relic has become an object of inquiry for purchase at a considerable price for the British museum. [*Yorkshire (Eng.) paper.*]

AUDITOR OF THE TREASURY. It is announced in the Pennsylvania papers, that Jesse Miller, esq. a member of congress from that state, has been appointed first auditor of the treasury department in place of Richard Harrison. Mr. H. is said to have been the last remaining officer appointed by president Washington.

GEN. SAMUEL SMITH was, on Monday last, re-elected mayor of the city of Baltimore by a majority of 610 votes over col. Jacob Small.

Wards.	Smith.	Small.
1	318	307
2	313	326
3	483	336
4	543	296
5	390	487
6	562	357
7	273	483
8	538	349
9	295	503
10	515	307
11	478	514
12	558	392
	5,261	4,651

Gen. Smith's majority, 610.

DEPARTMENT OF STATE, October 16, 1836. The consul of the United States at Turks Island has transmitted to this department the Bahama Argus

of the 3d September, wherein it appears that, by an order in council, the port of Grand Key, Turks Island, Bahamas, has been declared to be a free warehousing port.

GEOLOGICAL WONDER. At the United States quarry in the village of Kennebunkport, Maine, where they are now quarrying large quantities of a strong, rich and beautiful granite—take it altogether, perhaps the very best building material on earth, inasmuch as, with all its other good qualities, it rings like cast iron, works admirably and easily, it has been subjected to a heat of seven hundred by professor Cleaveland, without finching—the workmen have just discovered a rift, or dyke, which, had it been planned by the most skillful engineer, and executed at a cost of fifty thousand dollars, for the sole purpose of draining the quarry, and enabling the proprietors to work it to advantage, could not have been more judiciously contrived or executed. It has been cleared to the depth of twelve or thirteen feet in one place, and thoroughly sounded thro' its whole extent; is about six feet in width, of unknown depth, full of loose earth, which may be shovelled out, leaving a straight, smooth, perpendicular wall on each side, the whole extent of the quarry! It is now under contract, and will be finished to the depth of twenty or twenty-five feet in some places, by the first of January, 1837. A covered drain will be left as they proceed. Thus it is that NATURE—perhaps it were not irreverent to say the God of nature—provides, ages and ages beforehand, for the wants of man! This dyke or fissure, which must have been caused by an earthquake, or some other tremendous convulsion of our earth, centuries ago, for the walls are too smooth, and the soil too loose and uniform to admit of almost any other supposition, will be of immense advantage to the quarry, and could not have been *imitated* even by blasting, which would have ruined thousands and thousands of tons of this beautiful stone, at an outlay of less than fifty or a hundred thousand dollars.

[*N. Y. Express.*]

AMERICAN CEMENT. This name has been given to a geological compound, so arranged that it crystallizes into perfect stone. The important fact is now well settled, that we can so prepare the constituent parts of various rocks as to render them subject to the known laws of affinity, which soon unites them again into their former solidity. It is well known that all rocks have once been in a liquid or semi-fluid state, so as to admit of some freedom of motion among their particles. Now, as the laws of nature are immutable, it is obvious that, if the elements of various rocks are brought into the same state which chance has often thrown them on the surface of the globe, their crystallization is certain. Indeed, we often find fragments of different rocks and various pebbles united by an intervening formation that has crystallized around them. Hence the production of artificial stone is as much the work of nature as the fruit of an apple tree which grows in our garden. When their natural products are being developed, we may alike vary the soil which gives nourishment to the one, and the elements which enter into the composition of the other. "As the twig is bent the tree is inclined;" so, as the young crystalizing rock is moulded, it will stand an eternal monument. The growing of rocks will surely be a novel branch of industry. What then shall we say to the growing of houses and temples out of a few simple elements, by merely bringing them within the active influence of nature's law in the formation of granite?

[*Buffalo Advertiser.*]

THE SURPLUS REVENUE. As the date for the distribution of the surplus revenue is near at hand, it may not be amiss to republish the sections of the law bearing upon the subject. They are as follows: [*N. Y. Am.*]

Sec. 13. *And be it further enacted,* That the money which shall be in the treasury of the United States on the first day of January, eighteen hundred and thirty-seven, reserving the sum of five millions of dollars, shall be deposited with the several states, in proportion to their respective representation in the senate and house of representatives of the United States, as shall, by law, authorize their treasurers, or the competent authorities to receive the same on the terms hereinafter specified; and the secretary of the treasury shall deliver the same to such treasurers, or other competent authorities, on receiving certificates of deposit therefor, signed by such competent authorities, in such form as may be prescribed by the secretary aforesaid, which certificates shall express the usual and legal obligations, and pledge the faith of the state for the safe keeping and repayment thereof, and shall pledge the faith of the states receiving the same to pay the said moneys, and every part

thereof, from time to time, whenever the same shall be required by the secretary of the treasury, for the purpose of defraying any wants of the public treasury, beyond the amount of the five millions aforesaid: *Provided,* That if any state declines to receive its proportion of the surplus aforesaid on the terms before named, the same shall be deposited with the other states agreeing to accept the same deposit, in the proportion aforesaid: *And provided further,* That when said money, or any part thereof, shall be wanted by the said secretary, to meet the appropriations made by law, the same shall be called for, in rateable proportions, within one year, as nearly as conveniently may be, from the different states with which the same is deposited, and shall not be called for in sums exceeding ten thousand dollars, from any one state, in any one month, without previous notice of thirty days for every additional sum of \$20,000 which at any time may be required.

Sec. 14. *And be it further enacted,* That the said deposits shall be made with the said states, in the following proportions, and at the following times, viz: one quarter part on the first day of January, 1837, or as soon thereafter as may be; one quarter part on the first day of April; one quarter part on the first day of July; and one quarter part on the first day of October, all in the same year.

THANKSGIVING. Governor Everett has appointed Thursday the first of December next, as a day of thanksgiving and praise in the state of Massachusetts. The following is the principal part of the proclamation.

"The experience of every person of reflection will suggest unnumbered causes of thankfulness, for which—if his mind is not wholly insensible to religious impressions—he will, in looking back upon another year, feel it at once his duty and his privilege, to pour out his heart in gratitude to that Being, who, in the midst of our unworthiness and transgressions, continues to crown us with his mercies.

"Besides what concerns us as individuals, the season of the year calls upon us to express our heartfelt thanks to the Author of all Good, for the extraordinary prosperity of the past year, and especially for the in-gathering of another harvest, which, notwithstanding the partial failure of a portion of the fruits of the earth, has still left us in the enjoyment of an amount of blessings, which demands our warmest gratitude. The great political and social privileges which distinguish our condition as a people—the blessings of a free government—of mild and equitable laws impartially administered—and of a general state of progress—require of us, on every suitable occasion, an earnest and public acknowledgment;—and we ought especially at this time, to render our thanks to the Ruler of Nations, that he has been pleased to continue to us the blessings of peace. The general prevalence of health throughout our land should direct our thoughts to that Good Being, who has cast our lot in a salubrious climate and has spared us the visitations of infectious disease;—and above all other grounds of thankfulness, we should approach the Throne of Grace with our heartiest ascriptions of praise, for the gift of the gospel and the hope of pardon and eternal life, through our Lord and Saviour Jesus Christ.

"With our humble tribute of thanks to the Great Source of Good let us unite an affectionate remembrance of the poor. Acts of thanksgiving for our own mercies seem to lead appropriately to those deeds of beneficence, to which the friendless and destitute look for a portion of the supplies which are to carry them through the inclement season of the year. There is no way in which we can return any thing to the Great Giver of our own comforts, but by ministering to the wants of those whom He has been pleased to leave in a state of dependence on their fellow beings.

"And the good people of the commonwealth are respectfully invited to keep the customary festivities of the occasion within the bounds prescribed by temperance, moderation and the professed character of the day;—and to abstain from and discountenance every species of amusement which tends to excess—which interrupts the devotion of others—or in any way violates the peace that ought to reign on a day set apart by a Christian people for public acts of religious duty."

PRIZES FOR VIRTUOUS ACTIONS. Among the list of persons to whom was decreed by the French academy at their last session, the Monthyon prizes for virtuous actions, the following cases are mentioned. Claudine Treille received a medal of one thousand francs value. This woman had devoted her whole life, all her time, all her property to primary instruction, without any other recompense

than the pleasure of teaching little shepherds to read. These children she fed and taught, and now, though grown decrepid, leaning on two crutches, spinning at her distaff, she still continues her noble and modest business. Jeanne Pasello also received a medal of a thousand francs value.

This woman, during twenty years, was the nurse of her father, and was compelled, every time he took nourishment, to force open with her feeble hands his mouth, which was convulsively pressed together, from whence a torrent of blood flowed, and in the effort her own fingers were sadly lacerated, and finally became entirely mutilated. Another prize of a similar value was decreed to the widow Anconin, the daughter of a sea captain, and whose husband had been master of a coasting vessel.—She, without any fortune, by her own labor alone, had supported, nursed and assisted for fifteen years six children of a sister, and the husband of that sister, who had fallen into decrepitude.

The two first prizes of four thousand francs each, belonged of right to Lawrence Queter, a fisherman of Douai, who at fifteen years of age had already saved the lives of twenty-nine persons, and to Louisa Renee Menard, a young lady born rich, and destined to a life of ease and pleasure, who had chosen charity as her only pleasure—this was her vocation, her hope and her reward. At the age of nineteen, when one is so happy in living for happiness or for the hope of gaining it, she thought only of others, and fed at that time two hundred families. Nicolas Plege received a prize of two thousand francs.—This man was by trade a rope dancer, and used the agility he had learned in his profession in striding over burning joists and shaking rafters, and running from danger to danger to save men, wherever there were men to be saved. The imprudence of a servant at Alencon had set fire to a house in that city. The unfortunate man perished in the flames, notwithstanding the efforts of Plege to save him. He, as usual, went twice through the burning house, and burnt his own feet, his only instruments for gaining a living, in his efforts. The children of this servant were left without support—and Plege, with his burnt feet, gave a representation the evening before his departure, and devoted the entire proceeds of it to the orphans. "This rope dancer, (as Mr. Nodier, the prize distributor, well remarked), this rope dancer was an excellent citizen."

A NEW MANUFACTURE. A late Paris journal contains the following account of a new manufacture, which has already acquired a considerable success, and promises to be of great importance:

On the borders of the streams and in the valleys of New Zealand, there grows a plant which resembles at the same time the corn-flag and the aloe. This plant to which naturalists have given the name of *Phormium Tenax*, is the hemp of the natives. They break it with large muscle shells, and then separate with their nails the hemp from the flax. They weave it afterwards into a sort of net, like lace, which they bleach in the dew. The beauty of this fabric has astonished navigators. Cook, Forster and Dumont d'Urville have spoken of it. Messrs. Lissou and Richard described it in their botanical work on Australia. Since 1827, several English merchants have attempted to make use of this plant; capital, mechanical power, nothing was spared. But they did not succeed in ridding it of the resinous gum which it distils, and softening it enough for weaving. An ingenious countryman of our own, M. Lienard, has just regulated and brought to perfection the attempts which so far had remained stationary among the English. He has established at Pont Remy a manufactory of the *Phormium Tenax*. The cloths that were shown at the public exposition appeared to us as beautiful, but more substantial, more pliable, and lighter than linen cloth. They seemed to be appropriate for sails and for the covering of carriages. Amateurs have made renewed demands for it. One of the great properties of the *Phormium* is, that it can remain under water five, six or seven months without being injured. Numerous experiments on ropes and cables leave no doubt in this respect. The factory of M. Lienard, situated at Pont Remy, employs more than a thousand workmen. Before many months, we are assured that the great increase of this fabric will cause the number to amount to three thousand. Before being brought to the weaving state, this plant goes through seven operations, which are so little costly that all included, even to the combing, does not amount to six francs the quintal. We repeat, that this fact is very important. At the moment when the cloth manufacture has fallen in France, when we cannot in any market obtain a rivalship with England, Holland and Belgium, here is a fabric which can and ought to take the place of cotton. This is perhaps a great source of wealth to come

into France. Marshal Clausel has introduced the culture of the *Phormium* into Algiers. The government will understand the economy of its use in the navy. In England, where as yet they only make cables of the *Phormium*, it is preferred to any other kind of cable. But shall this manufacture be left to a caprice of rivalry? Cannot England shut up New Zealand from us? Will not the state protect a French establishment in this island?

THE FACTORY GIRLS AT LOWELL, MASS.—*New Bedford, Oct. 12.* We have already noticed the strike of the female operatives in the Lowell factories, and their refusal to work unless their wages were advanced. It is said that thirteen years ago, when the mills were put in operation at that place, the price of board was fixed at \$1 25 per week. At that time wood was not more than \$3 50 a cord; butter 15 cents a lb.; rye and Indian meal 90 cents a bushel, and all other necessities of life in proportion.

Within a few years all such necessities have risen 50 per cent.; and still the female operatives have paid only \$1 25 a week for board. The boarding house keepers have suffered, and too many of them having been ruined by the continuance of a restriction as to price of board, which was equitable when established, but by change of circumstances had become oppressive and intolerable.—For a year past, complaints on this subject have been heard on all sides. These complaints were just.

To afford partial relief to the housekeepers, for many months past, the corporations have diminished the rent to a mere nominal sum; and, it is said, in many cases no rent has been taken, and a sum equal to the rent paid into the hands of the tenants. Even this was not full relief, and something further was required. In this state of things, the corporations removed the restrictions so far as to allow the housekeepers to charge each female \$1 37 1-2 a week for board; and authorise the housekeepers to deduct out of rents, which would be due to the corporations, 12 1-2 cts. more thus making the pay for board \$1 50 a week.

This is much less than is given for board to housekeepers who are not tenants of the corporations, and we think it full 25 cents a week less than ought to be paid. But it is understood that the housekeepers will be satisfied with it.

Against this rise in the price of board, the female operatives are now remonstrating, and have turned out and left off work for the purpose of coercing their employers into an abandonment of it.

Their course is not without justification. They have formed themselves into a society, called "the Lowell Factory Girls' association," and are assisted in their deliberations by many of the best men in the neighborhood.

A meeting of this association was holden at the City Hall on the 6th of October. Wm. B. May, moderator, E. A. Blanchard, secretary. Prayer was offered—various addresses were made—and several resolutions adopted, of which we will endeavor to give the substance. 1. Knowing that we are liable, as our predecessors have been, to be oppressed in various ways by avaricious capitalists, and knowing that "union is power," we claim the right of association, that we may repel aggressions. 2. We are resolved not to receive any proposition from either of the manufacturing companies in Lowell, except by and through our officers. 3. When two-thirds of our officers approve a proposition, the president will call a meeting of the society and lay it before them for their consideration. 4. We advise all our members, who cannot consistently stay in this city, to leave it as soon as it is convenient. 5. Board of officers are authorised to fill all vacancies in their board. 6. We will receive no communication from either of the manufacturing companies, containing a proscription of any officer or member of this society. The above is the substance though not the exact wording, of their resolutions. Thanks were then voted for the reverend gentlemen who honored the meeting with their attendance and remarks. Several speeches were made, sustaining the resolutions, and commending the object of the society, two of which are reported in the Lowell Advertiser.

We are not a little surprised at the reluctance of the manufacturers to comply with the reasonable demands of the poor girls, and trust that this united effort to obtain justice will not be without its good effects.

LOCUSTS IN SYRIA. We have received Smyrna papers to July 30, from which we copy the following account of the remarkable destruction of locusts, by order of Ibrahim pacha, in Syria. In the beginning of the summer there appeared such a prodigious flight of locusts that they threatened all the

crops with certain destruction. Ibrahim pacha immediately adopted a measure for the preservation of the country from the disaster which threatened it. All the population of Aleppo was put in requisition, and divided into sections, forced to go out of the city to hunt the locusts. The same thing was done in some other districts invaded by the insects. Ibrahim pacha, at the head of his troops, scouring the country, compelled every body to go to work, great and small, officers and soldiers. After 40 days of an uninterrupted hunt, he succeeded in delivering the country from this devastating scourge, and saving the crops. It is curious to see the immense result of this expedition. There is a statement which was drawn up by Ibrahim pacha, who caused the quantities of insects destroyed to be measured before his eyes. The following is the statement:

Locusts destroyed by the Egyptian troops in the space of 40 days,	418,269 ardebs.
Do. Marrah,	2,815 "
Do. by the population,	9,076 "

427,160 ardebs.

This enormous quantity is only the amount of what were destroyed by the troops and population of Aleppo; but there were besides in the villages of the Arabs, and in the district of Killis, Aintab, Hammah, Marrah and Damascus, immense quantities destroyed which were not measured.

That the reader may have a more accurate idea of the quantity above stated, we are informed in the article that an ardeb is equal to two schumbouls and a half of Aleppo—to eight kilos of Constantinople—to one salme of Malta—to two charges and a half of Marseilles—and finally to three hectolitres of Paris.

For the information of the mere English reader, it may be proper to state that a hectolitre is equal to a hundred litres, and that a litre is the cube of a decimetre. A decimetre is of course a tenth part of a metre, and a metre the ten millionth part of the arc of the meridian from the north pole to the equator; from which it may be calculated that the ardeb is equal to a fraction over eight bushels.

[*Boston Daily Adv.*]

DUTY ON NEWSPAPERS REDUCED. Among our London papers received yesterday, was "The Constitutional," of September 15th, being the first number issued by an association entitled "The Metropolitan Newspaper company," who have a capital of sixty thousand pounds sterling, which is divided into 6,000 shares, of ten pounds each. The above journal is issued under the new act of parliament, which reduces the stamp duty from four pence to one penny on each paper. This reduction of the duty has changed the price of the London daily papers from seven pence to four pence half-penny.—In the address of "The Constitutional," the editors say that they cannot offer a clearer exposition of their political creed than is contained in their desire for the removal of every impediment to the political education of the people. Their first object is to advocate the rights and advance the interests of the millions who, by a stamp duty of even the smallest amount, are as effectually excluded from the privileges which the press opens to others, as, by the ten pound franchise, they are excluded from direct representation in parliament; and that to qualify them for the exercise of the right of voting, it is necessary to confer upon them the right of reading.

[*Merc. Adv.*]

IMPORTANT TO MERCHANTS. The American chamber of commerce of Liverpool held a special meeting on the 8th of August, at which an application was made to state the custom of the port as to the right of consignees of property to dispose of it for reimbursement of their advances. After due consideration it was "resolved, that in the absence of any express agreement to the contrary, consignees of property on which they have made advances, have the right to dispose of the same, or so much as may be necessary to reimburse themselves, the drafts, freights, duties and other charges upon the same, notwithstanding that limits for sale may have been given by the consignors—merchants there not being bound by limits to which neither they nor their agents are parties."

FORT GIBSON. Lieut. J. P. Davis, U. S. A. arrived in this place on Sunday evening last, from Fort Gibson, on his way to the south, to join the army under gen. Gaines, on the Sabine. It gives us pleasure to learn from him that the troops at Fort Gibson have been unusually healthy this season. Not a death has occurred thus far from sickness, during the last five months. The Indians on our western frontier were perfectly quiet and peaceable, and likely to remain so. [*Arkansas Gaz.*]

GROWTH OF RUSSIA. At the accession of Peter the first, in 1689, the population of the Russian empire was 15 millions; at the accession of Catharine the second, in 1762, 25 millions; at her death, in 1796, 36 millions; and, at the death of the emperor Alexander, now 11 years since, 68 millions.—The acquisitions of Russia from Sweden are greater than what remains of that kingdom. Her acquisitions in Poland are nearly equal to the Austrian empire. Her acquisitions from Turkey, in Europe, are of greater extent than the Prussian dominions, inclusive of the Rhenish provinces. Her acquisitions from Turkey, in Asia, are nearly equal in dimensions to the whole of the smaller states of Germany. Her acquisitions from Persia are equal in extent to England. Her acquisitions in Tartary have an area not inferior to Turkey in Europe, Greece, Italy and Spain! The acquisitions she has made within the last 64 years are equal in extent and importance to the whole empire she had in Europe before that time. The Russian frontier has been advanced towards Berlin, Dresden, Munich, Vienna and Paris, about 100 miles; towards Constantinople, 600 miles; towards Stockholm, about 630 miles; towards Teheran, 1,000 miles. [*Progress of Russia.*]

PUNCTUALITY OF WASHINGTON. The following anecdote of Washington is related in the Baltimore "Chronicle."

"I have heard it stated as an anecdote of general Washington, when he resided on his estate near Alexandria, that his hour for voting was 12 o'clock—this PUNCTUALITY was proverbial. On one election day it rained tremendously, and several persons about the inn remarked, 'We fear that the general will not come in to-day.' However, as the clock struck 12, the general's carriage appeared in sight, covered with mud, and the horses like drowned rats. He immediately alighted, handed in his vote, and then went into the inn, where he took a snack and a glass of wine with his friends, one of whom remarked, 'we were afraid this boisterous day would have prevented you from coming to town as usual.' The general's facetious reply was, 'Did you ever know George Washington to neglect his duty?'"

A GOOD PROFIT. It appears by the report of the Vermont Mutual Insurance company, which has been in operation six years and a half, that they have insured nearly \$11,000,000 of property. Their losses during this time have been \$39,000, and the cost of insuring the same amount of property in the ordinary companies at the usual rates would have amounted to \$435,772 17! From this deduct the actual losses, \$39,000, and it shows that a mutual insurance company, in six years and a half, has saved to the insured, upwards of \$896,000!!

TRIAL OF THE SUN. The trial of Messrs. Day & Beach, editors of the Sun, for abducting a package containing the president's message, terminated on the 7th inst. The jury, after an absence of two hours, returned into court with a verdict of GUILTY, on the 2d, 3d, 4th and 5th counts of the indictment, viz: of reading, causing to be read, opening, reading or causing to be read, and of publishing—but "not guilty" on the first count, which charges the actual opening or breaking of the seal.

[*N. Y. Eve. Star.*]

ARISTOCRACY!—IN NEW YORK. The N. York American, speaking of the condition of society in New York, says—

"A most unfounded jealousy also seems to prevail in society between merchants and owners of property in the lower wards. The feelings of envy, and even of hatred, seem to be in some persons as strong as those of the serfs of Europe against the privileged classes. Such feelings are unworthy of a country with institutions such as ours. We cannot yet point to the family in which wealth has remained to the third generation.

"Our richest owners of real estate can be traced at a single step to occupants of a corner grocery, or the petty chandler's shop, and the most successful merchants are they who have swept the streets, and carried parcels for their predecessors, nay, wheeled the barrow or pushed the hand cart. Those who have acquired wealth by such laborious duties have a right to enjoy the comforts it will procure, and indulge in the luxuries it affords. If the European aristocrat may smile at their sumptuous houses, their costly and often tasteless furniture, their carriages and pampered horses, and particularly at the barbarian profusion of their tables, the American republican ought rather to rejoice, and applaud these forms of profusion, as the means by which individual vanity is made to circulate throughout the whole community wealth which would otherwise be locked up."

ELECTIONS.

MAINE.

The following is given as an authentic statement of the result of the late congressional election in Maine:

In Cumberland district, F. O. J. Smith fails of an election by 28 votes.

In Lincoln district, Bailey (whig) wants only 13 votes of an election.

In Somerset and Penobscot, no choice.

In Hancock and Washington, no choice.

In Waldo, no choice.

A second election will take place on the first Wednesday in November next.

VERMONT.

The legislature of Vermont assembled at Montpelier on the 13th instant, and was organized by the election of Charles Coolidge, speaker of the house, and A. S. Miner, clerk. The vote for speaker was 125 whig to 88 Van Buren. The official canvass for governor, lieutenant governor and treasurer, was made and declared on the same day. The following is the result:

S. H. Jenison, for gov. 20,471; W. C. Bradley, 16,147—majority, 4,297.

David M. Camp, for lieut gov. 20,023; J. S. Pettibone, 15,926—majority, 4,097.

A. Clarke, for treasurer, 20,188; C. R. Cleaves, 15,946—majority, 4,242.

NEW JERSEY.

It is now stated that the legislature will stand thus:

Council, 7 whigs, 7 Van Buren;—assembly, 19 whigs, 31 Van Buren. Whig gain from last year in the council, 2; in the assembly, 3.

PENNSYLVANIA.

We have not, as we expected, received correct returns of the election in this state. One account says that 72 Van Buren men and 28 whigs have been elected to the house of representatives, and that seven of the eight new senators chosen this year are friends of Van Buren. The result of the congressional election is said to be 18 for Van Buren and 10 whigs—being a gain of two friends of Van Buren since the last election. Particulars hereafter.

FROM SOUTH CAROLINA.

We learn that *Hugh L. Legare* has been elected to congress by a small majority over Henry L. Pinckney, the present representative from the district which includes the city of Charleston.

GEORGIA.

The following is the state of the vote for the congressional tickets in 71 counties:

State rights ticket.		Union ticket.	
Alford,	26,068	Cleveland,	25,459
Black,	25,608	*Coffee,	24,473
Colquett,	26,002	Grantland,	25,267
Dawson,	26,324	Haynes,	25,385
Habersham,	25,941	Holsey,	35,158
Jackson,	25,827	Jackson,	25,182
King,	25,834	Owens,	25,244
Nesbit,	25,789	Towns,	25,458

Glascok, 42,238
The legislature, at the latest accounts, stood thus:
For White, 102
For Van Buren, 102

OHIO.

Returns from 57 out of the 74 counties in this state give gen. Vance, the whig candidate for governor, a majority of about nine thousand votes over Baldwin, the Van Buren candidate. The returns of the senatorial and delegate election are very vague, and cannot be relied on. It is stated, however, that, as far as heard from, 6 whigs and 6 friends of Van Buren have been elected to the senate, and 14 Van Buren men and 21 whigs to the house of delegates.

The following is said to be a correct return of the congressional election from the specified districts. Those in *italic* are friends of Mr. Van Buren:

Dis.	Present congress.	Elected this year.
1st.	Bellamy Storer,	<i>A. Duncan,</i>
4th.	Thomas Corwin,	Thomas Corwin,
7th.	W. K. Bond,	W. K. Bond,
8th.	<i>Jeremiah McLene,</i>	J. Ridgaway, sr.
9th.	<i>John Chaney,</i>	<i>John Chaney,</i>
10th.	Samson Mason,	Samson Mason,
11th.	<i>W. Kennon,</i>	J. Alexander, jr.
12th.	Elias Howell,	Alexander Harper
15th.	Jonathan Sloan,	John W. Allen,
17th.	<i>John Thompson,</i>	A. W. Loomis,
18th.	<i>Benjamin Jones,</i>	<i>Mathias Shepler.</i>

THE ARMY—OFFICIAL.

War Department,

GENERAL ORDER, }
No. 65, } Adjutant general's office,
Washington, Oct. 8, 1836.

The following order is published for the information of all concerned:

*Gen Coffee died previous to the election.

"By direction of the president of the United States, a court of inquiry, to consist of major gen. Macomb, president, and brevet brigadier generals Atkinson and Brady, members, is hereby ordered to assemble at the city of Frederick, in Maryland, as soon as the state of the military operations against the Indians will permit the witnesses to attend, (of which the president of the court is to judge and determine, and to give notice to all concerned), to inquire and examine into the causes of the failure of the campaigns in Florida against the Seminole Indians, under the command of major general Gaines and of major general Scott, in 1836; and the causes of the delay in opening and prosecuting the campaign in Georgia and Alabama, against the hostile Creek Indians, in the year 1836; and into every subject connected with the military operations in the campaigns aforesaid, and after fully investigating the same, the court will report the facts, together with its opinions on the whole subject, for the information of the president of the United States.

"Captain Samuel Cooper, of the 4th regiment of artillery, is hereby appointed to act as judge advocate and recorder of the court. LEW. CASS.

War department, Oct. 8, 1836.

R. JONES, *adjutant general.*"

GENERAL ORDER, }
No. 68, } Adjutant general's office,
Washington, Oct. 14, 1836.

The following order has been received from the war department, and is published for the information of all concerned.

War department, October 13, 1836.

1. It appearing by the public prints, that the official report of brevet major general Gaines, dated "head quarters, western department, Camp Sabine, 4th July, 1836," made to the adjutant general of the army, has been published, and the said publication being without the sanction of the war department, or other proper authority, the court of inquiry, of which major general Alexander Macomb is president, will, in addition to the duties already assigned to it, inquire into the facts as to the manner, and by whose authority, the said official report was made public.

2. The court will also report its opinion as to the violation of the rules of the service by such publication, and as to the character of said report in reference to all its bearings and consequences, as it concerns general military propriety and the discipline of the army.

3. And further, the court will examine and inquire into any other reports and publications, made by brevet major general Gaines, or by any other officer of the army, having reference to military affairs, and published without the sanction of the war department, or other proper authority, and give its opinion on the tendency of such reports and publications in the same manner as it is herein required to do in the case referred to in the foregoing paragraph of this order.

[Signed] C. A. HARRIS,
acting secretary of war.

By order of major general Macomb.
R. JONES, *adjutant general.*

GENERAL ORDER, }
No. 69, } Adjutant general's office,
Washington, Oct. 10, 1836.

1. At the request of major, now lieutenant col. R. B. Mason, 1st regiment of dragoons, a court of inquiry will assemble at Fort Gibson, Arkansas, on the 20th December next, or as soon thereafter as practicable, to examine into the nature of the accusations against the said major, now lieutenant colonel R. B. Mason, as presented in the charges preferred by lieut. L. B. Northrop, 1st regiment of dragoons. The court will report the facts in the case, together with its opinion on the whole subject:

2. The court of inquiry will consist of lieutenant colonel S. Burbank, 5th infantry; major C. Wharton, 1st dragoons; the third officer will be detailed by brevet brig. general Arbuckle, who will also appoint the recorder of the court. By order of maj. gen. Macomb, R. JONES, *adj. gen.*

GENERAL ORDER, }
No. 69, } Head quarters of the army,
Adjutant general's office,
Washington, Oct. 15, 1836.

War department, Oct. 15, 1836.

I. The following order has been received from the president of the United States:

"Official reports, received from Florida, show that several companies are without officers to command them. Other reports from the commanders of the troops in the field equally show the destitute condition of the service, owing to the absence of so many platoon officers. The adjutant general reports that returns required by the articles of war are delayed, or forwarded incomplete, from the want of company commanders to make and trans-

mit the returns requisite for the colonel; and that there are instances of discharged soldiers from the army in Florida, who, for the like reasons, could not obtain the necessary certificates, nor receive their arrearages of pay.

"This condition of the army must no longer be permitted to exist. Duty with troops in the field should be regarded as paramount to any employment which separates the officer from his men.—The public interest and a due regard to the wants of the private soldier alike demand the presence, at all times, of the proper complement of commissioned officers.

"The several captains and subalterns who are not on duty with their companies—excepting only those employed in military service *proper*, or upon some duty of the *public* service, strictly speaking, will immediately be ordered to join their regiments.

"Under no circumstances, hereafter, must more than two officers of a company of artillery, or one from a company of the infantry, be detailed for detached duty at the same time; nor shall any such detail be made, except for military service proper, without the special sanction of the president in each case.

"The topographical engineers will be employed with the army in the field, and hereafter be assigned to duty under the orders of the proper commanders.

ANDREW JACKSON, *president of the U. S.*

Washington, Oct. 14, 1836."

The maj. gen. commanding the army will carry these directions into effect. C. A. HARRIS,

Acting secretary of war.

II. In conformity with the foregoing instructions of the president, the several captains and subalterns now absent from their companies, and not on duty with the army, nor employed in military service *proper*, will join their respective regiments without delay. Accordingly, the following named officers are relieved from detached service, and will forthwith proceed to their proper stations for duty with the troops.

ENGINEER DUTY.—(15.)

Lt. J. Allen	1 drag.	Lt. J. K. Greenough	1 inf.
Lt. J. Winder	1 art.	Lt. T. Stockton	5 "
Lt. E. Sibley	1 "	Capt. H. Smith	6 "
Lt. D. P. Woodbury	3 "	Lt. N. J. Eaton	6 "
Lt. R. C. Smead	4 "	Lt. A. Cady	6 "
Lt. L. A. B. Walbach	1 "	Lt. J. Freeman	6 "
Lt. F. A. Lewis	1 "	Lt. G. W. Cass	7 "
Lt. R. Allen	2 "		

TOPOGRAPHICAL DUTY.—(19.)

Lt. Warner	1 art.	Lt. Stockton	1 inf.
Lt. Hagner	1 "	Lt. R. S. Smith	2 "
Lt. Mackay	2 "	Lt. Cooper	3 "
Lt. Bransford	2 "	Lt. Berrien	5 "
Lt. Conckling	2 "	Lt. Center	5 "
Lt. Rose	3 "	Lt. Williams	6 "
Lt. Allen	3 "	Lt. Dix	7 "
Lt. Donaldson	3 "	Lt. Simmons	7 "
Lt. Greene	3 "	Lt. Reed	7 "
Lt. Johnston	4 "		

ORDNANCE DUTY.—(13.)

Lt. Williamson	1 art.	Bvt. capt. Newton	3 art.
Lt. Maynadier	1 "	Lt. Meade	3 "
Lt. Chalmers	1 "	Lt. Scott	4 "
Bvt. capt. Lowd	2 "	Lt. Jones	4 "
Bvt. capt. Mallory	2 "	Lt. Thornton	4 "
Lt. McKenzie	2 "	Lt. Tufts	4 "
Lt. Talcott	3 "		

SPECIAL DUTY.—(9.)

Lt. A. Mackay	1 art.	Lt. Deas	4 art.
Lt. Magruder	1 "	Lt. Beckley	4 "
Lt. Lee	1 "	Capt. G. Allen	4 inf.
Bvt. maj. Legate	2 "	Capt. Morrison	4 "
Lt. Keyes	3 "		

III. The following topographical engineers and assistant topographical engineers, are assigned to duty under the orders of the commanding officers, to whom they will report in person, and under whose orders they will serve as follows:

Bvt. lt. col. J. Kearney, } are assigned to the south
Bvt. capt. Turnbull, } western frontiers of Louisiana, (Fort Jesup,) and will report to brigadier general Arbuckle, or commanding officer.

Bvt. major Bache, } are assigned to the western
Bvt. capt. Williams, } frontiers of Arkansas, (Fort Gibson,) and will report to brigadier general Arbuckle, or commanding officer.

Bvt. lieutenant col. Long, } are assigned to duty under
Bvt. maj. McNeil, } the order of brigadier general Atkinson, or commanding officer at Jefferson barracks.

Bvt. major Graham, } are assigned to duty in Florida.
Bvt. capt. Canfield, } do, and will report to governor Call, or the commanding officer.

IV. Colonels and other field officers now absent from their regiments, will proceed to join forthwith. Officers and men who are, at this time, unable to join the army for duty, will repair to their stations to which they have been assigned in "general order" No. 53.

Bvt. major F. Whiting, 1 art. will, under direction of the ordnance department, for the present, take charge of the Champlain arsenal at Vergennes, and bvt. major Saunders, 1 art. of that at Pikesville, Md.

V. The president of the United States has been pleased to confer on the following named officers, serving in Florida, for gallant and meritorious actions in the face of the enemy, the brevet rank set opposite to their names respectively:

Major B. K. Pierce, of the 1st regiment of artillery, to be lieutenant colonel by brevet, for distinguished services in the affair of Fort Drane, to date from the 21st August, 1836.

Captain T. Childs, of the 3d regiment of artillery, to be major by brevet, for planning the attack on the Indians at Fort Drane, and good conduct in that affair, to date from the 21st August, 1836.

Captain William M. Graham, of the 4th regiment of infantry, to be major by brevet, for gallantry and good conduct in the affair of the Wythlacoochee, to date from the 31st December, 1835.

Captain R. B. Lee, of the 3d regiment of artillery to be major by brevet, for gallantry and good conduct in the affair of Micanopy, to date from 9th June, 1836.

Captain J. A. Ashby, of the 2d regiment of dragoons, to be major by brevet, for gallantry and good conduct in the affair of Welika, to date from 19th July, 1836.

First lieutenant Campbell Graham, of the 3d regiment of artillery, to be captain by brevet, for gallantry and good conduct in the affair on the Wythlacoochee, to date from the 31st December, 1835.

First lieutenant W. S. Maitland, of the 3d regiment of artillery, to be captain by brevet, for gallantry and good conduct in the affairs of the Wythlacoochee and Welika, to date from the 31st December, 1835.

Second lieutenant A. Herbert, of the 1st regiment of artillery, to be 1st lieutenant by brevet, for gallantry and good conduct on several occasions in Florida, to take rank from the 27th July, 1836.

By order of Alexander Macomb, major general commanding-in-chief: R. JONES, *adj't gen.*

GENERAL ORDER, } *Head quarters of the army,*
No. 70. } *Adjutant general's office,*
Washington, Oct. 18, 1836.

The major general commanding-in-chief, with great regret, announces to the army the death of Dr. Joseph Lovell, M. D. surgeon general.

The services of the deceased, in peace and war, have been eminent. His loss to the service will be severely felt. As an evidence of the esteem in which his character is held, the officers of the army are requested to wear the usual mourning for thirty days from this date.

By order of major general Macomb,
R. JONES, *adjutant general.*

APPOINTMENTS.

Second regiment of dragoons.

William M. Fulton, of Va. to be captain.
Croghan Ker, to be 1st lieutenant.

A. S. Macomb, do.

N. W. Hunter, of Geo. to be 2d lieutenant.

Assistant commissaries of subsistence.

Lieut. S. P. Heintzelman, 2d infantry, 1st April, 1836.

Lieut. W. Hoffman, 6th infantry, 3d Sept. 1836.

Lieut. J. Allen Smith, 3d artillery, 5th September, 1836.

Lieut. M. R. Patrick, 2d infantry, 12th September, 1836.

Lieut. J. H. Stokes, 4th artillery, 13th September, 1836.

Lieut. John Pickell, adjutant of the 4th regiment of artillery, vice capt. H. A. Thompson, promoted.

Lieut. George Pegram, adjutant of the 1st regiment of infantry, vice, L. J. Beall, transferred to the 2d regiment of dragoons.

POST OFFICE DEPARTMENT.

Regulations in reference to failures of the mail.

Inasmuch as failures to arrive at the ends of their routes and other points within contract time cannot but be known in all cases to contractors or their agents, it cannot be necessary to give them information thereof when reported by postmasters, and it is considered their duty to send to the department, forthwith, their excuse for such failures, if any they have, therefore,

Ordered, That no notice be hereafter given to contractors of failures to arrive at any post office in contract-time, as reported by postmasters to the department, and if no excuse be received from them within a reasonable time, the third assistant is directed to present the cases, thus reported, to the postmaster general for fine.

Ordered, That a specific excuse be required for each specific delinquency of any contractor and that general allegations be not admitted. If bad roads be alleged, a specific report must be made of what portion of the road was so bad as to obstruct the mails, and what was its peculiar condition; if high waters, it must be shown what water courses were impassable; and so of all other excuses.

Regulations for a system of letter carriers in the cities of the United States, under the 41st section of the "act to change the organization of the post office department," &c. approved 2d July, 1836.

1. When it shall be deemed proper for the accommodation of the public in any city, that a system of letter carriers shall be introduced, application to authorise it must be made to the postmaster general.

2. Postmasters of cities where letter carriers have been, or may be authorised, will divide their several cities into as many districts as they may think proper, and nominate to the postmaster general a carrier for each district.

3. The postmasters will see that the carriers appointed by the postmaster general execute bonds, with ample security, according to law, and will forward them, when executed, to the department.

4. No letter carrier will be permitted to enter upon duty until he shall have executed a bond satisfactory to the postmaster.

5. All letters received in the post office for persons residing in any district, shall be handed to the carrier of that district for delivery, "except such as the persons to whom they are addressed may have requested, in writing addressed to the postmaster, to be retained in the office."

6. The carriers will be permitted to receive letters for deposit in the post office, at all places within their respective districts.

7. Whenever it may be deemed necessary to establish depots for the receipt of letters, by the letter carriers, to be put into the post office, the postmasters shall recommend proper places to the postmaster general for his decision thereon.

8. The letter carriers shall receive two cents for every letter, and one cent for every newspaper delivered, and two cents for every letter received to be deposited in the post office—all of which shall be allowed them for their compensation, unless otherwise directed by the postmaster general.

9. The postmasters shall report to the postmaster general quarterly, the amount of each letter carrier's compensation.

10. The letter carriers shall be under the orders and control of the postmasters, or such clerks in their respective offices as they may designate.—They will settle and pay over to the postmaster or clerk, daily, the postages of all unpaid letters and papers handed them for delivery, and of all paid letters received to be deposited in the post office.

11. The letter carriers shall perform such duties in relation to mailing letters received by them to be deposited in the post office as the postmasters shall direct; but they shall not be employed in making up or opening and examining the letter mails in the post offices.

12. The postmasters will promptly report to the postmaster general any contumacy of letter carriers in refusing to obey their lawful directions, or in disregarding the regulations of the department, as well as all official delinquencies or private misconduct which render them undeserving of confidence and trust.

13. The several postmasters are authorised to make and enforce such additional rules for the government of letter carriers in their respective cities, not incompatible with law, as may be necessary to carry these regulations into full effect.

FUNERAL OF AN INDIAN PRINCESS.

Begum Sumroo, the celebrated princess of Jug-hire, one of the oldest and most sincere allies of the English, died at Sirdhannah, on the 27th of January, in the 87th year of her age. For the last half century, she had held the most conspicuous position in the political proceedings of India. By her death, all her territory becomes the property of the British government, and, immediately after her funeral, the annexation of it to Zillah Meerutt was proclaimed in all the towns of the Jughire. The introduction of the police and fiscal arrangements had been intrusted to Mr. Hamilton, the magistrate at Meerutt, by orders from the government as far back as August, 1834. The personal property of Begum Sumroo, amounting to about half a crore, (about £50,000), devolves by will to Mr. Dyce Sombre. She appears to have been much esteemed by her adherents and friends, and to have been of an amiable and charitable disposition. The following account of her funeral is curious. From the time of her death until after her interment, all her depend-

ents observed a strict fast, and none retired to rest, according to the custom of the place:—About nine o'clock, the body of her late highness was removed from the inner apartment into the large hall of audience, at the top of the flight of steps at the grand entrance, which had been prepared for the lying in state. The body was deposited on a handsome bed covered with shawls, over which was a superb canopy of black velvet, supported on pillars covered with the same rich material; all the chandeliers were filled with lighted wax tapers, rows of which were placed on the floor on either side of the bed, at the head of which was a beautiful cross surrounded by valuable jewels. Around the room, in a kneeling posture, was arranged a company of native Christian artillery, on which had devolved the last watch over the precious remains of their beloved mistress; in the large room adjoining the hall, behind purdahs, the whole of the females of the establishment were assembled; the moaning and weeping we have heard described as truly heart-breaking, and to have been heard far beyond the precincts of the palace. The body remained in this chamber until the morning, when it was deposited in a solid coffin, covered with black velvet, and silver mountings, having on a plate the name of her highness and the date of her demise inscribed. After the body had been placed in the coffin, the face was uncovered, and the whole of the household admitted to view for the last time those features on which they had so long and so dearly doted. After some time, the lid was screwed on, in the presence of the magistrate, Mr. Dyce Sombre, and other members of the family, and at nine, the whole of the arrangements being completed, the body was carried out, borne by the native Christians of the artillery battalion, under a canopy supported by the principal officers of her late highness' troops, and the pall by Messrs. Dyce Sombre, Solaroli, Drever and Troup, preceded by the whole of her highness' body guard, followed by the bishop, chanting portions of the service, aided by the choristers of the cathedral; after them the magistrate, Mr. Hamilton, and then the chief officers of the household; the whole brought up by a battalion of her late highness' infantry and a troop of horse. The procession, preceded by four elephants, from which alms and cakes were distributed amongst the crowd, passed through a street formed of the troops, to the door of the cathedral, the entrance to which was kept by a guard of honor from the 30th native infantry, under the command of captain Campbell.—The procession passed into the body of the cathedral, in the centre of which the coffin was deposited on tressels. High mass was then performed in excellent style and with great feeling by the bishop, the organ sounded solemnly, and, with the firing of the minute guns, (87 in number), added greatly to the imposing scene. At the proper time the body was lowered into the vault, situate on the left hand side, in a recess; immediately the troops stationed within it fired three volleys, making the cathedral tremble almost by the explosion, and the service was concluded. [Calcutta paper.

POPULAR STATISTICS.				
THE UNITED STATES OF AMERICA.				
	Population in 1836.	Square Popula- miles. tion to sq. miles.	Slaves in 1830.	
New York,	2,400,000	46,200	46	
Pennsylvania,	1,600,000	43,960	32	388
Virginia,	1,260,000	64,000	20	363,638
Ohio,	1,300,000	30,850	34	
North Carolina,	800,000	43,802	18	246,462
South Carolina,	650,000	33,080	19	315,665
Kentucky,	800,000	39,015	21	165,350
Tennessee,	900,000	44,720	19	142,383
Massachusetts,	700,000	7,800	87	
Georgia,	620,000	58,200	9	217,470
Maryland,	500,000	10,829	45	102,878
Maine,	555,000	31,960	14	
Indiana,	550,000	34,600	13	
New Jersey,	860,000	6,900	42	2,460
Alabama,	500,000	50,875	9	117,294
Connecticut,	298,000	4,770	62	23
Vermont,	830,000	10,205	33	
New Hampshire,	300,000	9,280	31	
Louisiana,	350,000	48,000	7	109,630
Illinois,	320,000	59,130	6	746
Missouri,	350,000	60,384	5	24,990
Mississippi,	150,000	45,375	3	56,000
Rhode Island,	110,000	1,363	81	14
Delaware,	89,000	2,063	37	3,395
Dist. Columbia,	50,000	1,000	—	6,050
Florida territory,	50,006	57,750	—	15,510
Michigan,	120,000	38,750	—	27
Arkansas,	70,000	120,000	—	4,578
Wisconsin ter.	20,000	58,000	—	
Oregon ter.	5,000	144,000	—	
Missouri ter.	5,000	200,000	—	

The number of Indians is supposed to be 400,000. The entire population within the limits of the U. States, Indians included, amounts (as nearly as could be ascertained in 1836) to 16,680,000.

RELIGIONS OF THE UNITED STATES.	
From the New Yorker.	
Baptists,	4,300,000
Methodists,	3,000,000
Presbyterians,	2,175,000
Congregationalists,	1,400,000
Roman Catholics,	800,000
Episcopalians,	600,000
Universalists,	600,000
Lutherans,	540,000
Dutch Reformed,	450,000
Christians,	300,000
Friends,	220,000
Unitarians,	180,000
Mormonites,	12,000
Dunkers,	30,000
Shakers,	6,000
Moravians,	5,000
Swedenborgians,	4,000

IMPORTS AND EXPORTS.	
Value of imports for the year ending 30th Sept. 1835,	\$149,895,742
Of which there were imported in	
American vessels,	185,288,865
In foreign vessels,	14,606,877
American shipping entered,	1,352,653 tons.
Do. cleared in same time,	1,400,517 tons.
Foreign shipping entered,	641,310 tons.
Do. cleared in same time,	630,824 tons.
Value of exports for the year ending 30th Sept. 1835,	\$121,693,577
Of which there were exported of domestic articles,	101,189,082
Foreign do.	20,504,495
Domestic articles exported in American ships	79,022,746
Do. in foreign ships,	22,166,336
Foreign articles exported in American ships,	15,112,475
Do. in foreign ships,	5,392,050
The public lands sold in 1835, amounted to	\$15,810,795.
The standing army of the United States, on the peace establishment, is 8,221.	
The navy of the United States consists of—when all the ships now on the stocks are completed—	
12 ships of the line,	
14 frigate, (first class),	
8 do. (second class),	
15 sloops of war,	
8 schooners do.	

FINANCES OF THE UNITED STATES.	
Receipts during the year ending, closing Jan. 1, 1834	\$33,948,426 25
Out of the above \$29,082,508 81 were received from the customs.	
Expenditure for the same period,	\$24,257,298 49
Expenditure in the year ending Jan. 1, 1835,	25,591,390 91
Amount of currency in specie and silver.	
Circulation of private bank notes in 1834,	\$68,000,000
Do. United States bank notes do.	16,000,000
Do. gold,	4,000,000
Do. silver,	16,000,000
	\$104,000,000
Capital invested in selected or deposit banks, in 1834-5,	34,847,203
Capital invested in state banks in 1834-5,	219,250,549
Capital of the bank of the U. States, chartered by the state of Pennsylvania,	28,000,000
Post office revenue: for 1834,	1,969,913
Number of post offices in that year	10,387
Amount coined in the mint in 1834, in gold,	\$3,954,270
In silver,	3,415,002
In copper,	19,151
Total,	\$7,388,423
Total amount of the gold produced in the mines of the United States in 1834, was valued at	\$895,000
The value of the cotton exported in 1834, was	\$49,484,402.
Great Britain and her colonies take nearly one-half of the exports, and send nearly one-half of the imports of the United States.	
Length of canals in the United States, Jan. 1, 1835	2,687 miles.
Length of rail roads do. same date	1,600

There are 79 colleges for public education in the United States; 36 theological seminaries; 23 medical schools; 8 law schools.

The public schools are very numerous, particularly in New England, New York, Ohio and Pennsylvania; while the benevolent institutions of America, are not surpassed by those of any other country.

Dr. Watts in his treaty on logic says, there is no better method by which to judge of the size of anything, than "comparison." Therefore, by way of enabling our readers the better to judge of the extent of our vast territories, we subjoin the size of the British Islands, in square miles.

	Square miles.
England and Wales contain	58,385
Scotland	89,500
Ireland	30,000

By this it will be seen that Virginia, Alabama, Illinois, Missouri, Arkansas and the "territories," are each of them larger than England and Wales.

New York, Pennsylvania, Ohio, both of the Carolinas, Kentucky, Tennessee, Georgia, Maine, Indiana, Louisiana, Mississippi, Florida and Michigan, are each of them larger than Scotland and Ireland.

THE AMERICAN FARMER.
BY NICHOLAS BIDDLE.
From an address before the Philadelphia society for promoting Agriculture.

If I have failed to prove that the pursuits of agriculture may be as lucrative as other employments, it will be an easier task to vindicate their pleasure and their importance. I need not dwell on that retirement, one of the purest enjoyments of this life, and the best preparation for the future, on those healthy occupations, on that calmness of mind, on that high spirit of manliness and independence, which naturally belong to that condition. These are attractions which must have deep roots in the human heart, since they have in all times fascinated at once the imagination, and won the judgment of men. But I may be allowed to say, that in this nation, agriculture is probably destined to attain its highest honors, and that the country life in America ought to possess peculiar attractions—the pure and splendid institutions of this people have embodied the highest dreams of those high spirits, who in other times and in other lands, have lamented or struggled against oppression; they have realized the fine conceptions which speculative men have imagined, which wise men have planned, or brave men vainly perished in attempting to establish. Influence in reclaiming the lost dignity of man, and inspiring the loftiest feelings of personal independence, may be traced in every condition of our citizens; but as all objects are most distinct by insulation, their effects are peculiarly obvious in the country.

The American farmer is the exclusive, absolute, uncontrolled proprietor of the soil. His tenure is not from government. The government derives its power from him. There is above him nothing but God and the laws; no hereditary authority usurping the distinctions of personal genius; no established church spreading its dark shadow between him and heaven. His frugal government neither desires nor dares to oppress the soil, and the altars are only supported by the voluntary offerings of sincere piety. His pursuits, which no perversion can render injurious to any, are directed to the common benefit of all. In multiplying the bounties of Providence in the improvement and embellishment of the soil, in the care of the inferior animals committed to his charge, he will find an ever varying and interesting employment, dignified by the union of simple and generous hospitality. His character assumes a loftier interest by its influence over the public liberty.

It may not be foretold to what dangers this country is destined, when its swelling population, its expanded territory, its daily complicating interests shall awake the latent passions of men and reveal the vulnerable points of our institutions. But whenever these perils shall come, its most steadfast security, its most firm reliance will be on that column of land proprietors—the men of the soil and of the country. These men, powerful like their own forests may yet interpose between the factions of the country, to heal, to defend and to save.

FLORIDA WAR—OFFICIAL.
Head quarters, Charles' ferry, Suwanee river, September 23, 1836.

SIR: I have the honor to inclose, herewith, a copy of the official report of col. John Warren, commanding the East Florida troops, of a very spirited and gallant attack made by him on a large party of the enemy on the 18th instant.

The conduct of col. Warren, and the officers and men under his command, entitle them to the attention and highest confidence of the government.

I have the honor to be, respectfully, sir, your most obedient servant,

R. K. CALL,

Commanding the army in Florida.

Hon. Lewis Cass, secretary of war.

Head quarters, 2d military district, E. F. Fort Gilleland, Sept. 18, 1836.

SIX: Yesterday morning, the 17th instant, a party, from one to two hundred Indians, came within a mile of this fort on the Picolata road, and captured a cart belonging to John Standley.

Three white men and two negroes were fired on by a party of this body, fortunately without effect: the cart was set on fire. I immediately sallied out with thirty men to reconnoitre, while the troops were preparing to make a general sortie. A very heavy rain, which came up at this time, answered the double purpose of extinguishing the fire, and rendering our arms useless. The cart, with a load of corn, was saved and brought in. I pursued on the trail some distance, and found that they had gone towards colonel Sanchez's plantation; but it being now near dark, and the rain still continuing, it was concluded to return and make an attack on them in the morning. At one o'clock this morning, four men of tried valor were sent out to reconnoitre around the San Velasco hammock, and the plantation of colonel Sanchez; they returned at 4 o'clock, having made no discovery. Being satisfied that they were there, I resolved to go out; accordingly at 6 o'clock I marched out with one hundred mounted men, being detachments from captains Watkin, Ward and Garrison's companies, with 25 gentlemen, under captain Beekman, having formerly belonged to his company, and volunteered their services for this special service; capt. D. D. Tompkins, of company B, 1st regiment U. S. artillery, with a 24 pounder howitzer, and 25 of his men. This command was arranged in three lines, as follows: captain Walker, with his company, and lieutenant Bruten in command of the detachment from capt. Garrison's company, formed the right wing under my personal command. capt. Tompkins, with his command, formed the centre; and the volunteers under captain Beekman, with captain Ward's company, formed the left wing under lieutenant colonel Mills. On arriving within three quarters of a mile of the hammock, the spies reported the Indians in front; they immediately opened a sharp fire on the right and centre.

The Indians on the left, in considerable force, made an attempt to turn that flank, but were charged on with spirit and success by lieutenant colonel Mill's command, and driven into a thick wooded oak scrub; then dismounting and charging on them, drove through this into the border of the hammock, when the artillery played upon them with considerable effect; after this they retired to the right, and attempted to turn that wing, but were charged with success by captain Walker and lieutenant Bruten's command, and again driven within range of the artillery, which opened on them with great effect.

They made several desperate attempts to maintain their position, and charged twice on the artillery, but were driven off at all points, and pursued for a mile and a half into a dense hammock, where they could not be pursued to advantage.

The command advanced and took a position, and remained on it two hours and a half, then returned in the same order of the advance, without seeing or hearing any thing more of them. The action lasted one hour and a half; one hour of which the firing was heavy on the whole line. From the ground which they occupied, their force is estimated at least three hundred men. Several Indians were distinctly seen to fall before the fire of the artillery, particularly on the left. Several persons report that they saw a mounted Indian, (a chief from his appearing to give orders), fall before the fire of the artillery. Adjutant Gilleland reports that he saw a large fellow mounted in front of the right, and from a recollection of his person, thinks it was Jumper; he ordered a platoon to fire at him, and several persons assert that he fell. From the many traces of blood discovered in passing over the ground after the enemy were routed, a great number must have been killed and wounded. We also discovered where they had killed five beeves and seven hogs, some of which were left by them in their hurry, in the situation in which they were shot down.

Lieutenant col. Mills sustained in this action the reputation he had previously acquired for bravery, coolness and judgment.

Captain D. D. Tompkins, of the artillery, by the judicious arrangement of the artillery under his command rendered important service, and throughout the action behaved with great bravery, cool-

ness and judgment, I beg leave to recommend him to your excellency's notice, for his good conduct in this action, as well as for the important service rendered by him since stationed at this post.

Captains Beekham, Walker and Ward, lieuts. Bruten and Hindley, behaved with great bravery. Lieutenant Bruten had his horse killed under him. Adjutant Gilleland particularly distinguished himself by his bravery and exertions on the right wing. Private Weyman, B company, first artillery, stationed at the howitzer, was severely wounded at the first fire, but refused to retire from his post until four rounds were fired, when he was compelled to retire from the loss of blood. In fact, the whole command behaved well. I regret to state that private Jerry Burnett is pronounced mortally wounded: the others appear to be in a fair way to recover. I should do injustice, were I to close this report without mentioning, in terms of approbation, the prompt attention of doctors Pelot and Turtelot to the wounded men. They promptly attended during the action to all. I have the honor to be, respectfully, &c.

JOHN WARREN,

Commanding 2d M. D. E. F.

His excel. R. K. Call, gov. commander-in-chief.

Return of wounded in the action at San Velasco on the 18th September, 1836.

B company, 1 artillery, private Weyman; Florida militia, sergeant Rowell.

Private Powals, Jerry Burnett, (twice), James Gregor, Samuel Russell, Jesse Long.

One horse killed, and five wounded.

L. GILLELAND, adjutant.

AFFAIRS OF TEXAS.

In the last "Register" we published certain extracts from a communication of general T. Chambers (an agent of the Texians) in reply to the communication of Messrs. Wilson and Postlethwaite, in relation to the manner in which the volunteers under their command were treated in Texas. The reply of gen. Chambers elicited the following card, which we find in the Lexington Intelligencer.

TO THE PUBLIC.

An article appeared in the Louisville Journal of Monday last, purporting to be a reply to the exposure in relation to the affairs of Texas, which we considered it our duty to make, on our return from that country. It is signed by T. J. Chambers, a man who professes to be a general in the Texian army of reserve. We admit that general Chambers has wholly reserved himself from Texas during her difficulties, and although a general, we rather suspect he is fonder of the "pomp and circumstance" of war than the fighting part of it.

This general Chambers attempts to produce the impression that what we have said in relation to Texas is untrue; now, without going into a newspaper controversy with this reserve general, we would merely say that his piece is a tissue of falsehoods from beginning to end—that is, all except the balderdash contained in it—and we pronounce its author a liar, a poltroon and a coward; and although we entertain this opinion of him, should he feel aggrieved at this notice, we will waive the opinion expressed of his total want of every honorable principle, and give him whatever satisfaction his wounded sense of honor may stimulate him to demand.

EDWD J. WILSON,

G. L. POSTLETHWAITE.

Lexington, October 7, 1836.

P. S. We are at Lexington, where gen. Chambers can find us. If, however, his convenience will be at all incommoded by coming up to this place, and he will indicate that fact to us, we will not put him to the trouble of coming here to find us.

E. J. W. & G. L. P.

From the Louisville Journal.

A CARD.

The Lexington Observer & Reporter of yesterday contains a publication by Edward J. Wilson and G. L. Postlethwaite filled with personal abuse against myself. I cannot descend to bandy epithets with them before the public. The duty I owed a suffering and much abused people, required that I should expose and refute the calumnies with which Messrs. Wilson & Co. have sought to gratify the malignity of their disappointed avarice and vanity by blasting a whole people struggling for existence. I have vindicated that people, and, so far as I have heard, satisfactorily, to the public; and I have done this, not by naked assertions or abusive epithets, but by impregnable facts and irresistible deductions. This is established by the attempt of Messrs. Wilson and Postlethwaite to obviate its effects by bullying me in the public papers. I do not remember ever to have been deterred from the performance of a duty by personal fear; and surely I never have been frightened from it by the blusterings of braggarts; and

Messrs. Wilson and Postlethwaite will profit as little by bullying or fighting Texians, as they have by slandering them. I wear my country's sword, and it matters but little with me, whether I employ it against the hired exterminators of a despot, or the more execrable calumniators of a suffering people. In either case, the spirits of the Alamo and San Jacinto will direct its point.

My duties will permit me to remain in Louisville one week longer, and I hold myself responsible in every way for all I have written or said in vindication of my country in my former publication, and in this card.

T. JEFFERSON CHAMBERS.

Louisville, Oct. 9th, 1836.

P. S. Those papers that have published the calumnies of Messrs. Wilson and Postlethwaite against Texas, and are situated at so great a distance as not to be in danger from the wrath of those pugnacious gentlemen, will do an injured and oppressed people justice, by publishing my answer, notwithstanding its length.

ARKANSAS.

The following address was delivered on the 12th ult. by James S. Conway, esq. governor of Arkansas, previous to taking the oath of office.

FELLOW CITIZENS: The date of our existence, as a free and independent state, has commenced.

Being about to enter upon the discharge of the high, responsible and solemn duties of the executive, I avail myself of this customary and appropriate occasion, to express my gratitude, to the people of Arkansas for the flattering manner in which I have been called to the exalted station I am now about to occupy, and to acknowledge the great responsibility which it imposes.

Deeply impressed with the conviction that no acknowledgments on my part can equal the honor conferred, I shall deem it the best return I can make to devote my humble abilities, with honesty, fidelity and assiduity, to your service, in such manner as may be best calculated to promote the prosperity and happiness of our common country.

The constitutions of most of our sister states, impose more duties on, and give greater powers to, the executive than is granted by ours; in proportion, however, to the curtailment of those duties and powers, my labors and responsibilities are diminished.

That covenant which is to guard our liberties, and which the solemnities of an oath must bind us to support and defend, generally and clearly defines the duties and powers of your executive; and, in strict accordance with its provisions, will I be found exerting myself to fulfil the public expectations in organizing, establishing and administering the government.

Those who speculate on the prospect before us, and govern their hopes of the future by meditating on the past, will find nothing in our condition which is not well calculated to inspire us with ardor in prosecuting the great purposes for which we have been chosen by the people. The task will not be completed by the mere passage of organic laws to put the government in motion. The fabric of the state, when once constructed must stand for ages. It must be fixed in the understanding and reverence of the people. Let us, therefore, examine for and collect all our materials, calculated to enlighten the public mind and diffuse general and useful knowledge.

We have ample means for the early establishment of such institutions of learning as will be calculated to insure universal education to the youth of our country. Knowledge is power. It is the lever which sways every thing in a popular government.

It is not only important, in a political point of view, but is also the basis of morality and religion. Therefore, whatever plans the legislature, in its wisdom, may adopt, calculated to secure these blessings to the people, will meet with my cordial co-operation.

A fund for the internal improvement of our state is at your disposal. Its application, in the improvement of our roads, the construction of new ones, or its judicious expenditure in any other description of improvement for the benefit of the state, will receive my sanction.

Viewing our locality, as the immediate frontier, adjoining and contiguous to numerous tribes of Indians, many of whom are dissatisfied and soured with our government, and in whose bosoms we have reason to believe are lurkings of hostility and revenge, we may readily calculate that our wives and children are not safe unless the savage monsters are deterred by an armed force, or a knowledge that we have men, disciplined and trained to arms, who are ready, at the first flourish of the scalping knife, or at a moment's warning, to march in defence of their

country. It is not probable that the general government will continue a sufficient garrison or army on our borders to shield us effectually from the possibility of Indian depredations. I shall, therefore, feel much solicitude in the speedy organization of the militia of the state. When the hardy yeomanry are disciplined and properly trained to arms, they are the "bulwark of our country." They are the "chief defence of nations." Any legislative action calculated to forward this desirable object will accord with my views, and receive my devoted and unremitting attention.

A just diffidence in regard to my qualifications teaches me, fellow citizens, to solicit and hope for your indulgence, instruction and aid. May the goodness of that unerring Providence which has ever mercifully shielded us in our infancy continue to guard, aid and uphold our liberties. His goodness teaches and encourages me to offer up my supplications that he will continue to make our happy country the object of his divine care.

"REFORM OR REVOLUTION" IN MARYLAND.

Reform meeting at Hagerstown.

In accordance with a resolution adopted at a meeting on the 1st instant, the friends of reform assembled at the court house on Wednesday the 11th instant, and having organized by calling colonel W. H. Fitzhugh to the chair, and appointing G. W. Post secretary, adopted the following preamble and resolutions:

Whereas, by the 4th section of the declaration of rights of the state of Maryland it is declared—"That all persons invested with the legislative or executive powers of government, are the trustees of the public, and as such accountable for their conduct, wherefore, whenever the ends of government are perverted, and the public liberty manifestly endangered, and all other means of redress are ineffectual, the people may, and of right, ought to reform the old and establish a new government; the doctrine of non-resistance against arbitrary power and oppression, is absurd, slavish and destructive of the good and happiness of mankind." The principles contained in this section are the ground upon which we stand, affording us complete justification for our past acts, and every encouragement to future operations, in the cause of reform. By the operation of our present constitution, the "ends of government are perverted," inasmuch as that a meagre minority of the people governs the whole state. The consequence is, that the executive and other public officers together with all the patronage of the state are at the disposal of the few, while the expenses of the government are almost wholly borne by the many. The manifest injustice of this state of things has been the subject of complaint for years. Petition after petition has been sent to the legislature for redress, but in vain. That body the creature of the tyrant few, has refused, and, we have every reason to believe, will ever refuse to grant our reasonable and just rights. Arraying themselves behind the strict letter of the constitution, they disregard the great principles upon which it was originally based, and its utter inadequacy to the existing wants of the people of Maryland. They seem to forget the great change the state has undergone, in point of population, commerce and trade, in the space of sixty years; and that a constitution which was republican in an earlier date of our history, in consequence of that change may be anti-republican now. Whatever may be the views or motives by which our opponents are actuated, whether an actual "base love of power," which is said to be always stealing from the many to the few, or the more ignoble object of making our state a mere bargain and sale affair in the presidential election—our course is plain. We have done every thing in our power, to procure reform, in the ordinary way. The usual means of redress have proven ineffectual. We must therefore recur to first principles, adopting as our motto the language of the bill of rights, that "the doctrine of non-resistance against arbitrary power and oppression, is absurd, slavish and destructive of the good and happiness of mankind." The present crisis, in the affairs of the state, is all important. We have reached a point from which we cannot recede without deserting our principles, and which if we maintain with firmness, we must eventually triumph.

And whereas, we view the subject of reform as paramount to every other, and are prepared to sink every other question in its advancement, and where-as many profess to be in favor of reform provided it be not connected with the politics of the general government, therefore as a means of uniting the friends of reform of all parties, be it

Resolved, That as soon as satisfactory assurances are given that a majority of state senators will be

chosen favorable to the passage of a law calling a convention for the purpose of remodelling the present constitution of the state of Maryland, we recommend Robert Wason and Charles Magill, the senatorial electors for Washington county, to enter the electoral college and aid in forming a reform senate even if the members thereof be elected from the whig party.

Resolved, That until said assurance be given, we recommend Messrs. Wason and Magill to maintain the stand they have taken, and not to participate in selecting a senate not known to be in favor of a state convention.

Resolved, For the purpose of meeting the emergency, if a senate should not be elected, we recommend to the friends of reform to hold district meetings on Saturday the 29th of October, for the purpose of sending twenty delegates to a county convention to be held in Hagerstown, on Tuesday, the 1st of November, to select six members to represent Washington county in the state convention to be assembled in Annapolis on the third Monday of November next in accordance with the suggestion of the reform electors.

Resolved, That these proceedings be published in the papers of this county and state.

WM. FITZHUGH, *chairman*.

GEO. W. POST, *secretary*.

Frederick county reform convention.

At a meeting of the friends of reform, convened at the court house, in Frederick, on Monday, the 10th October, the meeting was organized by appointing colonel John H. Simmons and Dr. John W. Dorsey, chairmen, and Wm. B. Gwynn and George Titlow, secretaries.

On motion of P. H. Brown, esq. a committee of three from each district, was appointed to draft resolutions and report to this convention at 8 o'clock.

On motion of P. H. Brown, that all votes taken in this convention, be taken by districts.

On motion of col. Dunlap, that a majority of the districts, be necessary to a choice in the selection of candidates.

Convention adjourned to meet at three o'clock, P. M.

Three o'clock, P. M.—Convention met pursuant to adjournment.

The committee of three from each district reported—That in pursuance of the duties assigned to them by the convention, the following six gentlemen had been selected by a majority of the committee as proper persons to be recommended for the convention to nominate as a delegation to represent this county in the convention to be held in Annapolis on the third Monday in November next, viz:—Messrs. Francis Thomas, col. John H. McElfresh, colonel Thomas Johnson, John Fisher, Benedict Boon, Dr. Jas. Liggett—And reported the following preamble and resolutions—

Whereas, The true intent and purpose of government is to promote the happiness and prosperity of those for whose benefit it is instituted, and in a republic a majority of the people are declared to have the power of framing such form of government as they may deem best calculated to promote their interests, to increase their prosperity and increase their happiness—and when as, for years, a majority of the people of this state have pronounced the present form of government to be defective in principle, and unequal and oppressive in its operations; *And whereas*, in the recent attempt to form a senate, the representatives of a small minority of the voters of the state have arrogated to themselves, the exclusive power of selecting all the members, constituting one entire branch of the legislature, contrary to all justice, all right, and all sound principles of a republican government. Therefore,

Resolved, That we do not recognize, as a just and proper principle of government, the degrading doctrine, that a people are bound, slavishly to submit, to any public institutions whatever, but contend for, the enjoyment of that for which our forefathers fought, the right to resist a tyrannical government, and the power to abolish an old, or establish a new form of government.

Resolved, That the present constitution of the state is unjust, iniquitous and subversive of the rights of freemen, and therefore should be revised and reformed, so as to conform to the principles on which it was originally based, by giving to every citizen living under its provisions, equal, political and civil rights.

Resolved, That we approve of the plan of holding a convention in the city of Annapolis, on the third Monday of November next, as recommended in the address of the nineteen electors: it being in the opinion of this convention, the most efficient mode, not only of securing the execution of the laws, and the administration of justice, but, also, the most

effectual means of facilitating the consummation of the long cherished wishes of a majority of the people of this state, peaceably and quietly, thoroughly and radically to reform their organic law.

Resolved, That this convention nominate six suitable persons to recommend to the suffrage of the people, as a delegation to represent this county in the state convention before named.

Resolved, That these six persons, when elected, be invested with the power representing this county, in said convention, and that they be, and are hereby authorized to join with the delegates from other counties and cities, in continuing the appointment of all officers, military and civil, whose terms of service expire annually, and to exercise such powers as may be necessary for the welfare of the state; and, that they be recommended, also, to endeavor to settle the basis of representation of a convention for the purpose of altering and amending the present form of government, or framing a new one.

Resolved, That we recommend to the friends of reform in the several election districts to appoint three judges and two clerks of election for each district, to receive the ballots of the voters of each district cast for the six delegates to represent this county in the convention to be held in Annapolis, and that the judges so appointed be qualified to receive the votes of the people in the same manner as if they had been regularly qualified under the laws of the state. And that all persons offering to vote for the aforesaid six delegates shall be subject to the same restrictions and required to possess the same qualifications as the election laws of the state now require, and that the judges so appointed shall make their election returns on the Wednesday succeeding the election in the same manner and form as the judges appointed under the law, to a committee to be chosen by the convention.

Resolved, That a committee of five be appointed by this convention to receive the returns made by the judges of election chosen by the people, whose duty it shall be to certify that the six persons whom the judges declare to have received the greatest number of votes of the county are duly elected to represent this county in the convention to be held in Annapolis on the 3d Monday of November next for the purpose already mentioned; and that their certificate shall be a full warrant for their exercising the authority for which they have been chosen.

Resolved, That we pledge ourselves to sustain the convention to be held in Annapolis in the execution of the duties entrusted to them.

The vote being taken on the nomination of the persons recommended by the committee, they were unanimously nominated by the convention.

The vote was then taken upon the passage of the preamble and resolutions, and they were unanimously adopted.

On motion of John Sifford, esq.

Resolved, That all vacancies that may occur in the ticket selected by this convention be filled by the gentlemen composing said ticket.

On motion of Dr. Wm. B. Gwynn,

Resolved, That the proceedings of this convention be signed by its officers and published in all the papers in the state in favor of reform.

JOHN H. SIMMONS, } *chairmen*.

JOHN W. DORSEY, }

WM. B. GWYNN, } *secretaries*.

GEORGE TITLOW }

Harford county reform meeting.

At a large meeting of the democratic republican reformers of Harford county, convened in pursuance of public notice, at the court house, in Bel Air, on Tuesday, the 11th of October, 1836—the meeting was organized, and col. Andrew Turner, col. I. D. Maulsby and Dr. W. L. Horton, appointed presidents; and Henry W. Archer and James W. Bartol, esqrs. secretaries.

Upon motion, the following named gentlemen were appointed a committee to adopt a preamble and resolutions expressive of the views of the meeting, to wit:—Otho Scott, James W. Williams, Thomas Hope, Henry H. Johns, James Williams, Robert W. Holland, Dr. Wm. T. Munnikhuyzen, Dr. St. Clair Street, Dr. Parker Forwood, Abraham L. Jarrett and Preston McComas.

The committee, after having retired for some time, reported the following preamble and resolutions, which were unanimously adopted. After the resolutions were read, the meeting was addressed by James W. Williams, esq. col. I. D. Maulsby, Otho Scott, esq. and Dr. Horton, in animated and eloquent speeches.

Whereas, The flagrant injustice and gross inequality of political rights under the constitution of Maryland has demonstrated, that a thorough and radical reform is necessary—This is now so obvi-

ous, that it is conceded by all having any regard for the rights of the people. The present constitution was the work of men, who had till it was framed lived under a monarchy, and without detracting from the merits of its venerable founder it may safely be asserted, that as originally established, it was aristocratic in its form and spirit, according to its provisions, property was more regarded than the dearest rights of freemen. None but property holders could obtain a seat in the legislature, hold the office of governor, or be elected as sheriff, and even the right of suffrage, the most sacred that free institutions have conferred on man, was so restricted as to confine its exercise exclusively to those possessing property and those destitute of property, no matter how meritorious in other respects, were entirely deprived of all participation in government.

The democratic spirit of after times extended the right of suffrage and abolished all property qualifications for office. This produced an enlargement of popular rights, and expunged some of the aristocratic principles, which formed a part of the elements of our political institutions; still it left the original frame work, constructed, on an aristocratic basis. In the formation of the constitution, from mistaken views of the intelligence of the people, it was deemed unsafe to intrust to them the appointment of the most important officers, and upon this principle they at present have no control in the election of the governor or senate, or the appointment of the clerks and registers. Whatever may have been the opinions of former times it is a doctrine, not now denied, that the people are fully competent, to self government, and that, the appointment of their officers could not, as safely be confided any where as in the great mass of the freemen of the state. Notwithstanding, the universal recognition of these principles, the people of Maryland, live under a constitution founded upon a palpable violation of these, and every other republican maxim.

The governor, in whose office all have an equal interest, is appointed by a select few, instead of being elected by the people. The senate, which has the co-ordinate power of legislating on the property, lives and liberties of all the people, is appointed by an irresponsible body of electors.

The clerks and registers, important county officers, having the custody of the public records of the people, are appointed by the legislature and the courts, and it frequently happens that these officers are appointed by persons not residing in the county for which the appointment is made, and not having any interest in the manner in which the duties are performed.

The judiciary system of the state also requires reform. There should be no offices for life in a republic. The independence of judges should be preserved, but, at the same time, no public functionary should be placed in a situation where he would be insensible to the influence of public sentiment, nor is it believed that the exemption of the judiciary from improper influences depends on the duration of their office. That inflexible integrity and purity of purpose which are essential to the character of judge would render the possessor independent under any tenure of office. It is, moreover, too plain to admit of doubt, that the judge whose motives would be corrupted if he held his office for a term of years is wholly unfit to be trusted for life. It would doubtless be inexpedient to elect the judiciary immediately by the people; still the term of service should be so reduced, and the appointing power should be so directly answerable to the people as to produce a salutary responsibility on the part of the judges.

Other portions of our institutions equally require modification. The great multiplication of banks and other corporations, and the wasteful expenditure of public money shews that the powers of the legislature in relation to these subjects should be restricted. There should be some limitations, that would operate as safe guards to the public money, and protect the people from the mischiefs arising from an extension of banking.

The unequal representation is another subject which loudly calls for reform; an inequality of political rights exist that ought not to be tolerated. The small counties with a few hundred voters have equal power in every branch of government, to that possessed by the large counties with as many thousand voters.

And whereas it is manifest from the palpable and radical defects of our present constitution, that it cannot be placed upon a popular and republican basis, and made to suit the spirit of the age, but by an entire renovation—Repeated alterations and amendments have been made. The old has been changed, modified and patched up till neither lawyers nor legislators can tell what its provisions are. Amendments have been engrafted till the whole is a con-

fused mass of jarring principles, some aristocratic, and some partly republican, wholly unworthy to be regarded by a free people as their fundamental law.

It is therefore resolved, That to secure to the people their just influence in the appointment of public officers, and to subject the various departments of the government, to a salutary popular control, there should be a thorough and radical reform of our state constitution.

Resolved, That the only practicable means by which the necessary reforms can be accomplished, is a convention elected by the people; that all other means would be dilatory in their action, and partial and half-way in their operation.

Resolved, That this meeting most cordially approve of the course pursued by the nineteen electors of the senate, and regard their refusal to concur in the election of a senate as the most peaceful, speedy and efficacious means of accomplishing the great political reformation which is desired.

Resolved, That should any of the seceding electors, hereafter join the anti-reform electors in making a senate, he should be regarded, as having violated a solemn pledge to the people, and proved himself recreant to republican principle, and a traitor to the cause of reform.

Resolved, That the recent election cannot be regarded as a fair test of public sentiment on the subject of reform,—that it is known, the enemies of reform succeeded by misrepresentation and deceptive statements in exciting a panic, and, a belief, that we were to have a fearful and bloody revolution instead of a peaceful reform.

Resolved, That the recent attempts to produce a belief that we were in a state of anarchy and revolution, and by such means to create alarm and apprehension should be denounced by every friend to reform, and the authors and actors in such attempts regarded as hostile to the extension of popular rights, and enemies to republican principles.

Resolved, That if the anti-reform electors should attempt to force upon the people of Maryland, a senate, it should be regarded as gross usurpation of power, an outrage on the rights of the people, and one which every advocate of free institutions would be bound to resist.

Resolved, That this meeting have a firm reliance on the intelligence and patriotism of the people, and are fully confident that no tumults or disorder can arise out of the present crisis. That even if there were no other restraints, the moral sense of the community is a sufficient guaranty against lawless violence and outrage.

Resolved, That this meeting adopt the recommendation of the nineteen electors, to elect six persons to represent this county in a convention to be held at Annapolis.

Resolved, That the representation in our legislature should be placed on the popular basis, giving to the small counties a sufficient delegation, to protect their interests, and restricting by some liberal maximum number, the power of the populous districts.

Resolved, That six persons be elected on the first Monday of November next, to represent this county in convention, and that such representatives be authorised to do all necessary acts in concert with the representatives from the other counties, calculated to promote the cause of reform.

Upon motion, the following resolutions were unanimously adopted:

Resolved, That Charles S. Sewell, James W. Williams, John W. Rutledge, Otho Scott, Henry W. Archer and Wm. L. Horton be and they are recommended to the people as suitable persons to represent this county in the convention aforesaid.

Resolved, That James Steele, Archibald Dorsey, Jas. L. Bartol, John H. Price, A. L. Jarret and Dr. Wm. I. McElhiney be appointed a committee of correspondence, to communicate with the reformers in the different counties of the state.

Resolved, That the proceedings of this meeting be signed by chairmen and secretaries, and published in the newspapers of the state friendly to reform.

ANDREW TURNER, }
I. D. MAULSBY, } *pres'ts.*
WM. L. HORTON, }
H. W. ARCHER, }
J. L. BARTOL, } *secretaries.*

The following card from I. D. Maulsby, esq. of Harford county, one of the delegates to the legislature chosen at the late election, recently appeared in the Van Buren paper published at Bel Air:

A CARD.

I should be insensible of the just value of public opinion, did I not feel highly gratified with my unusually large vote, at the late election. And I lose no time in tendering to the citizens of Harford county, without distinction of party, my thanks for the generous and confiding support extended to me

on that occasion. And now that the excitement of the election has subsided, I would again respectfully invite the public attention to the great subject of reforming our constitution. It is one that deeply concerns every man, whatever may be his general political predilections; and to effect it requires some action on the part of the people.

Let it ever be remembered, it is our just pride and boast that we live in a government of laws—that the law is supreme, and it is the duty of every man to submit to it until peacefully and legally changed: That the constituted authorities for their administration and execution must be obeyed, there cannot be a doubt; but that, notwithstanding no senate has been chosen at the regular constitutional period, the laws are still in full force, and all the civil magistrates and ministerial officers possess ample and undiminished authority to discharge their several functions. The man, therefore, who would dare practically to question their authority should instantly be denounced as an anarchist and enemy to reform. The bill of rights points to a convention, as a peaceful mode of changing the constitution, and to that means let us, the people, resort. It has also been recommended by the gallant and devoted nineteen senatorial electors, representing nearly three-fourths of the white population of Maryland, who have fearlessly staked their political existence for the liberties of the people and the cause of reform and are therefore entitled to the highest respect of the freemen of Maryland.

Let a constitution be formed by a convention to be elected by the freemen of Maryland, founded on the basis of popular rights, and free from the unjust and aristocratic provisions which, in the present, stifles and overrules the influence of the people in many of the most important departments of the government. Let such a constitution be submitted to the people, to be approved or rejected by them, in their sovereign character, at primary meetings to be fixed for that purpose.

And if a constitution so formed be so ratified, by a majority of all the freemen of Maryland, what reason, I would ask, is there that it should not be carried into effect? And it will be carried into effect PEACEFULLY. The intelligence and patriotism of the people are a sufficient guarantee against violence. There may be, and probably are, some reckless men in both parties; but moderation and firmness are the suggestions of good sense and love of country, and they must so prevail as to keep down all turbulence and disorder.

I have to crave the indulgence of my fellow citizens for this lengthened address. I took my pen simply to express my gratitude for their kind treatment of my pretension at the past election, and have insensibly run into a subject on which my heart is much engaged. I have only in conclusion to acknowledge the fairness and high mindedness which has on every occasion distinguished my competitor candidates, during the late canvass, to tender to such of them as have been elected my congratulations, and those less successful the scriptural consolation, "that the race is not always to the swift, nor the battle to the strong." I. D. MAULSBY.
6th October, 1836.

From the Cumberland (Md.) Civilian—extra.

GREAT PUBLIC MEETING
Of the citizens of Allegany county, at the court house in Cumberland, Oct. 17, 1836.

In pursuance of public notice, an unusually large assemblage of the people of Allegany county, without distinction of party, convened at the court house in the town of Cumberland, on Monday the 17th inst. The meeting was organized by calling Wm. McMahon to the chair, assisted by Meshack Frost and Joseph Dilley, and appointing John M. Buchanan secretary, and Singleton Townshend assistant secretary.

The object of the meeting, which was to take into consideration the present important crisis in our state affairs, was stated by B. S. Pigman.

James Dixon, (V. B.) of Frederick, having been called upon, addressed the meeting in an eloquent and forcible manner, repudiating, in the strongest terms, the conduct of the 18 recusant senatorial electors—denouncing the course recommended by them as leading directly to collision and ultimate bloodshed. On concluding his remarks, he was heartily and unanimously cheered by the meeting.

William Price, of Hagerstown, being next called upon, arose and addressed the meeting in his usual happy and eloquent manner, depicting the deplorable condition in which the state will be thrown by a perseverance in the course adopted by the recreant electors. He sat down amidst the applause of the meeting.

The venerable chairman of the meeting—Wm. McMahon, honest and true to the last, next arose and implored the meeting in the name of God to

pause and reflect before they took any step which could, by possibility, lead to a revolution—that he hoped they would remain firm, and stand by and sustain the laws and constitution of the state. He seemed very much affected, and appeared like a father addressing his children, and in taking his seat was enthusiastically cheered.

Michael C. Sprigg then offered a preamble and resolutions, which were unanimously adopted by the meeting—(save the single dissenting voice of Mr. Daniel Blocher, the editor of the *Advocate*.)

Whereas, it is provided by the constitution of this state that "the electors of the senate meet at the city of Annapolis, or such other place as shall be appointed for convening the legislature, on the 3d Monday of September, 1781, and on the same day in every fifth year thereafter, and they, or any twenty-four of them, having so met, shall proceed to elect by ballot, either out of their own body or the people at large, fifteen senators, (nine of whom to be residents on the western and six to be residents on the eastern shore), men of the most wisdom, experience and virtue, above twenty-five years of age, and residents of the state above three whole years next preceding the election." And whereas the people of the several counties in this state, under and in virtue of the above mentioned constitutional injunction, and to carry the same into full effect, did, on the first Monday of September last, appoint electors to meet on the third Monday of September, at the city of Annapolis, to elect a senate for the state. And whereas nineteen of the said electors, when assembled at the city of Annapolis, on the third Monday in September, to elect a senate, refused to qualify, unless the majority of the electors would give them (the minority) the choice or appointment of eight senators, a majority of the senate, and, under a corrupt and fraudulent conspiracy to dissolve the government, have withdrawn from the electoral college, whereby the state may be involved in all the horrors of a revolution, an event which ought, above all things, to be deprecated by all good citizens. And whereas we confidently believe that any useful reform or alteration in the constitution may be effected in the way appointed out by that instrument, or by a convention legally authorized, and that the end cannot be obtained by revolution, which the course adopted by a minority of the electors clearly indicates as the measure they and their adherents are resolved to pursue; and whereas we are utterly opposed to a revolution, which may involve us in all the frightful horrors of a civil war, tarnish the honor of the state, blast her prosperity, and produce a state of things, the consequences of which no man can foresee,—and hold in abhorrence the conduct of men, who, elected by the people to perform a specific duty, have basely betrayed their trust, and brought the state to this momentous crisis; and whereas, at the late election of delegates to the assembly, on the first Monday of this month, when the conduct and views of the recusant electors were fully discussed and considered, the people of Maryland, by a large and decided majority of votes, have rebuked and condemned them, and have rallied in support of the government of the state, and against a revolution, by electing to the house of delegate sixty-one out of eighty members, opposed to any revolutionary movements—

Therefore resolved, That we condemn the conduct of the aforesaid recusant electors, who, having solicited and obtained the appointment at the hands of the people, betrayed the trust reposed in them, by basely and treacherously refusing to attend the electoral college, (as enjoined by their positive obligations to the constitution), with a view to dissolve the government of the state.

Resolved, That we consider a revolution in the state at this crisis, the greatest of all conceivable calamities—that we deprecate it as fraught with certain mischiefs, and recommended to us not even in prospect by any counterbalancing good, and that as peaceful citizens devotedly attached to our native and adopted state, and feeling a deep and abiding interest in her honor and prosperity, we solemnly pledge ourselves to sustain the government against any revolution.

And whereas, we have understood that John S. Sellman has returned to the electoral college, with a view to the appointment of a senate—therefore,

Resolved, That we consider his conduct in that respect, as highly honorable and patriotic.

Resolved, That as we cannot approve, we will not unite or co-operate in the measures recommended at some late meetings in Frederick county, as tending directly to anarchy and confusion, and we

*Van Buren paper.

†Mr. Buchanan, of this county, although a Van Buren man, is avowedly opposed to the course of the 18 recusant electors.

ferently hope that such rash and imprudent counsels will be discountenanced by the good sense, virtue and patriotism of the people, and for this purpose we recommend that district meetings be held throughout the county.

On motion, the proceedings of the meeting signed by the officers, were directed to be printed and copies sent throughout the state.

On motion, the meeting was then adjourned.

*WM. McMAHON, *president*.

†MESHACK FROST, } *vice presidents*.

*JOSEPH DILLEY, }

*John M. Buchanan, *secretary*.

†Singleton Townshend, *assistant secretary*.

PRESENTMENT of the eighteen recusant electors, by the grand jury of Allegany county.

The grand inquest for the body of Allegany county being about to return to their homes, deem it their duty, before they separate, to take some notice of the causes which have led to the present momentous and alarming crisis in the public affairs of our state. Certain individuals, entrusted by the people with the duty of appointing a senate for the state, have refused to execute their trust, and have left the state without a senate. The conduct of those men is without excuse or palliation—they intended to secure the triumph of a party, and, failing in that, to subvert the government and endanger the public tranquillity. The grand jurors do, therefore, present

Charles Magill, Robert Wason, Casper Quynn, John Fisher, George Ellicott, Ephraim Bell, Joshua Vansant, John Evans, George A. Thomas, Samuel Sutton, Washington Duvall, Robert T. Keene, M. Fountain, Enoch George, John B. Thomas, Sprigg Harwood, Thomas Pope, Wesley Linthicum, as *unfaithful public agents and disturbers of the public peace*.

George McCulloh, *foreman*, Alexander King, *Mat's. Duckworth, Henry N. Shaw, *Joseph Dilley, *J. L. Browning, John Poland, *John Watts, Robert Lashley, Singleton Townshend, Henry Brown, *Peter Krigbaum, *George Staup, *Andrew Rice, *William Robinson, James McCarty, *Joshua Kight, *Thomas Beall, Henry White, *Godfrey Fazenbaker.

Cumberland, Oct. 18, 1836.

[*Those marked with a star (*) are Van Buren men—being 11 of the 20 jurors.]

SPIRIT OF THE PARISIAN JOURNALS.

The National asserts that the alliance of England with France is about to be dissolved; but at the same time, that this alliance, by supporting hitherto the government system in this country, has done more harm than good to its liberties. The tendency of the French cabinet towards the absolutist courts will bring to pass an important change in two capital points, in the last and in Spain. From the moment that France separates from England, and inclines towards another alliance, it is impossible that the relations of Russia and Turkey can be regarded by the French cabinet in the same light. France was English in the Levant: it ought to have been neutral: it will now become Russian. In Spain the rupture with England is marked by the refusal to send further supplies; but this apparent neutrality cannot be persevered in, and the result will be the adoption of the cause of Don Carlos, and active opposition to the Spanish revolution. At home, the foundation of French policy will not be changed: it has all along been anti-democratic, and it will be so still, only it will lose the gloss of a whig alliance, and of being the friends of the queen of Spain, while, in order that nothing may be wanting to it, the real prime minister is M. Guizot, who is one of the emigres of Ghent.

The *Courrier Francais*, after remarking that the country is now again about to be subjected to a reaction, and to the influence of a ministry, directed by an emigre of Ghent, and composed of partisans of the restoration, shows how the anti-liberal principle has been steadily at work ever since 1830, and how the *immovable will* has perpetuated its ascendancy over every successive cabinet since that period. If the country is at the present time in arrear instead of advance of its state twenty years ago, it must be confessed, that in many points of view, things have changed. Thus the country has paid the milliard of emigrants; the 400 millions for the counter revolution of Spain; about 100 millions towards establishing the anarchy of Greece, under king Otho; a good sum of money, more than ought to have been paid, for Algiers; and 700 or 800 millions, for the extraordinary expenses of the first installation of the government of July; so that, from all this, it results, that France has the satisfaction of learning that the budget is every year in deficit,

*Van Buren.

†Harrison.

which is always increasing. All this, however, does not hinder the governing powers of the country from leading a joyous life. The budget of liberty, however, is not less in a deficit than the financial one. Except the time of the censorship being provisionally established, the liberty of the press is now more restrained than it was under the restoration; the responsibility of ministers and their agents is more illusory than ever; freedom of religious worship is exercised by the exclusion of new religions, and the sealing up the doors of dissenting churches; and the main principle of the jury is violated. Let France rejoice! her liberty is advancing in the same way as her finances; let her look at these twenty years of glory and progress with exultation; and, above all, let her not despair of her futurity: has she not the charter, that is now a truth, and a representative government?

The Constitutionnel says that three parliamentary questions cannot fail of being brought forward next session, each of which will be fatally contrary to the doctrinaires. The first will be the election of three new vice presidents; and no doubt the three honorable deputies, members of the late ministry, who have already filled those offices, will be re-elected. The next will be the address; a thing that has never been much to the taste of the coterie, and now will be less so than ever. There are certain expressions which can be introduced into it, and which will have the same effect upon them as a drop of water to a hydrophobic person; *conciliation* and *generosity* will not, this time at least, be without meaning. The third, the conversion of the rentes, will also be a stumbling stone to them; for who is to give way on that question—the actual ministers or the chamber? In addition to all this the present ministers have, not only as a cause of offence towards the chamber, the having replaced ministers specially approved of by the chamber, but also of being, every one of them, pure doctrinaires. The majority will not submit to them. The majority know that, besides the doctrinaires, other ministers may be found, better disposed to give satisfaction to the desires of the country.

The *Bon Sens* asserts that the country is once more in the full tide of the restoration; and that, with the return of the doctrinaires the press resumes all the power it did not like to exercise with the *Tiers-parti*. The press becomes what it was during the restoration: it is called on to defend, as it was six years ago, liberty of conscience against the invasions of Catholicism—liberty of person against the violence of a privileged oligarchy—and the principle of equality against the encroachments of feudal power, for a moment restored to life. Are the doctrinaires prepared to sustain a fight upon such ground as this?

The *Quotidienne* professes that it cannot conjecture in what way M. Guizot intends to face the chamber, nor how he can hope to be able to form a majority. There are, besides, it adds, elements of disunion in the cabinet itself; for even if marshal Soult were to join it, each of the three ministers, M. Guizot, M. Mole, and the marshal himself, would always be trying to get rid of each other, in order that they might become the heads of the cabinet. M. Guizot, the real leader of the ministry, represents nothing and nobody except himself; he is hated by all parties, except his own. To get rid of this odious coterie, it is a pity that the law against secret associations cannot be applied: for this, however, to be possible, their number must exceed twenty, and they have taken good care in this respect to keep out of the reach of the law.

The *Paix* says that the doctrinaires will soon find themselves in the presence of the chambers; they will then have nothing to do to make their system known; they will have no date to inaugurate; they will only have to appeal to the 11th October and 13th March, and they will then have merely to demand of the chamber whether it is willing to continue the system or not. This time, however, there must be no *Tiers-parti*; there will only be a choice between the *juste-milieu*—in other words, the constitutional monarchy and the *comple-rendu*—that is to say, a monarchical republic, between conservation and destruction. It is for the deputies to make the choice.

GENERAL JESUP.

From the *Montgomery (Ala.) Advertiser*.

We publish below a correspondence between a committee of gentlemen of this place, and major general Jesup. We have noticed with deep regret, the assaults upon the well earned reputation of this distinguished officer. The results of this campaign prove that general Jesup was prompt, energetic and skilful. The removal of the Indians, that for years has been the object of fruitless negotiation, has been accomplished in less than three months under his vigorous measures. The testimony of

the officers and men of our state, who served with general Jesup and under him, has been uniform to his high and chivalrous character, and to the urbanity of his manners, and the purity of his life. That the American people should permit an officer so gifted in mind and intellectual qualities to be sacrificed, is what cannot for one moment be credited. General Jesup does right to court investigation. His success has obscured the view of the imbecility and weakness of others, and those "whose purpose it has suited" to misrepresent him, will find any thing but satisfaction in the exhibition of the plain truth.

The general will carry with him the approbation of Alabama to his public conduct, and the gratitude of her people for his faithful attention to duties, in the performance of which they were so vitally interested.

Montgomery, Ala. Sept. 11, 1836.

GENERAL: A portion of our fellow citizens being desirous of testifying to you, the high appreciation of the eminent services rendered by you to the country during the last war with Great Britain; their admiration at the promptitude, energy and skill you have displayed in bringing the disturbances among the Creek Indians to a close, and effecting their removal from the borders of our state; and their respect for you, personally, have appointed the undersigned to ascertain from you, at what time it would suit your convenience to attend a public dinner in this town.

With very great respect, we are, general, your obedient servants,

JOHN A. CAMPBELL,
WM. GRAHAM,
GEO. D. SHORTRIDGE,
EDWARD HANRICK,
N. E. BENSON,
WILLIAM KNOX,
GEO. WHITMAN,
GEO. GOLDTHWAITE,

Committee.

To maj. gen. Thos. S. Jesup, Tuskegee, Ala.

Fort Mitchell, Ala. Sept. 23, 1836.

GENTLEMEN: I have received at this place your letter of the 11th instant, addressed to me at Tuskegee. Under other circumstances than those in which I am placed, it would afford me great pleasure to meet, in the manner they propose, that portion of my fellow citizens of Montgomery whom you represent. But it has suited the purposes of others, in order to divert public attention from the facts connected with the Creek campaign, to misrepresent my conduct. It is due to all that an investigation take place; I shall demand it so far, at least, as my name has been associated with my transactions here, public or private; and for that purpose I shall proceed to the north the moment my duties here shall have been brought to a close. Until an investigation take place, and my reputation be rescued from the odium attempted to be fastened upon it, I deem it due to myself to decline all public attentions such as tendered through you. Whether you agree with me in opinion, or not, as to the propriety of my determination, I feel assured you will properly appreciate my motives.

Do me the favor, gentlemen, to present my grateful acknowledgments to my fellow citizens in whose behalf you act, for the honor conferred upon me by your invitation, and accept for yourselves my warmest thanks for the flattering terms in which you have thought proper to notice my services. I am, gentlemen, most respectfully, your obedient servant,
THO. S. JESUP.

To Messrs. Campbell, Hanrick, Shortridge, Graham, Knox, Whitman, Benson and Goldthwaite, committee.

LAW CASE.

From the New York Journal of Commerce.

CIRCUIT COURT, SEPTEMBER 30TH.—JUDGE EDWARDS PRESIDING.

George Allen vs. Hugh Rowland. This was an action to recover damages for ill treatment received by the plaintiff, who was a seaman on board the British barque Mona, from the defendant, who was captain of said vessel. In the month of March, 1835, the Mona sailed from London to go to Vera Cruz, and from there to New York, having on board the plaintiff, who had shipped as steward, at the rate of 80s. per month, whilst the other seamen were paid 40s. The plaintiff, however, took the lower wages and lighter work of a steward, in order to avoid hardship or exposure to the weather, as his health was then delicate, and his eyes were affected with some disease; and it appeared that the defendant was not ignorant of the reasons which induced the plaintiff to select the situation of steward.—The day after the vessel arrived at Vera Cruz, the defendant ordered him to come on deck and help to get out the long boat; and as he did not obey the or-

der as promptly as the captain thought he should, the moment he did come on deck, the captain knocked him down with a blow of the fist, and then took the double of a two inch rope and gave him a severe flogging with it, the steward having no clothes on his back at the time but a linen shirt.—About a week after the vessel left Vera Cruz, the captain turned the steward out of the cabin and made him go forward and do the duty of a seaman; and on the same day, whilst the ship was under close reefed topsails, the captain ordered the steward to go aloft and loosen the top gallant sail—which the ship could not then carry, it was blowing so hard—and as soon as the steward had loosened the sail, the captain ordered him to roll it up again—a thing which no one seaman could possibly effect in the then stormy state of the weather. On another occasion, when the rays of the sun were so scorching and the steward's eyes so bad from disease that he could scarcely keep them open, the captain ordered him to scrape the masts, a work which was at the time totally unnecessary. The steward commenced the work, but, finding that it caused him most intolerable pain, he begged of the captain to allow him to leave it off; but, instead of doing so, as soon as the steward had finished scraping the mast, the captain made him scrape it over again. The ill treatment inflicted on the steward soon caused him to become almost totally blind; but the captain continued to make him go aloft, until the crew at last remonstrated against sending a man aloft whose blindness rendered him incapable of doing any service there, and caused him to run the risk of his life. The captain continued to annoy the defendant in one way or other during the greater part of the voyage; and when the vessel arrived here, the plaintiff complained to the British consul, who discharged him from the vessel, and he commenced the present suit against the captain before he sailed for England. This was the case for the plaintiff.

For the defence, the consignee of the Mona deposed that he had asked the plaintiff how the captain treated him during the voyage, and that he replied, "the captain had been very kind to him, and that he had no complaint against him;" but, on being cross examined, the consignee said he could not recollect the exact expressions made use of by the plaintiff. It was also elicited from the consignee, that the defendant had left him \$800 to meet the demand consequent upon the suit.

Verdict for the plaintiff, \$800. For the plaintiff, Mr. Muloch.

THOMAS EWING OF OHIO.

The following letter was addressed by Mr. Ewing to a committee of the workmen of Cincinnati, Ohio, in reply to a letter from them requesting him to attend and address a meeting of that body.

Lancaster, Oct. 3, 1836.

GENTLEMEN: I received your favor of the 27th ult. inviting me, in behalf of the workmen of Cincinnati, to attend and address a meeting to be held by them on the 8th instant.

I would accept the invitation with pleasure if my other engagements would permit it, but unfortunately they do not. I must, therefore, deny myself the gratification which I should feel in meeting with so many of my fellow citizens, and joining with them in the discussion of subjects important to the character of our state, and to the pure republican institutions of our country. I should be the more gratified to be with them, as I am assured they are, what they profess to be, real WORKMEN—a portion of the hard-handed and sound-hearted yeomen and mechanics of our country; men, on whose intelligence, integrity and patriotism, our republican constitution must rest as the surest and strongest pillar which sustains and supports it.

You have been kind enough, in the letter which you wrote in their behalf, to speak in terms grateful to my feelings of the taunts and sneers which have been cast out against me for having once been a workingman, and having labored with my own hands for my support and advancement. Many false things have been said and written of me, but this is not one of them. This is true. I admit the charge to the full extent. And if the workingman be unworthy to rise to the elevated stations in our republic, then I am unworthy. If wealthy parentage, tender nurture, and youth spent in ease, in indulgence or luxury, be essential to qualify a man for office in a republic, then am I not qualified, for I have none of those advantages. My father was poor, and lived a life of hardship and privation. When young he was a subaltern officer of the revolution, and shared the fortune of many of the ardent youth of that day, who devoted themselves to the same glorious cause. At the close of the war he was cast upon the world without property, or the

habit or the means of acquiring it. He left his native state, and sought a home in the frontier settlements, in the then "far west," where I was born, in a very humble shed, and reared, not, surely, in the lap of luxury. With my mental and physical powers as my only inheritance, I was brought up a workingman, or, rather, a workingboy—among the people, and truly one of them—and I have no regret that my lot was so cast. I have seen, and known, and felt how much of manly sense, shrewdness of observation, sterling worth and generous feeling, are concealed beneath the rough exterior of the plain workmen of our country. I know them well, for I have been an inmate of their homes, a guest at their tables, and one amid the social circle around their firesides; and I look back to those scenes, not only with pleasure, but with pride. I am proud to feel that I carry with me something of the true character and spirit of the American workingman. I was early imbued with that spirit—I imbibed it in infancy—I grew up with it to manhood, and I trust I shall retain it to the latest period of my life. And if to these characteristics, which I claim with them as our common heritage—if to their sound good sense, just moral feeling, patriotic devotion and firmness in support of the right, I have been able to add that knowledge which is the fruit of long and laborious study—that facility for business which springs from habit—something of literary taste, and a talent for public speaking, which enables me to bring the powers of my mind and my stores of knowledge into use, then I claim that, even without the advantage of high birth or early fortune, I am fit to stand forth in the presence of the nation as the true representative of the people of my state.

In the elevated station to which their partiality has called me, I have still been a workingman. I have not wasted my time in idleness, nor my energies in the haunts of dissipation; but have devoted myself fully and entirely to my official duties—the service of my state and of the union. I am now assailed with a virulence heretofore unknown in the annals of our political warfare: those who have fixed their eyes on the revenues of the general post office, the public treasury and the public lands, and marked them as their plunder and their spoils, now rage with fury against me. I am not surprised at it. I stand in their path, and they have been so long kept back from the tempting bait that they are now hungry and fierce for their prey. If I had been dull and inefficient—if I had slept on my post—or, especially, if I had connived at the villany which I saw practised, I might have been permitted to pass without reproach, and probably received as a favorite by those who now assail me.

But I did not, for my very nature forbade it—I did not calculate chances, or weigh the advantage, which one course of conduct would bring, or the dangers to which another would expose me. A sentinel on the watch-tower, I had no choice but to give warning of danger when I saw it approaching. Placed in the breach, I must defend my post, until the people could rally and come to my rescue.—And whether I now be sustained by their cheering voices, or be borne down by the multitude, and the malice of my enemies, I regret nothing of my course, and shall never wish that I had changed it. One of its consequences only I look to with anxiety and pain—it is, that many good men, all deceived by the base falsehoods which have for years been invented and circulated against me, withhold from me that approbation to which I feel I am entitled at their hands, and which I know they would extend to me, if they could be undeceived as to my political course.

Be kind enough to communicate my sentiments to the meeting, and believe me, with great respect, your obedient servant,
T. EWING.

BALTIMORE AND SUSQUEHANNAH RAIL ROAD.

Office of the Baltimore and Susquehanna Rail road company, Oct. 11th, 1836.

To the stockholders of the Baltimore and Susquehanna rail road company:

GENTLEMEN: The president and directors respectfully submit to you their ninth annual report of the operations of the company.

In their last report you were informed that the general route of the road to York had been decided on by the board, after a deliberate examination of the results of the surveys instituted throughout the intervening country. In the past year two divisions of the "Baltimore and Susquehanna" and one of the "York and Maryland line" rail roads, embracing the whole line from Timonium to York, were successively put under contract, as the final locations were completed; and, except upon a few small sections, the construction of both roads is now in active progress throughout their entire extent.—

The "Wrightsville and York" rail road, which will connect with the "York and Maryland line" road, thereby forming a continuous line of rail road from Baltimore to the Susquehanna river, is steadily advancing, and will, it is expected, be completed before the road can be opened from this to York.

During the winter and early part of the spring, the unusual inclemency of the weather was such that but little work could be done; and when at length the season became more propitious, the operations of the contractors were unexpectedly retarded by the great scarcity of laborers. Every exertion was made to increase the force employed; but it was found that from the number of public works which were carried on in different parts of the country, the demand for hands was greater than could be supplied. Towards the latter part of the summer, however, the healthiness of the country along the line of our works attracted many from less favored districts; and for some months past the construction of the road has advanced with energy and rapidity. Upon many sections, the graduation and masonry are nearly completed, and throughout the line the amount of work done bears witness to the zeal and diligence of the contractors. The bridges, which will be of wood, upon the plan of colonel Long, are also preparing; and the board have the fullest confidence, that long before the period shall arrive for their next annual report, they will have announced the opening of a direct and regular channel of communication with Pittsburgh, and all the widely extended country which is intersected by the great works of Pennsylvania.—The accompanying report of the chief engineer will shew more particularly the character and amount of the work done on the different sections of the road.

In the month of December last, contracts were made in England for the whole quantity of iron rails which will be required, including an amount sufficient to lay down a new tract from Baltimore to Timonium. For, since the construction of that road, experience has shewn that true economy prescribes the use of a rail of strength sufficient to bear locomotive engines of considerable weight, whilst it can at the same time be laid down with much less timber than was formerly employed. That adopted by the board is a modification of the T. rail designed by J. Trimble, chief engineer of the company, which has been highly approved by those qualified to judge of its merits.—Being of the weight of nearly 60 lbs. to the yard, it will be simply laid upon wooden sleepers, or stone blocks, dispensing entirely with the string-piece. A very heavy and constant source of expense in the annual repairs required upon the wooden superstructure of a rail road, far exceeding the interest upon the additional cost of the heavy iron rails will be thereby avoided, whilst at the same time they can with ease be kept in a proper state of adjustment, and the transportation over them can be carried on with increased rapidity, safety and economy.—The average cost in England of the rails, (of which upwards of 2,200 tons have already arrived here) will be about £10 6s. sterling per ton; a much lower price than they could have been obtained for at any period subsequent to the date of the contracts. Ten locomotive engines have also been contracted for, in this country and in England; all of which are to be delivered in the course of the ensuing winter and spring.

Before laying down the new rails upon the old division of the road, it is the intention of the board, if they have the means within their power, so to change its location in several places, as to avoid many of the curves of small radius, which are found to offer much interruption to rapid motion with steam power upon the road. As none can doubt the importance of making as perfect as practicable, a road which must always be one of the great avenues from Baltimore to the west, and will for a time be the only one of the same character, it is the earnest wish of the board, and they are fully satisfied that all the means in their power should be used, so to reconstruct the old division of the road, as to render the facilities of transportation upon it, equal to those which will characterize the residue of the road to York. As the rails must, at all events, be renewed, it is evident that the desired improvements in the location can be made at the same time at far less expense and inconvenience than at any future period.

With the view of ascertaining the best mode of extending the road into the city, surveys have been made through different streets, but the board have as yet taken no further action on the subject.

The amount of the loan authorised to be made to the company from the state treasury by the act of December, 1834, ch. 241, was one million of dollars, the whole of which has been received. This sum was believed by the board sufficient for the com-

pletion of the road to York; and it would probably have been adequate not only to the construction of the road, but also to the procuring of the means of transportation upon it, but for the great advance which took place in the price of labor and materials after the passage of the act. For instance the price of the common flat bar rail road iron, which at the commencement of the year 1835, was £6 17s. 6d. sterling per ton, had advanced at the time of the contracts made by the company, to between £8 and £9, and rose in the next month to £11. But the board were fully satisfied that every motive of sound policy required them to adopt a rail of different form and much greater weight than the flat bar rail; and they accordingly, as before stated, selected the one recommended by the engineer, although the usual cost of rails of that description is 40 shillings per ton higher than that of the flat rail. In addition to the enhanced price of the iron, the cost of the new rail is more than five times as great as that of the rail formerly laid down, owing to its much greater weight. The number of tons of iron rails and fastenings required per mile for each track of the new road is 94; whilst upon the old road to Timonium were used not more than 17 tons per mile for a single track. A similar increase in the wages of labor likewise added to the cost of graduation. Throughout the summer the wages paid by the contractors, have been \$2 per day.

But notwithstanding the enhanced cost of the road above the estimates of 1834, arising from the circumstances mentioned above, the board are yet satisfied that the loan furnished by the state, will suffice for the completion of the road from Timonium to York. For the purpose, however, of procuring the requisite means of transportation upon it, of establishing proper depots, of altering the location of the old road, and of extending it into the city, a greater amount of funds will be required than the board now have at their disposal. But they cannot anticipate that any difficulties will be permitted to interrupt the successful prosecution of your enterprise upon the very point of its completion; or that after so long and arduously contending with rival states, to regain a portion of that western commerce which was once her own, the city of Baltimore will not be prompt to grasp with avidity, the glorious prize, when it shall be shewn to be brought again unquestionably within her reach.

An account of the receipts and expenditures of the company to the 1st day of January, 1836, has been heretofore submitted to you. From that day to the 1st October inst. they were respectively as follows, viz:

Balance on hand 1st January, 1836,	538,543 79
Receipts.	
From state of Maryland	250,000 00
“ transportation	12,265 50
“ interest on loan	14,489 55
“ sale of instruments	205 00
	276,960 00
	815,503 84
Expenditures.	
Expenses of office	1,207 43
Salaries, (prest. & sec'y.)	1,811 61
Depots	301 00
Interest (paid state)	28,125 00
Transportation	12,588 64
New roads, viz:	
Graduation & masonry	186,919 63
Contingencies of construction	950 01
Iron rails	107,258 01
City division	167 50
Timonium div.	353 22
Lumber	2,017 22
Wagon department	1,526 92
Printing & advertising	386 25
York & Md. L.	
R. R. Co.	14,286 09
Damages	6,454 43
	320,319 28
	364,422 91

Balance on hand \$451,180 93
The whole amount of transportation of the year is \$13,283 99, of which \$1,018 46 is not yet collected.

The expenditures for transportation have been increased by the carriage of materials for the new road, for which no charge has been made.

Since the date of this account the last instalment of the loan from the state, amount to \$250,000 has been received, increasing by that amount the balance on hand.

Before concluding this report, the board would take occasion to submit for your consideration a few general remarks upon the results which may be anticipated from the completion of your road. The great works of internal improvement in the state of

Pennsylvania, with which it is the primary object of this company to form a connexion on the banks of the Susquehanna, being now in full and successful operation, the effects which have been produced by their completion are objects of the deepest interest to you, and are of vital importance to the city of Baltimore.

By the last annual report of the canal commissioners to the legislature of Pennsylvania, it appears that on the 1st November, 1835, that state had completed upwards of 600 miles of canal and slack-water navigation, and nearly 120 miles rail road; and that at the same time there were completed, or in a course of construction by different incorporated companies within the state, about 400 miles of canal and 520 miles rail road. This was previous to the very liberal aid which at the last regular session of the Pennsylvania legislature was extended to works of internal improvement in every quarter of the state; the effect of which will soon become visible in the addition to the foregoing list of many miles both of rail roads and canals.

The returns of the transportation upon the works constructed by the state alone, since they were first opened for public use, were as follows, viz:

Years.	No. of boats.	No. of cars.	No. of miles trav. by pas.	Amount of tolls received.
1830				27,012 90
1831				38,241 20
1832			152,780	50,909 57
1833			878,315	151,419 69
1834	664	349	4,085,191	309,789 15
1835	760	774	11,231,924	684,357 77

The receipts by the state as above, were exclusively for tolls and for the use of motive power on the rail roads, which is furnished by her—the transportation being carried on, and the freight of course received by individuals and companies. The payments to the state for the year 1835, were—

For amount of tolls on canals	\$403,048 43
For “ “ on rail roads	194,623 24
For motive power on “	86,726 10

\$684,357 77

The quantities of a few of the principal articles transported, were as follows, viz:

Flour,	263,662 bbls.
Wheat,	243,559 bush.
Corn and grain,	393,315 “
Tobacco,	6,715,542 lbs.
Iron,	53,797,710 “
Merchandise,	36,859,711 “
Groceries,	23,335,993 “
Leather,	1,664,718 “
Mineral coal,	121,995 tons.
Whiskey and Dom. spirits,	1,241,884 galls.
Sawed lumber,	14,528,557 feet.

From the above statements some idea may be formed of the vast amount of that internal trade, which circulates throughout the state the life blood of her prosperity, and of which the amount during the present year is understood to have far exceeded that of any former period.

But the value of the Pennsylvania works is not to be estimated solely by the magnitude of the trade which is even now transported over them.—By the progressive completion of the various lines of communication west and north of Pittsburgh, the commercial importance of that place and the amount of internal trade which will there centre, must every year be rapidly augmented; whilst the resources of the region of the country traversed by the improvements which follow the north and west branches of the Susquehanna have scarcely yet begun to be developed. And by the rail road communication now forming between Williamsport, on the west branch canal, and Elmira or Newtown, situated on the New York and Erie rail road, an avenue will be opened to the fertile regions of the Genessee, and a connexion will be formed with both the Erie canal and the New York and Erie rail road, at points from both of which the distances to the city of New York will much exceed those to Baltimore.

It is to the Baltimore and Susquehanna rail road that we look to secure to the city of Baltimore a participation in the immense trade of which we have spoken. The great line of communication from Pittsburgh to the Atlantic cities, is by canals and the Portage rail road, to Columbia; and thence by the Columbia rail road, a distance of 91 3-4 miles to Philadelphia. From Columbia to Baltimore the distance by the rail road now constructing will not exceed 70 miles. We will therefore have the same mode of access to the Pennsylvania canals, which is enjoyed by Philadelphia, with the difference of distance in our favor; and on the other hand, will be given to the agriculturist and manufacturer of Pennsylvania, the reciprocal advantage of being enabled, after transporting his commodi-

ties to Columbia, there to enjoy the benefit of a choice of markets between two rival cities, each striving to offer such inducements as may attract his custom. The distance from Pittsburgh to Baltimore by this route will not exceed 382 miles; and if it be the interest of the citizens of Pennsylvania to open the cheapest and shortest routes to the markets for their produce, the construction of a rail road from York to Harrisburgh will probably effect a further reduction in that distance of at least 10 miles.

The distance from Lake Erie to Elmira by the New York and Erie rail road will be 205 miles, and thence to New York 303 miles; whilst that from Elmira to Baltimore, by the rail road to Williamsport, and thence by the Pennsylvania canals, will be but 245, a difference in favor of Baltimore of 58 miles. From Elmira by the Chemung canal, the Seneca lake and Seneca canal, the distance to Montezuma, on the Erie canal, is 84 miles, making the whole distance from Baltimore to Montezuma 329 miles, whilst that from Montezuma to New York by the Erie canal is 366, a difference in our favor of 37 miles. Through the Susquehannah route, therefore, the city of Baltimore will be placed nearer to Lake Erie than is the city of New York, and may enter into competition with her for that trade of which the latter has now the monopoly; and that this route will become the great and national channel of communication between the north and south for travellers, and for the United States mail, cannot be questioned, since from Lake Erie to Baltimore the distance by it will be but 450 miles, whilst between the same points, by the route via New York and Philadelphia, it will be 706, a difference of 256 miles.

Such are the benefits which the city of Baltimore has to expect from the completion of your enterprise. The disadvantages under which her traders have labored, have been sorely felt; and during the past year it has in repeated instances happened that sales have been effected in this city, of goods destined for the western markets, only on condition that the vender would at his own cost deliver them in Philadelphia, whence they were to be transported along the canals of the Susquehannah valley. But when a direct communication shall be afforded from Baltimore to the same canals, a wide field will be thrown open to the commercial enterprise of her citizens, and all their energies will have ample room for exercise. Like the magnificent Susquehannah itself, the commerce of a region almost unbounded in extent, will flow from a thousand sources, until uniting upon her banks, it rolls along in one wide stream of wealth.—Through your exertions, Baltimore will be enabled to enter upon favorable terms into the zealous competition with which her rivals seek to divert to themselves the fertilizing branches of this mighty current, and to the activity and industry of her citizens may we safely trust to avail themselves of the advantages you will have placed within their reach.

With the prospect then of at length reaping the full reward of your labors, the president and directors cannot but offer their congratulations to the stockholders, upon the advance of their work towards completion. Looking to all the considerations which give value to a rail road, the board still entertain the most confident belief that the revenue which the Baltimore and Susquehannah rail road will yield, will fully justify the most sanguine expectations which they have held forth, and they as firmly trust that the advantages which will accrue from it to the city of Baltimore, will be at least as great as have been represented. By order of the board,

CHARLES HOWARD, *president*.

MR. DALLAS' LETTER.

An examination of the late letter of G. M. Dallas, esq. to certain persons in Pennsylvania.
Communicated for the Baltimore Patriot.

The hostility felt or professed by the Van Buren party to the bank of the United States is truly surprising. So long as that institution existed under a charter derived from the federal government, there were at least plausible reasons for disliking and opposing it. The most enlightened men differed very honestly on the question of its constitutionality, and the most honest men did not agree as to the integrity of its management and administration.—Whether the friends or the foes of the institution were right, it is not my present purpose to inquire. Be that as it may, I am at a loss to perceive the applicability of the same objections to it under its present charter, which were so strenuously and effectually urged while it existed as a creature of the federal government. The question of its constitutionality no longer exists, and its capacity for mischief, which it is charged with having exerted so extensively and unscrupulously, is effectually destroy-

ed by the limitations of its present charter. Nevertheless, it is still pursued with the most bitter hostility; and that, too, by a large portion of the very people who derive from it the most important benefits, and who have therefore the strongest interest to support it. I presume that they understand their own motives, but they may not find it an easy thing to justify their course to the cool and dispassionate judgment of the people of their sister states.

I have no concern, however, with this subject in its connexion with party politics in Pennsylvania or elsewhere. My attention has been called to it only by the recent letter of the hon. G. M. DALLAS to the "democratic corresponding committee of Smithfield, Bradford county, Pennsylvania;" a letter which, in my opinion, does him no honor, either as a lawyer or as a statesman. I will not pause to criticise that production in its style and manner.—It is so much the fashion of the present day for the friends of the administration to flatter gen. Jackson both *in season* and *out of season*, that we naturally expect something of the sort, on all occasions which present the least chance for the language of adulation to be heard. From such a man as Mr. Dallas, however, we had a right to expect that flattery, however liberally bestowed, would at least be presented in the garb of delicacy and good taste. There was no necessity that he, of all men in the world, should make so broad a declaration of his devotion to the person or the public measures of gen. Jackson; nor is the language of flattery so strange to the ear of that gentleman, as to authorise the belief that he would not understand it, except in its plainest and coarsest forms. I am willing, however, that Mr. Dallas shall play the courtier in his own way; it is only with the *principles* of his letter that I have any concern, and to them only do I desire to call the serious attention of others.

It appears from the letter of Mr. Dallas that the object of his correspondents, the "democratic corresponding committee of Smithfield, Bradford county, Pennsylvania," was to devise some mode by which the charter of the bank of the United States might be annulled without too plain a violation of law, or public faith, or public decency. The application to him was suggested by his high character as a jurist, and his known devotion to the interests of the "democratic republican party." Such of us, therefore, as feel a stronger devotion to law, good order and good government than to any party whatever, may indulge the hope that if the plan suggested by Mr. Dallas, for destroying the chartered rights of corporations, should be found to be impracticable or inconsistent with the genius of our governments and institutions, no other plan will be attempted, and that corporations, as well as individuals, will be allowed to remain in the undisturbed possession and exercise of all the rights which the laws of the land have conferred upon them.

I am happy to perceive that Mr. Dallas is not disposed to go *all lengths* with his party. He rebukes plainly, though tenderly, many of the extravagancies in reasoning by which the more ultra of his political friends have endeavored to prove the charter of the bank invalid; and he rejects, in a manner equally positive, some of the irregular and summary plans by which it has been proposed to get rid of the obnoxious institution. He admits that there is nothing in the constitution of the United States which prohibits a state from incorporating a bank; and, what is more important, while he denounces the legislature of his own state as both corrupt and stupid, he admits that they had rightful power to incorporate the bank; that it stands on the footing of *contract*, and, consequently, that its charter cannot be taken away by an act of ordinary legislation. These concessions are important in the present temper of his party, and, while they entitle him to some credit, will, it is hoped, exert a salutary influence upon the wild zeal which has hitherto distinguished them. But Mr. Dallas also has his plan; and although not quite so summary as some others which have been suggested, it is not less effectual and decisive. His idea is that this bank, and all other "monopolies," as he is pleased to call all incorporations, may rightfully be put down by an amendment of the constitution, and he refers his political friends to that as the proper "remedy" in the present case. It is this idea which I propose now to examine.

Mr. Dallas introduces his views of the effect of an amendment of the constitution by a very pointed allusion to the circumstances under which the charter of the present bank was obtained. He appears to attach much importance to the fact, that a law had already passed for calling a convention to amend the constitution of the state; and, consequently, that the bank took its charter with a full knowledge of all the hazards which it had to encounter from the action of that body. This is un-

doubtedly true in point of fact, but it is not perceived that it possesses any weight as an argument. The risk which the bank incurs, depends on the power of the convention to affect its charter; if there be no such power, there can be no such risk. So far, therefore, as the mere question of power is concerned, the argument that the bank knew beforehand that a convention would be called, is the plain *petitio principii*. Mr. Dallas should first have proved to us that a convention would have power to annul the charter. He might then have argued, with perfect justice and propriety, that the bank could claim no particular tenderness or forbearance, since it knowingly put itself within the power of the convention, and challenged the exertion of that power. In no other view do his remarks upon this point possess any weight whatever.

The following extract from the letter of Mr. Dallas presents his whole view of this question:

"A convention is the provided machinery of peaceful revolution. It is the civilized substitute for intestine war, the American mode for carrying out the will of the majority; the inalienable and indefeasible right to alter, reform or abolish their government, in such manner as they may think proper. When ours shall assemble, it will possess, within the territory of Pennsylvania, every attribute of absolute sovereignty, except such as may have been yielded and are embodied in the constitution of the United States. What may it not do? It may reorganize our entire system of social existence, terminating and proscribing what is deemed injurious, and establishing what is preferred. It might restore the institution of slavery among us; it might make our penal code as bloody as that of Draco; it might withdraw the charters of the cities; it might supersede a standing judiciary, by a scheme of occasional arbitration and umpirage; it might prohibit particular professions or trades; it might permanently suspend the privilege of the writ of habeas corpus, and take from us, (as our late general assembly made an entering wedge to do), the trial by jury. These are fearful matters, of which intelligent and virtuous freemen can never be guilty; and I mention them merely as illustrations of the inherent and almost boundless power of a convention. The only effective limits to its authority are the broad and unchangeable rules of justice and of truth; and these, I have already shown, do not hedge around the charter."

I can scarcely imagine stronger terms than these, in which the unlimited power of a convention, acting by a mere majority, can be asserted. Indeed, we are told, in so many words, that there are no limits, except such as are found in the "broad and unchangeable rules of justice and of truth." How far these admitted limits will apply in the case of the bank, we shall presently see. The *principles* here asserted derive no part of their importance from their application to this particular case. They involve much higher interests than those of any private corporation; they concern, not the people of Pennsylvania alone, but those of every other state in the union. It is of the utmost importance to all of us that we should form correct opinions upon this subject. I do not deem it necessary to examine the several examples which Mr. Dallas has given, as illustrations of the power of a convention. He himself, upon better consideration, will perceive that some of them are disallowed by the constitution of the United States, and many, very many of them, present no just analogies by which to prove the existence of such a power in the case before him. It is quite evident that he meant to assert the existence of that power, in its broadest and most extended sense, and, therefore, it is of no importance whether his "illustrations" be correct or not. Our present concern is with his *principles*—I wish I could say with his *reasoning* also. It is remarkable, however, that he has not thought it necessary to offer any proof whatever of the correctness of his opinions. He has delivered them "*ex cathedra*," under a just impression, perhaps, that they will be embraced without question or examination by all the faithful to whom they are addressed. They are not, on that account, the less worthy of examination by those who are not disposed to take their faith from *authority*.

The general proposition that the people have an "unalienable and indefeasible right to alter, reform, or abolish their government in such manner as they may think proper," will scarcely be denied at this day. But this right is not without limitations in its extent, and qualifications in the mode of exercising it. A brief examination will, it is believed, make this sufficiently plain.

There are three cases in which "the people" may be supposed to exercise their sovereign power over the forms of their government. The first may be *imagined*, for the sake of illustration, although, pro-

bably, it never had existence in point of fact. If we can carry our minds back to a period prior to all history, we may suppose a certain number of individuals as existing upon the earth, without any form of government whatever; we may further suppose a certain number of such individuals as agreeing to unite together under some form of social compact. It is quite evident that all the individuals of that number would be, in all respects, upon a perfect equality. They would bring into the general mass only their *rights of person*; for the rights of *property*, being the creatures of the social state, cannot be supposed to exist *prior* to society. The mere rights of *person* are the same in all; they exist alike in men, women and children. It is perfectly clear that such an assemblage of individuals, meeting together under such circumstances, would have an unlimited right to establish for themselves any form of government whatever. Of course, however, the government would apply only to those who *consented* to be bound by it. There would be no right in any number to bind any other number against their will; for the right of a majority springs only from *compact*, and does not exist in nature. This case, however, presents no fair analogy with that which Mr. Dallas was considering, because *here* the government cannot be established except by *unanimous* consent; and, of course, whatever it might be, no one would have a right to object to it. The analogy fails, also, in another important particular. In the case supposed, every member of the social union would, as already remarked, be precisely equal in point of right and interest; in which respect, as I shall presently show, it is widely distinguishable from the case which Mr. Dallas was considering. No argument, therefore, in favor of the unlimited power of the Pennsylvania convention can be deduced from any analogy with the power of men in a primitive state, meeting together to form a government for the first time.

The second case is that of a people existing under an established government, owing allegiance to a higher power, and determining to shake off that allegiance and establish a government for themselves. This is the case of revolution. It is presumed that a people so circumstanced, having achieved their independence, and meeting together for the purpose of forming a government for themselves, would possess very extensive powers, indeed. Having never before existed as a separate power, no rights or interests can be supposed to have sprung up among them, by their invitation, or under any pledge of the public faith for their protection. It is true, the people would not be upon that exact equality which has been shown to exist in the first case. They would possess, in this case, not only the equal rights of person, but also the unequal rights of property. These rights of property, however, having been acquired under a government which they have pronounced void, by the very fact of shaking it off, could not claim that absolute inviolability which would attach to them under different circumstances. It is true, they would claim high respect, and it would be the point of wisdom to secure them as far as possible, consistent with the forms of the new government. That government, however, would be under no *pledge*, direct or implied, to protect them, and in this respect it would be much less restricted in its power than in the case of a regular government, changed not by revolution, but by the voluntary, peaceable action of its people. This is the case which was before Mr. Dallas, and is the third and last in my enumeration.

In a government regularly established, possessing within its own limits sovereign authority, a variety of rights and interests have been invited into existence, under a pledge of full protection from the government itself. All who live under such a government are parties consenting to it, and every right acquired under it is acquired under a pledge of each member of the social union to all the rest that he will protect and support it. These rights, however, being acquired and exercised under the authority and protection of the body politic, are, to a certain extent, subject to its control and regulation. To *what* extent they are so subject, we are now to inquire.

Mr. Dallas seems to suppose that, whenever a people call a convention for the purpose of amending its constitution, the whole frame of society is broken up, and resolved into its original elements. It is only from this idea that he can deduce the absolute power which he attributes to such a convention; for such a power would be inconsistent with any of the restraints, or duties, or obligations of the old government. Let me suppose for a moment that he is right, and what is the consequence? If society be indeed resolved into its original elements—if the restraints and all the rules of the old government be removed and destroyed, then every

member of the defunct social union is referred back to the rights which he possessed *prior* to that union. Among these rights, the right to consent to the government or not, as may seem to him best, is among the most prominent and important. He stands, then, in the condition supposed in the first case—that is, in the condition of primitive nature. From what, then, does Mr. Dallas derive the right of a *majority* to control him? Who are this majority when the social estate is destroyed, and its limits undefined? How are you to ascertain it? And if you could ascertain it, what right have you to say that it shall consist of males only, and not of females, of adults, and not of children.

It is perfectly clear that the idea of a majority springs only from the relations of the social state, and, of course, the *powers* of that majority are derived, not from nature, but from compact alone.—The moment, therefore, that you suppose a state of things which breaks up the relations of society, and destroys the obligations of compact, no legitimate majority can exist, and its powers become merely ideal. The conclusion is manifest. Either the unlimited power of a convention, as supposed by Mr. Dallas, does not exist, or, if it exist, it can only be under a condition of things which denies to a majority the right to bind the rest. There is no doubt that a convention truly representing the people might, by *unanimous* consent, do what it pleased with its government. But this case can scarcely exist in practice, and is not the case supposed by Mr. Dallas. My remarks upon this part of the subject are designed only to show that the powers of a convention, acting only through a majority, are not absolute and unlimited, but that, like all other powers, they have their qualifications and legitimate restraints.

I cannot, of course, understand a man of Mr. Dallas' intelligence as designing to draw any distinction between the *power* and the *right* of a majority. *Power* relates not to numbers, but to physical strength, and may well exist in a minority. In a political sense, we mean by power only *rightful* power; and, in this understanding of the term, it is perfectly manifest that the right of a majority of a convention, that is, of the people, to bind the minority, is not without its limitations. Let us now see what these limitations are.

So far as the present argument is concerned, it is enough to say that *the power of a majority to bind the minority does not extend to any right vested under the government sought to be reformed, and for which the citizen has paid an equivalent, either in money, in personal service, or any other form.* It would probably be found, on a more full examination of the subject, that the power is still farther limited, but the limitation here supposed is sufficient for the decision of the issue between Mr. Dallas and myself.

It is a well established doctrine of the law of nations, that the obligations and duties contrasted by a people under one form of government are binding upon the same people, however their government may be changed. So universal is this principle, that it applies even to the case of a usurper, who has obtained possession of the government by force, and against the will of the people. History is full of examples of this sort; but it is enough to refer to the indemnities paid to the United States by Naples and France. We are at this moment receiving from the latter power, under the legitimate reign of Louis Philippe, indemnity for the spoiliations committed upon our commerce during the usurpation of Napoleon. The principle upon which this rule of international law is founded is alike plain and just. *The people constitute the country.* Whatever is done by their government is done by them, either by their express authority, or by their consent and acquiescence. On them, therefore, rests the responsibility; and they are the same *people*, however their form of *government* may be changed. A different rule would open the door to the most crying injustice and the most enormous frauds. A people would only have to change their government, in however important a point, to wipe off their obligations, not only to other nations, but to individuals also. The national debt of England might be paid in a few months by this summary process.

Let us not apply this principle to the case before us. The bank of the United States is incorporated by a legislature representing, as to this matter, the sovereignty of the state, and possessing, as Mr. Dallas himself admits, full power and authority to incorporate it. It has paid, or agreed to pay, a large and even extravagant bonus for its charter. This was done under a solemn agreement, by the stockholders on the one part, and by the *commonwealth of Pennsylvania, acting by its legitimate and authorised agent, the legislature*, on the other. It is, in Mr. Dallas' own language, "essentially a contract," having all the characteristics of a contract, of which *mutuality* is one. Is it, then, in the power

of either party to annul this contract, without the consent of the other? If it were a case between individuals, the answer would be plain; and the same rule, by universal admission, applies as between a nation and individuals. Suppose that the depredations committed by France, and for which she is now paying, had been committed by Pennsylvania, could she get rid of her obligation to indemnify the sufferers by simply changing her constitution? Undoubtedly not. The analogy holds throughout. France is sovereign as to all purposes; Pennsylvania is equally sovereign as to the present question. The obligation of France arises from a wrong done by her and suffered by us; the obligation of Pennsylvania arises from her own voluntary act, and is, to say the least of it, equally strong and equally free from objection. Mr. Dallas, however, supposes that Pennsylvania, which he himself considers only a limited and qualified sovereignty, may rightfully do what an unlimited and unqualified sovereignty cannot rightfully do; and that obligations which, by the admitted law of nations, would bind one people, would not bind another people under the same or analogous circumstances. If he does not contend for both these propositions, he must admit that there is no right in the people of Pennsylvania to annul, in any form, a contract which the same people have freely and solemnly made.

The justness of this reasoning will be the more apparent, if we pursue the principle contended for by Mr. Dallas, through its practical results, in the very case before us. What is a bank? It is not, as many seem to suppose, a monster with "seven heads and ten horns;" an organized existence, living and breathing. A bank, in any practical sense of the term, is but the stockholders of the bank, and its rights are neither more nor less than *their* rights. Among these are the right to hold property, to lend money, and to sue for and recover debts due to them. These rights, however, can be exercised only in a particular mode: that is, in the corporate name, and not in the names of the individual stockholders, or any part of them. Suppose, then, their charter should be destroyed, how are they to collect their debts, or expel an intruder from their banking house? The corporation being destroyed, it could not be entertained as plaintiff in a court of justice; and its contracts having been made in its corporate character, they could not be enforced in the individual character of the corporators. The consequence would be, that each stockholder would thus be forcibly deprived of his entire interest in the corporate subject, and each debtor of the bank would be released from his obligation to pay! Was it ever before supposed that a people could, by a mere change in their form of government, work such an outrageous injustice as this? If they can go thus far, where are they to stop? If they may thus violate one right, why may they not violate another? All rights stand upon the same footing; there is no difference in their degree nor in their sacredness. I have the same right to any one dollar of my estate, that I have to any hundred dollars, although I have certainly not the same interest. In like manner, I have the same right to my property which I have to my life, and the government which may arbitrarily deprive me of the one, would commit no greater injustice in robbing me of the other. It is no answer to this view of the subject to say that the convention may easily provide for the collection of the debts of the bank, for the security of its corporate property, &c. If the convention may do this, it may also not do it. We are discussing a *right*, and that is no right at all which may be enjoyed, or not, at the arbitrary will of another. Mr. Dallas seems to have been conscious of the force of this view when he suggested the propriety of returning the bonus, &c. The injustice of withholding it, and the unqualified political wrong which it would involve, did not escape his attention. But he seems not to have perceived that this would be merely a voluntary reparation, which implies the existence of a wrong to be repaired.

The error into which Mr. Dallas has fallen, and to which, I fear, his whole school of politics is rapidly tending, is this: In assuming that the people possess all power over their government, he supposes that their power extends to the *past* as well as to the future. There can be no greater nor more dangerous mistake than this. There is no power in the people to cause that not to have existed which, in point of fact, *has* existed. They may rightfully declare what their government shall be, *in all time to come*, but they cannot annul the obligations which they have previously contracted. So long as governments are regulated in their conduct by the broad and unchangeable rules of justice and of truth, they will claim no such power; and whenever they do claim such a power, they

place themselves out of the pale of civilized nations, and can no longer expect the respect even of their own people.

The true effect and meaning of Mr. Dallas' principle is this: An act which, if done in one mode, would involve a gross breach of the public faith, and an unpardonable outrage against private right, may be done in another mode with perfect propriety, and without any wrong or injustice whatever, although the party affected by it has in no wise consented to such a course of proceeding. He admits that the bank is lawfully incorporated; he admits that its rights are vested under "a contract" with the state; and he admits that its charter cannot be annulled by an act of ordinary legislation. And why not? Certainly *because* the bank has a right to exist; *because* it stands upon the footing of contract; *because* the public faith is pledged to sustain it, in all its rights. And yet Mr. Dallas supposes that the same people who made this contract, the same people who gave this pledge, have only to place themselves in a different attitude, and instantly the contract is dissolved, the pledge is withdrawn, and all the rights which grew out of them vanish into thin air! If it be legitimately within the power of a majority to do this, I ask, in Mr. Dallas' own language, "what may they not do?" If they may take away one right, they may take away two, three and all rights; if they may act thus towards one man, they may act in the same way towards two or more men. Thus a majority, only one more than half the people, may claim, upon Mr. Dallas' principle, a perfect right to deprive all the rest of every right whatever.—Upon the same principle, they may make slaves of the minority, or bring all the property of the country into hotch-pot, and redistribute it according to the most approved rules of agrarian equality. A principle which leads to such consequences as these, can be neither wise, nor just, nor true.

Mr. Dallas' idea that the call of a convention by a government already organized and independent, *ipso facto*, releases all the obligations of the government itself, and destroys all the rights of the people, is contradicted by the practice of almost every state in the union. There are few of them that have not amended their constitutions, and yet not one of them, so far as I am informed, has thought it necessary to provide, in the express terms of the new constitution, for the security of rights acquired under the old one. The reason is, that no one, before Mr. Dallas, ever supposed that such a provision was necessary. The people who go into convention for the purpose of amending their constitution, do it under an implied pledge that their existing rights shall not be arbitrarily invaded. It would be the worst of madness to resort to such a measure, upon any other terms. In a case like this, the members of the community do not stand upon equal terms. One brings into the common mass only his rights of person, another brings his rights of property also; and even the rights of property are different in form and extent. It is precisely in these respects that a convention, called under such circumstances, differs in the extent of its powers, from those alluded to in the first and second cases before mentioned. A government, which has been once in operation, has invited into existence a variety of rights and interests, which have vested and grown up under its authority, and upon the faith of its protection. Who ever imagined that, by consenting to change some one or more principles of that government, he surrendered all these rights to the arbitrary control of a majority? Every one knows that no such thing is contemplated. He consents, indeed, that the majority shall, to a certain extent and within certain limits, regulate and control his rights and interests *for the time to come*; but beyond this the individual never means to go, and beyond this the majority have no right to go.

The principle contended for by Mr. Dallas flows from the idea that a people who meet in convention for the purpose of mending their constitution, do by that act resume all their original rights and powers. Grant this to be true, and what are those rights and powers? Certainly none other than those rights and powers which have been surrendered to the government as contradistinguished from the people. All other rights remain with the people; it is only to the government that they have surrendered any thing, and, of course, it is only from the government that any thing is to be resumed. The rights of individuals never belonged to society as such, and of course those rights cannot, *ex vi termini*, be "resumed" by society. Thus, in the case before us, the power to incorporate a bank belonged originally to the people, and was by them surrendered to the government. This power, therefore, may be resumed, and the government be hereafter denied the right to incorporate a bank. But the right of an individual to hold property never belong-

ed to government as such, although it exists under the authority, and is enjoyed by the permission of government. Still it is, and at all times was, strictly a private right, which the government *permitted*, but did not *bestow*; which the government never *possessed*, and therefore never *surrendered*; which it never surrendered, and therefore cannot *resume*.—The people may do what they please with their government; they may, at their own arbitrary will and pleasure, take away all the rights and powers with which they have clothed it, simply because *the government is their own*. It is their creature and their property. But the rights of individuals are not the rights of "the people," and therefore the people cannot, in one mode more than in another, arbitrarily take those rights away.

I am aware that there are cases in which society has a right to take away the rights of individuals. The right to hang or imprison for crime, and the right to condemn private property for public uses, are of this character. But it would be a waste of time to show that neither of these is analogous in principle to the case under consideration.

If it be true, as Mr. Dallas supposes, that a people, by the mere act of calling a convention, "resume" not only the rights surrendered to the government, but those required by the individuals also, it follows that the *rights of property* are thus resumed. How, then, are they reacquired? Does the convention ever consider it necessary to provide, in express terms, that these rights shall revert exactly as they were before? There is not, I presume, a single example of such a provision in the history of conventions. So far, therefore, the idea is rebuked by the practice of all nations. But if the idea be correct, then in all cases where such express provision is not made, all the property of the country is divested, and the individual owns nothing, and "the people," as a political community, own all! This consequence is inevitable, and the absurdity is glaring. But this is not all. There are *duties* as well as rights; obligations which grow out of rights, and follow them as the shadow follows the substance. Shall society resume the rights of property, and yet not resume the obligations which property has contracted? It seems to me that when "the people" take away my estate, it is perfectly consistent with and demanded by "the broad and unchangeable rules of justice and truth," that they should also assume the *debts* which I have contracted on the faith of that estate! Take, then, the principle of Mr. Dallas, with all its consequences, and how short will be the existence of the best popular government!

Such are the absurdities, and such the appalling consequences, of this monstrous doctrine of the unlimited power of a majority! I am conscious that the subject has been very inadequately discussed. It is far too vast to be compressed within the compass of a newspaper essay. My object has not been to argue the question as it ought to be argued, for I have neither time nor opportunity, even if I had the requisite ability, for such a task. I have desired only to touch on some of the most prominent topics which it suggests, as materials of serious reflection by others. Without detracting in any degree from the weight which attaches to the name of Mr. Dallas, I may be permitted to say that it is not from his authority only that this subject derives its importance. I see with regret a melancholy foreboding that the principle he avows is held by almost his entire political party. It is daily spreading, daily acquiring strength and boldness. In this view it is interesting, not only to the bank of the United States, or to the people of Pennsylvania: it concerns alike the people of all the states, and the lovers of free, regular and orderly government throughout the world. Its obvious tendency is to unsettle every society, by rendering the rights of property precarious and insecure. In its consequences it is at war with all government. It is the principle, not of reform, but of revolution; not of law, but of violence; the mere right of the strongest. It is high time that its true character were understood by the people. They ought to know that the insecurity of the rights of property precedes but by a short interval the insecurity of the rights of liberty and life; the anarchy which follows the overthrow of regular government, and the despotism which anarchy renders unavoidable.

MADISON.

The editor of the Washington "Globe," in that paper of the 17th September, thus noticed Mr. Dallas' letter.

LETTER OF MR. DALLAS.

This paper has taken a strong hold of the public attention. The issue it presents between the *sovereignty of the people* on the one side, and *corporation privilege* on the other, is pregnant with results of greater magnitude than any other question that

has risen since the revolution. If the great pitched battle which Mr. Biddle and the British stockholders in the United States bank have drawn up all their force to fight, (wielding too, at present, the state government of Pennsylvania), shall result in a triumph of the *popular will in support of equal rights over prerogative monopoly*, asserting vested rights, obtained by fraud and corruption, in derogation of the will of the people, and reaching to a control of the currency and property of the whole country, then the republicans of the union may breathe free again. But if Biddle and his foreign bankers and capitalists succeed in crushing the power of the people in the most independent and steadfast democratic state in the union, the march of aristocratic monopoly will have commenced, and the present generation may look to see its yoke fixed upon the neck of every state of the union. If there be no remedy in the sovereign power to relieve itself from the sale of privileges by half a dozen corrupt senators, embracing, in the power they confer, a controlling influence over the currency—the *value of property*—the *freedom and purity of elections*—the *independence and purity of the press*—the whole taking root in the practical power of levying taxes and raising a revenue, which, from the extent of it, may interfere with the free exercise of this essential attribute of legislative power by the representatives of the people themselves—then the idea of the permanency of our republican institutions may at once be quietly resigned. But we think that there is no man, who holds sacred the principles which were established by our revolution, that can maintain the doctrine of the bank party, which yields to the legislature the power to confer privileges effecting deeply, however indirectly, the great political interest of a whole community, and deny to a convention, called by the sovereign power of the people to build up their political institutions from the foundation, the right to remove an establishment incorporated for the benefit of a few, which stands directly in the way of the work which the community requires them to raise for the commonwealth. This is to put a government emanating from an act of ordinary legislation, above that established by a constitution, and is enabling the temporary agents of the people, appointed to legislate for the time being, to legislate for perpetuity, and to add to the power of granting a monopoly the power of making it eternal.

It is upon this principle that the English church establishment denies the right of the parliament of Great Britain to touch its system of tythes. The church is almost without a congregation in Ireland; and yet the Catholic property is held in a sort of mortmain throughout the kingdom, to pay tythes to the church of England clergy! The commons of England have voted down the principles of *vested rights*, as asserted by the church of England, to maintain its system of plunder in Ireland. The bishops plead the statute law of England, supported by the submission of centuries, as establishing a sacred vested right. They hold it to be a contract between the church and the state; the one agreeing to perform certain services, and the other to make compensation in the tythes of a kingdom. The parliament, however, maintains the ground, that the people have the right to alter the laws of church and state. It was in this way that the church property in the abbeys and monasteries of England vanished, when the people thought fit to throw off the supremacy of the papal power at Rome. And will the people of Pennsylvania admit the principle, that a body of apostate representatives, limited in their office and duties, can sell to foreign stockholders, for thirty years, or forever, (the principle is the same), rights affecting deeply and durably the interests of the state, political as well as pecuniary? If the doctrine be established that such an act of legislation is not only beyond the power of repeal by a subsequent legislature, but is beyond remedy, through a convention clothed with all the power that the sovereign authority of the people can confer, then may the bishops of England, if ousted of their tythe privileges in Ireland, renew them in the form of corporation privileges in Pennsylvania, under a suitable composition with Burden, Burden & Co.

We hope the democracy of Pennsylvania will embody their whole strength upon the elevated ground taken in the letter of Mr. Dallas, and we trust he will himself be called to a position in the public councils, state and national, where his weight of character, his high talents and attainments, may be brought to bear, to give the most effectual support to the principles he has advanced, and which we have no doubt will encounter the fearful opposition of all that the moneyed power and the tory oligarchy on this or the other side of the Atlantic can array against it

FOREIGN CHRONICLE.

Greece. Emigrations are taking place to Greece from the neighboring countries. Eighteen hundred families of Nomade horsemen, from Epirus, Macedonia and Thessaly, desirous of abandoning their wandering habits, have arrived with 500,000 sheep and 90,000 horses. Three thousand families from the Aspropotamos, among whom are many mechanics and country people, have also desired to be incorporated into various communes. The Ispariots, too, are disposed finally to settle in Eretria, now that the government has granted them some advantage.

Turkey and Egypt. The plague at Smyrna is fast subsiding. Reschid pacha has, it is said, discovered to a certainty, that Mehemet Ali was endeavoring to arms the Kurds against Turkey. Several British commercial houses have of late been established in Aleppo. Mehemet Ali had declared by an order, dated Alexandria, July 24th, that the ardent spirit trade shall be a monopoly of the state. Heavy duties have been laid on the wine trade; in short, all the treaties existing between the porte and France are considered as null and void. Egypt suffers greatly from famine. The crops have failed everywhere. The expedition into Arabia has been abandoned. The intensity of the epidemic was increasing in Lower Egypt and Damietta. [*Swabian Mercury.*]

An Irish estate has recently been advertised in a Cork newspaper, with temptations to a purchaser of no ordinary kind. It consists of two villages, the future prospects of which are set forth by stating that one of them is let for *nine hundred years*, and the other on a *lease for ever!*—on the expiration of which terms both the said villages will be capable of great improvement.

Fatal mistake. A few days since, as Mr. George Roscoe, a highly respectable attorney, was visiting some friends near Ilminster, Somersetshire, he was mortally wounded in the following singular manner:—The house in which he slept being alarmed in the night by a report of thieves, the servant of the family came down with a large horse pistol, intending to shoot the depredators, but unfortunately observing Mr. Roscoe, who had descended by another staircase, and mistaking him for a robber, instantly shot him through the heart.

Horrible warfare. A letter from an English gentleman at Nineva, on the Tigris, communicates some particulars of the Turkish army under Reschid pacha, in the subjugation of the Kurds. It seems that the Kurdish chieftain *roasts alive* all the prisoners he takes from the pacha, and that the pacha retaliates by *impaling* all the Kurds who shall fall into his hands; thus the contest is carried on with an atrocity exceeding even the horrors of Spanish warfare.

The St. Simonians. Letters from Alexandria state that nearly all the St. Simonians who accompanied father Enfantin into Egypt have disappeared. There were twenty in number, of whom one has died of some ordinary disease, five have been carried off by the plague, four have turned Mahometans, another has disappeared, nobody knows how, and three have left Egypt for other parts of the east. One of these last, although he cannot speak a word of Arabic, and has not assumed the turban, has had the courage to put himself at the head of a caravan of pilgrims from the west, and gone to Mecca; but, as the caravan had not returned, his fate was not known. The rest have found employment in superintending the roads, the hospitals, and in giving public instruction. Father Enfantin alone remains unoccupied; he is sustained by his brethren, and particularly by Solyman pacha (colonel Selves).

Culture of rice in Java. The Batavia journals contain a long report on the measures taken within the last two years for extending the cultivation of rice in Java. From this it results that since 1831 there have been brought into this cultivation 25,000 parcels of land of 5,000 square ells each, to which there will be shortly added 67,000 parcels. In 1833 the aggregate quantity of these settlements in produce was 1,100,000 futas of wet, and 250,000 of dry rice. Of these fields 34,000 are now employed for the cultivation of sugar and indigo, but they will be greatly more than replaced by the quantity of land drained for the growth of rice.

A correspondent has sent us a calculation, from which it would appear that the whole human race, if collected together in one spot, would not occupy a space much greater than the extent of that on which London stands. He supposes the population of the globe to be equal to 1,000,000,000 souls, and the average space occupied by each individual to be 1½ square feet, the whole of the human family collected together would cover a square of 17,063 feet, or of about 8½ miles.

Poland. The emperor of Russia has aimed another blow at Polish liberty. An ordinance has been issued by him, which declares that the autumnal recruitment in Poland and the Polish provinces shall be to the extent of two in five hundred, and in the empire one in five hundred. The peasantry of several villages of the Palatinate of Lublin have been induced, either by the promises or threats of the go-

vernment, to renounce the Latin for the Greek church, and Russian priests have taken the places of the Roman Catholic clergy.

In Russia, the sovereign is not only the head of the empire politically, but the head of the church.

Fishing extraordinary. A youth of the name of Brown was fishing at a dam in Derbyshire, Wales, in August. On perceiving that he had got a "bite," he hastily pulled up his line, and to his astonishment a most beautiful kingfisher was safely attached to his hook.

Carbonic acid in the air. Dr. Dalton, an English physician, who has for years turned his attention to the amount of carbonic acid in the atmosphere says that he has satisfied himself that its average quantity is one part in 1,000. He is also of opinion that the quantity of this gas in the atmosphere is constantly the same in town and country, and that even in a crowded theatre it seldom rises to one per cent.

The French troops in Africa. The last accounts from Oran to Aug. 25th, represent the heat as excessive. This did not prevent the army from making a reconnaissance of about 10 leagues along the beautiful banks of the river Tielat, where they found means of mitigating the enervating effects of an extreme temperature by indulging in the luxurious fruits of the rich gardens that adorn that valley, whose shaded flowery bosques recall, it is said, the dreams of Persian poetry. The heat was so great that the natives were lying under the trees and brambles naked. The Sidi Ibrahim and the Ouled Chemes who belong to the great tribe of the Beni Amors, inhabit this favored spot. They can bring but 250 men in the field, and submitted to the French on being guaranteed a protection against Abdel-Kader, who has established his camp at Ein-el-Kibir, or the Great Fountain.

Count Wetterstedt, minister for foreign affairs in Sweden, and count Guddenstolpe, have been presented to the king of France. Their object is supposed to be to arrange with the Russian minister relative to the proposed incorporation of Norway with Sweden. The Norwegian mountaineers kick fiercely against the project of chaining their destinies to the car of the French king of Sweden, Bernadotte.

Three Spanish decrees of 30th August direct the sale of the bells and furniture of the convents, and a forced loan of 20 millions sterling to defray the expenses of the war. The disrobing of the convents must go hard against the ancient and inveterate prejudices of Spanish fanaticism.

DOMESTIC CHRONICLE.

Immense freight. The steamboat Huntville arrived at New Orleans on the 29th of September from Bayou Sarah, with 1,000 bales cotton, new crop.

A leap! A waiter named Brown, engaged at the refectory corner of Roosevelt and Chatham streets, New York, was discovered by the keeper, Mr. Edwards, purloining money from the drawer; for safe keeping he took him to his house and looked him up in a room in the third story. In the morning Mr. Edwards repaired to the police for an officer, after getting one he returned and unlocked the door to call forth his prisoner, but found to his mortification, that he had made his escape, by jumping from the third story window.

Real estate in Buffalo. Three years ago, a gentleman of that city sold a piece of ground for six dollars a foot, and made an hundred per cent. in the trade. Since then the purchaser has been offered one hundred and fifty dollars a foot for the same land, and refused it. It would bring that under the hammer even in the present hard times. A piece of land on the Terrace, sold two years ago for 1,200 dollars. It was lately resold for 12,000 dollars. A short time since a lot on the flat was sold at a considerable advance on the spring prices; the cash payment down being 10,000 dollars. During the past six weeks we have heard of a good number of sales, and uniformly at an advance.

New coins. The government of the United States intend to issue new coins as a substitute for the copper coins now in use. They will be composed of a mixture of copper and silver, and besides the cent, which will be of the size of the silver dime, half cents and pieces of the value of ten cents and a half will be struck of the same metallic composition.

The city councils of Boston have resolved to send seventy-four representatives to the legislature of the state, and we believe the city sends five or six to the senate.

The cholera has been very severe on some of the plantations in the vicinity of Charleston. According to a letter received in New York, Thomas Pinckney, esq. of Santee, lost forty-eight negroes. William Mazyek, esq. of the same place, lost eighteen. On the plantation of William F. Capers, esq. Daniel's island, thirty-one slaves died. Mrs. Lounder, Mrs. Rutledge and others, were also sufferers, and the disease was evidently spreading from place to place. It had, however, entirely subsided on the above named plantations, and at Daniel's island, there had not been

a case for ten days. The letter adds that the bilious fever and measles have been almost as destructive as the cholera.

Snow fell in Montreal on Wednesday the 19th inst. Snow birds have made their appearance in Quebec and Montreal. The Indians say, "when the ponds fill up and the snow birds come, look out for winter."

Cultivation of figs. Mr. Eliphalet Averill, of Hartford, Conn. has discovered a method of preserving fig trees and bringing the fruit to perfection. When the figs are half or two-thirds grown, they cease growing and present every appearance of not coming to maturity, when to facilitate their growth a drop of olive oil is put upon their blossom ends, which in eight or ten days produces most extraordinary effect in ripening and making them delicious. By pursuing this method, two crops of nice figs it is said, can be raised in New England in good seasons; in Georgia three are obtained.

Anthracite coal. The first coal of this species known west of the Alleghany mountain, was, we are informed, discovered lately on the banks of the Big Muddy creek, in Jackson county, Illinois. If this report should prove true, and the vein extend across the Mississippi as has proved to be the case in relation to the bituminous coal, there can be no longer any obstacle to the manufacturing prosperity of Missouri, and in fact the whole west. With her mineral resources and the proper fuel for their manufacture, she must stand unrivalled. [*St. Louis Bull.*]

The Marines at Fort Mitchell, Alabama, have been ordered to Florida, and took up the line of march on the 4th inst.

Clover. In the yard of the Moyamensing prison a clover is growing of a kind not before seen in this country. The leaf is large, and in the centre of each leaf is a small heart of the shape of that on ordinary playing cards, of a deep red color, distinctly marked. It is supposed that the seed was conveyed in some Spanish wool which was picked at the prison. [*Philadelphia Sens.*]

The steam packet *William Gibbons* was wrecked on Monday last, when on her voyage from New York to Charleston, S. C. on the south point of Boddy's island, near the mouth of the New Inlet. There were about 140 passengers aboard, all of whom were saved, but the vessel it is supposed will be lost.

A grave above ground. On the bank of the Ohio river, between Mayaville and Wheeling, there is a cast iron coffin, supported by pillars, about two feet above the surface of the earth, with the following inscription:

"In memory of Andrew Ellison, who departed this life January 12, 1824."

The deceased was an eccentric but unfortunate man. He was one of the first settlers in the western country, and hewed down the woods with his own hand. He left about two hundred thousand dollars to his widow, on condition she buried him according to his direction; she is required to move the coffin to any place in which she may take up her abode. By marrying again she forfeits the whole estate.

Wild turkeys. On Thursday last a flock of about thirty or forty wild turkeys were seen flying over Georgetown, in the direction of the chain bridge, and on the Virginia side of the Potomac. A man who happened to be on the bridge at the time with his gun, was fortunate enough to shoot nine of the bery, which he afterwards sold for \$1 25 each. It is an old saying that the early appearance of wild turkeys is a sign of a hard winter. We hope that this sign will fail of being accomplished. [*Georgetown Metrop.*]

Judicial longevity. The average age of the hon. Jeremiah Smith, Timothy Tanar, Paine Wingate and Arthur Livermore, formerly justices of the supreme court of Maine, is now over 83 years. Judge Wingate is in his 98th year, is the oldest graduate on the Cambridge catalogue, was a senator, and it is believed is the only survivor of the first congress under the constitution.

Sacrilege. Some villains taking advantage of the storm and noise on the night of the late election in Philadelphia, broke into St. Mary's church, Fourth street, in that city, and stole several of the sacred vessels. They cut to pieces some of the dresses, for the sake of the lace, and took a quantity of silver money which had been collected on Sunday. The owner was lost, though of solid silver; the sacrament was laid upon the altar, and the chalice carried off.

A general frost prevailed throughout South Carolina and Georgia on the 6th inst. At Augusta, ice formed, and some damage to the cotton crop was anticipated. At Savannah, ice as thick as a quarter of a dollar, formed in a small tub. Potatoe vines, pepper plants and young cotton pods were more or less affected.

Deep snow. In speaking of the late severe snow storm, the Albany papers inform us that in some places in the county of Tompkins it fell to the depth of two and a half feet; it was so deep between Schenectady and Utica that an extra steam engine was necessary to propel the cars.

NILES' WEEKLY REGISTER.

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BALTIMORE, OCTOBER 29, 1836.

[VOL. LI.—WHOLE No 1,809.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED, BY WILLIAM OGDEN NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

[3]—The "Index" to the last volume of the "REGISTER," the preparation of which has been unavoidably delayed, will soon be published and duly forwarded to subscribers.

[3]—It may be well to state that the reply to Mr. Dallas' letter, recently published in this work, is attributed to the pen of Judge Abel P. Upshur, of Virginia.

MEXICO. Nothing of importance has transpired since our notice of the withdrawal of Mr. Gorostiza. The National Gazette, in reference to that act, says: "The Mexican minister, before the return of the president from Tennessee, considered his mission as terminated, in consequence of the persistence of the government in the order under which general Gaines entered the Mexican territory. His departure, however, was postponed, at the request of the secretary, until the return of the president, when the negotiations were renewed without success. Senior Gorostiza, being unable to obtain the recall of general Gaines, merely awaits his passports to return home."

NEW JERSEY. The legislature of this state assembled at Trenton on the 25th instant. In the council each party had seven members; but owing to the absence of one of the whigs, Dr. Jephth B. Munn, of Morris county, (V. B.) was chosen vice president.

Thomas G. Haight, of Monmouth, was chosen speaker of the house, and Joseph C. Potts, editor of the Trenton Emporium, was appointed clerk. The Van Buren majority in the assembly is 12, and the same on joint ballot.

A bill was immediately introduced, passed through all its stages, and ordered to be engrossed, fixing the time of choosing electors of president and vice president on the third Tuesday and Wednesday of November next, instead of the time now fixed by law in that state, which is thirty-six days before the meeting of the electoral college.

TREASURY ORDER. One of the receivers of the public moneys in Michigan, recently made a deposit of the funds received by him since the issuing of the late treasury order. The amount was about \$180,000 half of which was in specie; and as the deposit bank was about 150 miles distant, it occupied a team of seven yoke of cattle eleven days in conveying the money to its place of destination, during which time it was guarded by three men the whole being a cost of at least five hundred dollars to the people!

Thus it is that the treasury order operates. First, the whole business of the country is deranged from Maine to Georgia, by the draining the specie from the banks, and after it is deposited in the hands of the receivers, the public money is wasted by hundreds of dollars in conveying it to a place of safety. [Buffalo (New York) Journal.

RAIL ROAD ACCIDENT. On Thursday last the train of cars which left Baltimore for Frederick, was upset about two miles this side of the Monocacy river, in consequence of an unperceived defect in the road—one of the rails being loose and out of place the end of it struck the tender, and threw the whole train off the track, thus causing the overturn. Several of the passengers and the conductor were severely injured, but none dangerously.

FROM FLORIDA. The last accounts from Florida state, that general Call had arrived at the Wythlacoochee, and was prevented from crossing, the Indian forces being too strong to risk a general battle. A few shots were exchanged, and governor Call's guide, Indian Billy, was killed. Gen. C. captured three Indian women and six children. He had fallen back upon Fort Drane to obtain provisions.

We understand that a volunteer force of about 20 men had proceeded from Black Creek with the purpose of intercepting a much smaller party of Indians, with a drove of hogs, but were repulsed, and had returned to Black Creek without effecting their object.

A letter from St. Marks, dated September 30th, published in the Army and Navy Chronicle, states that there was much sickness at Suwanee Old Town. A steamboat having on board 120 sick, of the Tennessee volunteers, was in the harbor of St.

VOL. LI.—SRO. 9.

Marks, bound to Pensacola. The sickly season would soon be over.

GEN. GAINES. The Army Chronicle says—We understand that gen. Gaines has been recalled from the immediate and personal command of the troops on our south western or Texian frontier; and that those delicate and important duties have been entrusted to brevet brigadier general Arbuckle. This is preparatory, we presume, to the investigation before the court of inquiry to be holden at Frederick, in which gen. G. is interested.

Generals Gaines and Scott still continue in command of their respective departments.

IMPORTANT TO PENSIONERS. The following circular from the treasury department is published for the information of all pensioners:

CIRCULAR.

Treasury department,

2d comptroller's office, Sept. 29, 1836.

The agent for paying pensions at

Sir: In order to guard more effectually against a repetition of frauds, as heretofore practised by the production of forged papers, the first three following additional rules will be observed by the accounting officers of the treasury:

1. In every case where the pensioner employs an attorney to receive his pension, the execution of the power must be in the presence of at least one witness, other than the magistrate before whom it is acknowledged. No payment to an attorney will be allowed unless supported by a voucher thus executed.

2. In all cases where the signature of the pensioner or his attorney is required, such pensioner or attorney will write his name at length, if capable of so doing, otherwise, his signature may be by mark or cross, in which case the execution must be in the presence of at least one competent witness, other than the justice or notary who acts officially in the case.

3. No payments will in future be made to any pensioner, either in person or by attorney, who has not applied for his pension for more than one year, without the production of evidence of his identity, as prescribed in the instructions from this office of June 10, 1833, chapter 1, section 2, and form B, nor until such evidence has been transmitted to the commissioner of pensions, and a special direction authorising the payment has been given.

4. In cases where a certificate has been issued by the commissioner of pensions, to the widow or children of an officer or soldier under the act of June 7, 1832, or under the act of May 16, 1838, no proof of the relationship of the applicant to the deceased officer or soldier is to be required by the pension agent, that proof having been necessarily filed in the office of the commissioner of pensions prior to the issuing of such certificate. Respectfully, sir, your obedient servant,

ALBION K. PARRIS, comptroller.

THE OLDEST PENSIONER. Eighty years ago, the strong hold of the north, Fort William Henry, submitted to the fortune of war, and surrendered to the French under the gallant Montcalm. With Munroe at the siege was David Thompson, who lately died at Easton, N. H. aged about 100 years. He is believed to have been the last survivor of the two thousand soldiers, commanded by the brave old col. Munroe, who so heroically withstood the repeated attacks of eleven thousand regulars and two thousand Indians, under the command of Montcalm, and also the government pensioner of the longest standing on the roll. The erect bearing of a soldier, which he acquired in his youthful days, and of an honest man, which he had been from earliest manhood, he maintained till the hour of his death.

There is a curious story told of his grandmother, Mary Houghton. At the sinking of Port Royal in Jamaica by an earthquake, she clung to the sill of her house, floated away on it, and was taken off by a vessel safe, when all but three of the inhabitants of that ill-fated town perished in the ruins. Several years had elapsed after the disaster, when there came to the tavern in Dorchester, where she served as a waiting-woman, a traveller, whom she instantly recognized as her husband. He was at sea when their house was sunk and had had no tidings of her. She died in 1708, aged 105.

[Lowell Courier.

THE PRESS. The following extract from a recent publication by the venerable American lexicographer deserves the attention of the public, and especially of the conductors of the newspaper press:

"The press, when judiciously managed, is one of the greatest blessings of a civilized people; when abused, it is the most powerful instrument of mischief. Probably no civil privilege in this country is so much perverted and abused. In no country is reputation held so cheap. Slander, like the scythe of death, levels all worth and distinction; the press, one of the noblest instruments of improvement, is converted into an instrument of deception, and the means of making citizens hate and oppress each other. The moral effect of this abuse is lamentable; for it seems to have become a ruling belief of partisans that a man has a right to defame those who differ from him in opinion.

"If such is to be permanently the effect of popular elections we shall pay dear for the privilege in the loss of morals. At present, no reputation is safe, especially that of a man in public life, or one who appears before the public for the most laudable purpose. The scrambling for office keeps the public mind in continual agitation; generating evil passions and enmities among citizens, who, even when they are wrong in their opinions, are entitled to the enjoyments of their reputation and their social rights.—What a noble improvement in our public prints shall we witness, when facts shall be carefully collected, judiciously selected and fairly published, without conjectural inference; and when principles shall be discussed with ability and candor, without assailing character and motives.

NOAH WEBSTER."

SPAIN continues in a most distracted condition—intestine feuds and party prejudices have reached to a fearful crisis and give but little promise of a speedy or easy restoration of tranquillity. The following gives

Don Carlos' views of Spain. A proclamation has been addressed to the Spanish nation by Don Carlos, dated Aspetia, 2d Sept. In it, after deploring the misfortunes that had fallen on the country, and taking notice of the events at La Granja and Madrid, Don Carlos declares that the world does justice to the sacredness of the cause of his subjects. He asserts that the quarrel is now not one of the successions to the throne, but of European order against anarchy, and points out the divisions of the revolutionists among themselves. He observes that heaven will not leave the country a prey to its misfortunes, and calls upon every body to compare the two armies, although that of the revolutionists has been aided by foreign troops. He also compares the state of the provinces in the north to that of other parts of the kingdom; and declares his wish to be the seating of himself on the throne of his ancestors, that he may reign by the fundamental laws and privileges of the nation, and that by his parental and economical government, he may repair the ills of the last half century. The proclamation ends by an appeal to all Spaniards of probity to abandon the cause of the usurper, and to associate themselves on his side.

LORD NELSON. A late English writer, an eye witness to the scene, gives the following description of the amputation of this hero's arm, and his subsequent death, after the glorious affair of Trafalgar. It makes one's blood run quicker to read it:

"No sooner had Nelson been examined by the surgeon than immediate amputation was recommended. I undressed him myself, and laid him down on the cabin table, making him as comfortable as possible; but the wound was one which must have been dreadfully painful, for the bone was shattered to pieces; and I never remember to have seen such a fracture before. 'I'm ready,' said Nelson; 'so, doctor, despatch. You know your business too well for me to fear, or you to cause useless pain.'—I thought I should have dropped when I saw the first cut. Nelson's face never moved. His lips, it is true, were closely pressed together; but that, I have been told, is a strong sign of determination.—His cheeks were pale from the loss of blood, and he appeared faint from the exertion of rescuing some of the men whom he saved from the Fox. Oh! how I felt when I saw the long knife, bright as the battle-lamp, dazzling all around. Nelson looked at it, and in a moment it was down to the bone, right round and round the arm. He did not flinch from

this; but just before, when the surgeon drew the skin back, he looked up. Then came the saw; and I'm blessed if the carpenter, sawing off the beel of a studding-sail-boom, could have set to work with more coolness than the doctor. Off fell the limb—Nelson's good right arm—one that, in the attack, not a month previous, with the Spanish gun-boats, had defended its owner, and saved his life, as well, perhaps, as John Sykes' skull. No sooner was the limb dressed, the knives removed, the assistant surgeon despatched to look for others, than up gets the admiral, and—"Brace," says he, "get some paper, and write down the despatch as I tell you." And it's as true as the gospel, he told every word, and held the paper and read it himself, to see that it was all correct, although it was 11 o'clock at night before it was finished."

MORTALITY OF NEW YORK. The following is a statement of the deaths in this city during nine corresponding months in the years 1835 and 1836.

	1835.	1836.
January	694	577
February	635	542
March	627	582
April	510	609
May	527	544
June	389	579
July	576	697
August	679	894
September	678	807
	5,315	5,841
		5,315
Surplus in 1836		526

TEXIAN NAVY, &c. We publish the following list of vessels whose registers and papers emanate from the Texian government:

Vessels of war.	
Texian schr. of war Independence, com. Hawkins.	
" " Invincible, capt. Brown.	
" " Brutus, capt. Hurd.	
" " Liberty, Wheelwright.	
" " Thomas Toby, Suares.	
" " Terrible, (privateer.)	
" armed steamboat Ocean, capt. Grayson.	
" " schooner Passaid, (transport.)	
Merchantmen.	
" brig Col. Crockett, Chase.	
" schooner Col. Fannin, Thompson.	
" " San Jacinto, Henry.	
" steamboat Yellow Stone, Grayson.	
" " Laura, ———.	
" " Cayuga, ———.	
" sloop Col. Knight, Charles.	
" " Fourth of July, Scott.	

List of American vessels engaged in the trade between New Orleans and ports in Texas:

American brig	Good Hope, capt. ———.
" schr.	Flash, capt. Falvel.
" " "	Flora, capt. Appleman.
" " "	Julius Caesar, Lightburn.
" " "	Kosciusko, Burns.
" " "	Pennsylvania, Delarue.
" " "	William & Francis, Watts.
" " "	Gen. De Kalb, Matthews.
" " "	Urchin, Bridges.
" " "	Shenandoah, Moore.

The above is taken from the most correct sources, and shows the number of vessels more or less connected in the trade between our city and the ports of Texas.

At this time many of these merchant vessels go without convoy, that being hitherto rather accorded to vessels having Mexican goods aboard, and bound to some of the ports in Mexico.

These schooners are in danger of being taken by Mexican brigs of war now cruising off the harbors of Texas, and which, in the absence of many of the Texian armed schooners, and of any convoy by a United States vessel of war, will probably commit depredations on our commerce. [N. O. Bull.]

"VINDICATE HIBERNICÆ." The venerable *Matthew Carey*, the Irish and American patriot, proposes to republish the standard history of Ireland, named above. This work should be in the hand of every man, who desires to know the truth respecting that injured and oppressed country. In this prospectus, Mr. Carey has the following passage:

"When it is considered that there are at least from 6 to 700,000 Irish and descendants of Irish in this country, of whom probably half are Roman Catholics; that this work was written (with what success let the judgment of the archbishop of Dublin, of Mr. McNevin and other enlightened individuals decide) with a view to vindicate the character of their country; that at the advanced age of 76

I subject myself to the very painful labor of revising a book with above 1,100 quotations, some of them from ponderous folios and quartos of four and five volumes: that (let it not be forgotten) I not only do not seek to make a considerable sacrifice on it, as I have made on the two former editions—when all these circumstances are, I say, duly considered, it is astonishing that so much apathy and indifference are displayed by so many whose bosoms ought to glow with the pure love of country. It is painful to state, but truth calls for the statement, that there have not been more than half a dozen Irishmen in the United States, who have, either now or heretofore, taken any serious interest in the subject, or made any effort to promote the success of the work."

INDIAN TREATY. The following letter from gen. Hughes on this subject contains the most gratifying intelligence, and we hasten to lay it before our readers without any comment, as it speaks for itself.

[Boonslick Dem.]

Fort Leavenworth, September 17th, 1836.

Peter H. Burnet, editor of the *Far West*:

Sir: It is with inexpressible pleasure after a struggle for many years, I now have it in my power to announce to you and to my fellow citizens of the "Far West," that on this day a treaty has been satisfactorily concluded with the Ioway, Sac and Fox tribes of Indians, by which they have ceded and relinquished to the United States, all their claims to the strip of land lying west of the state of Missouri, and north of the Missouri river. Nothing is now wanting but the confirmation of the treaty, by the senate of the United States, and the assent of the state of Missouri, to enable our citizens to enter and live in peace and quietness, in this desirable country.

I shall be off in a few days, with a deputation of Indians, who desire to meet governor Dodge in the Wisconsin territory, to hold a council with him, on the subject of the cession of their lands lying north of the Missouri, giving room for a large state on the north of your state. If the efforts now making should be crowned with success, the Indians owning the country, will emigrate to the south side of the Missouri river and our citizens enjoy their homes in peace in a country, which for salubrity of climate, health, mineral, commercial and agricultural advantages, will not be surpassed by any section of North America. With high respect and esteem your ob't serv't, AND'W S. HUGHES.

EXTINGUISHMENT OF FIRE IN ST. PETERSBURGH. The following article, in relation to the extinguishment of fires, is from a new publication, by M. Von Tietz, Prussian counsellor of legation, to St. Petersburg, Constantinople and Napoli di Romania.

"In every district in the city (St. Petersburg) there are several police stations, wherein fire engines are placed, with high towers, upon the galleries of which there are two watchmen. So soon as these observe a fire break out, by ringing a bell, apprise the firemen beneath, who immediately hasten to the spot. In whatsoever portion of the city the fire happens to be, it is indicated upon the towers alluded to. For every district a peculiar set of figures is exhibited as a kind of telegraph; at night this is done by lanterns. Every body of firemen has its distinct time appointed even to a minute, by which to reach the place of fire. The whole are organized and equipped like a regiment; and have no other occupation besides this. They are exercised every week, sometimes a wooden building of light construction, at some distance from the city, is set on fire, in order to instruct the men in the practical service. The mounting of the machines is excellent, and the entire arrangements for extinguishing fire appropriate, and indeed elegant. Of these, the most useful are the fire ladders, which can be drawn up with great ease, to the highest story of a house. Equally serviceable are the large nets, held extended to receive those persons who can only be saved by springing down into them; this manœuvre is constantly practised by the firemen in order to gain dexterity; and hitherto, on adopting it, they have always been fortunate enough to save the individuals without incurring any accident. In the severe frosts of winter, in order to prevent the water from freezing, certain preparations are made under the navigable reservoir, for receiving hot coals. It is interesting to observe at fires the strict regularity with which the subordinates obey the orders of their officers, and the death-defying intrepidity wherewith these grave, powerfully formed men dash into the devouring element, fearlessly scrambling along the narrow paths on the tops of the flaming houses. The emperor always remembers, after each event of this kind, to reward them by some liberal donation."

TRADE WITH THE SANDWICH ISLAND. We copy the following from a correspondent of the Boston Mercantile Journal, who has resided at Honolulu, and who has had abundant means to obtain information. It is an accurate exhibit for 1834; since that year trading foreigners have multiplied and business increased.

Imports into the port of Honolulu, island of Oahu, for the year 1834.

From the United States of America,	\$82,000
" Valparaiso and Lima,	36,000
" Coast of California,	62,000
" China,	42,000
" Society and other South Sea island,	4,000
" America and England, per whale ships,	20,000
" New Zealand and New South Wales,	16,000
" Columbia river and Russian settlements,	10,000
	\$272,000

The articles imported from the United States, Chili and Peru, consists of American domestic cotton cloths, prints of calicoes, hardware, sheathing copper, cordage, canvass, naval stores, paints, iron, ship bread, nails, glass, salt provisions, rum, brandy, gin, wine and furniture.

From California—otter skins, bullock hides and horses. From China—silk and cotton goods, nan-kins, teas, sugar, &c. From Society and other islands in the southern hemisphere—pearl shells, turtle shells, sugar, cocoa nut oil, &c.

The articles landed from whale ships are generally the same as those imported in American merchant ships. From New Zealand, New South Wales and Columbia river, we receive boards, plank, spars and fish.

In the foregoing estimate no account is made of the large quantity of goods brought to this port, destined for other markets and of course taken away again without landing or exchanging hands.

Exports from the port of Honolulu, island of Oahu, for the year 1834.

Sandal wood, 7,000 piculs (large and small),	\$40,000
Sea otter skins and other furs,	55,000
Bullocks' hides,	20,000
Spermaceti, black, rakui and cocoa nut oils,	20,000
Turtle shell \$1,000, pearl shells \$3,000	4,000
Salt 3,000, goat skins \$3,000,	6,000
Provisions, vegetables and other supplies to the American and English whale ships, which they barter for in exchange for goods or draw bills of exchange upon England and America,	70,000
Merchandise imported and again exported, principally to California and other Russian settlements in N. W. America,	50,000
	\$265,000

List of vessels owned by foreigners residing at Honolulu, and engaged in the trade to California, Russian settlements, China, &c. &c. 1834.

	Tons.	Value.
Ship <i>Rasselas</i> ,	307	\$12,000
Barque <i>Don Quixotte</i> ,	257	10,000
Brig <i>Lady Wrangell</i> ,	140	10,000
" <i>Avon</i> ,	180	10,000
" <i>Diana</i> ,	190	8,000
" <i>Convoy</i> ,	135	6,000
" <i>Torment</i> ,	200	10,000
Schr. <i>Loriot</i> ,	100	8,500
" <i>Unity</i> ,	65	4,000
" <i>4th July</i> ,	60	4,000
" <i>Harriet</i> ,	60	3,500
" <i>Victoria</i> ,	50	2,500
" <i>Thetis</i> ,	35	2,500
" <i>Flibberty Jibbet</i> ,	37	2,500
		\$88,500

Arrivals year 1834:

American whale ships,	99	89,000? barrels oil.
English do. do.	17	14,400 " "
Merchant ships,	9	
Merchant brigs,	27	

152 vessels—total number of tons, 46,416, besides an English sloop of war.

The value of houses, wharves and other landed property owned at Honolulu by Americans and English, cannot be estimated less than 100,000.

The whole amount of property at the port of Honolulu actually owned or on deposit and belonging to foreigners, is not less at any time than half a million of dollars, of which 400,000 dollars is the property of Americans, and 100,000 dollars English.

INCLINED PLANES. The new locomotive steam engine, "Washington County Farmer," built for the commonwealth of Pennsylvania, by Mr. Norris, was placed on the Columbia rail road on Tuesday afternoon.

The power of the engine was then tested in ascending the inclined plane, which was performed to the complete satisfaction of numerous scientific gentlemen invited expressly for the occasion.

The plane is 2,800 feet long, ascent in that distance 196 feet, equal to 389 feet to the mile or 1 foot rise in 143 10. Weight of engine 18,170 lbs. with water included. Load drawn up 30,116 lbs. including tender with fuel and water, two large passenger cars and 39 passengers. Time of running, 3 min. 15 sec.—pressure in the boiler under 70 lbs.

In descending the plane, the engineer repeatedly came to a dead stand from a great speed, and for some minutes played up and down the grade, thus proving most satisfactorily the immense power of the engine and the perfect safety in its performance. The engine is a master-piece of machinery and of beautiful exterior.

The result here obtained has never been equalled by the best engines in this country or Europe, excepting only similar performances of the "George Washington," an engine by the same maker.

The advantages of this great improvement in locomotive engines, is self-evident—rail roads can be constructed at much less cost than heretofore, now, that engines can be procured (of the usual weight) to perform on grades of 70 or even 100 feet rise in the mile. [Phil. Inq.]

EXPERIMENTS AT SEA. We are indebted to a friend, who has just arrived from Europe, for the following:

Experiments made on board the Charlemagne.—20th of September, 1836, the weather being calm, I corked an empty wine bottle, and tied a piece of linen over the cork; I then sank it into the sea six hundred feet: when drawn immediately up again the cork was inside, the linen remained as it was placed, and the bottle was filled with water.

I next made a noose of strong twine around the bottom of a cork, which I forced into the neck of the bottle, lashed the twine securely to the neck of the bottle, and sank the bottle six hundred feet. Upon drawing it up immediately, the cork was found inside, having forced its way by the twine, and in so doing had broken itself in two pieces; the bottle was filled with water.

I then made a stopper of white pine, long enough to reach to the bottom of the bottle; after forcing this stopper into the bottle, I cut it off about half an inch above the top of the bottle, and drove two wedges of the same wood into the stopper. I sank it six hundred feet, and upon drawing it up immediately the stopper remained as I placed it, and there was about a gill of water in the bottle, which remained unbroken. The water must have forced its way through the pores of the wooden stopper, although wedged as aforesaid, and had the bottle remained sunk long enough, there is no doubt but it would have been filled with water.

BEAR BAITING ON REFORMED PRINCIPLES.—William Green, Freemasons' row, appeared at the police office to answer a summons procured against him by inspector McCulloch. The latter stated that on Monday the 29th ultimo, he went to the house of the defendant, where he found between fifty and sixty men, and about thirty dogs, with which the former were baiting a bear. "Well," said Mr. Hall, "what have you to say for yourself this time?" "Pooh!" replied the defendant, "why it's all nonsense; the dogs can do the bear no harm, because it's clothed all over in the skin of another bear; nor the bear can't hurt the dogs—not a bit!" Mr. Hall—"No, I believe the bear cannot hurt the dogs, but I think the dogs hurt the bear." Defendant—"Pooh, not a bit, I tell you; and whereas he says I had fifty or sixty men, and thirty dogs—I tell you, as I charges sixpence a piece for men, and threepence for dogs, and I only fobbed eight and sixpence that day, so how can that be—hey?" Mr. Hall. "There is a law against it, and—" complainant, (interrupting)—"We baits 'em on reformed principles. It do not hurt 'em, 'cause we only baits the skin, and not the bear. You might as well bait a bundle of rags. In London they used to bait 'em stark naked, but we 'dopts a reformed system; we sews 'em up in a skin, and lets the dogs tear away; they can't hurt 'em; it's impossible; it's only to try the fact if the dogs has corridge and pluck enough to run at the bear, and there's nothing contrary to the hact of parliament in that, I think." Mr. Hall—"I have attempted to tell you that the practice is unlawful, but I perceive you are inclined to be boisterous as when you were last summoned here: now—" Defendant, (interrupting)—"I've got the bears, and I must keep 'em. I can't sell 'em. How am I to get a bit of bread for myself and the poor dumb animals? Pooh! it does not hurt 'em a bit." Mr.

Hall—"If you would suffer yourself to be sewed up in a bear's skin and allow twenty or thirty ferocious dogs to be turned loose upon you, then—Defendant (again interrupting.)—"Well, I will! I agree to it! You may sew me up this minute, and set all the dogs in Liverpool at me; I'm ready now. Pooh! on the new system it doesn't hurt a bit." Mr. Hall. I tell you sir, it's very cruel, and—" Defendant, (in derision.)—"Cruel! Pooh! What's fox hunting? Cruel! You start out a poor fox, or maybe a hare, that hasn't strength to defend himself, and you turn out forty or fifty big dogs after him, twice as big as he is, and you gallop away after him till he is exhausted; then the dog catches him and tears him all to pieces. Cruel! which is the cruellest? But that's a gentleman's sport, and gentlemen can do as they like." Mr. Hall said, as the law was, so he must administer it. The defendant was fined forty shillings and costs. [Liverpool Mercury.]

SANDWICH ISLANDERS. The last American Quarterly Review remarks upon the difficulty which the Sandwich Islanders experience in pronouncing our harsh consonants and their combinations. Accordingly, they soften all English names in accordance with this principle. Thus *New Bedford* becomes *Nu Bedefoda*; *Boston* is made a word of four syllables, *Bosetona*; *Nantucket* is *Nonetuketa*; *Philadelphia* becomes *Piladelpia*; and *Britain*, *Beritania*. The letter *s* is one of the stumbling blocks; they cannot pronounce it, but always change it into *k* or *l*. Hence, Mr. Ellis, the missionary, was called *Elliki*. [Post.]

DUTCH NAMES OF PLACES. Bergen signifies to save, secure or hide.

Bloemen-dal, *anglice*, the valley of flowers; corrupted to Bloomingdale.

Boter-bergh, *anglice*, butter hill, from its resembling in form a roll of butter.

Brooklyn. This word, it is alleged, is a corruption of the Dutch word *Breuckelen*, or Brokkelen. The former word may signify a gap or opening in a coast.

"The utmost sandy breach they shortly reach." The meaning of "Brokkelen" is to "make breaches or gaps in," or a place where such breaches are made. As to the applicability of this name to the locality in question, I cannot decide.

Coney island. This name is generally supposed to be a corruption of *Cony's* island; so called in honor of its original proprietor. *Sed quere*. May not Coney island have been so called in consequence of its abounding in *coney*s, or rabbits?

Haverstrow—Oatstraw. This place is now called Haverstraw.

Hoboken is the name of one of the ancient families of Antwerp, the original proprietor of the soil.

Moordenaar's Kill—Murderer's Creek, (in Rensselaer county), so called because it was the scene of some dreadful murders during the French war.

Paltz—*anglice*, palatinate.

Paulus Hook, named after Paulus or Paul Schrick, the original owner of the soil.

Poesten-kill. The Dutch word "poesten" means to huff, swell, or storm.

Red-hook, from the Dutch word "roodehoek," literally red point, or corner.

Sandy Hook, from the Dutch *zandti hoek*, literally translated "sandy corner."

Slypsteen-eyland—*anglice*, grindstone island.

Styt-den-duyvel Kill, literally translated, means "in spite of the devil creek." See Geoffrey Crayon.

Staten island, from the Dutch *Staaten-eyland*, i. e. States island, meaning the states general of Holland. Statburgh is referable to the same origin.

[Schenectady Reflector.]

THE ORPHAN OF THE TEMPLE. Under this head, the London Morning Post publishes an article relative to the claims of an individual professing to be the son of Louis XVI, but known under the title of the duke of Normandy. It purports to be a letter from M. Gruan, the former procureur of the king, and at present the friend and advocate of the individual in question. It states "that, in 1809, the son of Louis XVI. arrived for the first time in Prussia, where his presence was known only to the duc de Schill. In 1811, the emperor of Austria, the king of Prussia, and the emperor of Russia, were informed that the prince was in Germany.—In fact, the prince was obliged to confide the secret of his birth to M. Lecocque, and the minister, prince of Hartenberg, ordered to be sent to him the documents proving that he who submitted them was really the son of Louis XVI. and Maria Antoinette; in consequence of this communication, and by order of the minister, the duke obtained the rights of citizenship, on condition of assuming the name of

Naundorff, which was given him as a protection against the power of Napoleon. As his family have refused to acknowledge him, and he has been banished from France, the prince has addressed himself to the emperor of Austria and other powers, for permission to be confronted with his sister, the dutchess d'Angouloene, and to have his pretensions fairly examined. His last petition was addressed to the king of England, and bears date the 26th August, 1836. Lord Palmerston, to whom it was communicated, returned it with an expression of regret that it was not in his power to lay it before the king."

The letter, which forms a part of the article in the Times, concludes in the following language: "I wish," sire, "to have the question settled of my veracity or falsehood. Deign, therefore, to grant me an audience, which will settle your own conviction. It is an office worthy of the king of Great Britain to bring my sister and myself together, and grant us the opportunity of a conference. This proceeding will silence the tongue of calumny, and make her what she would never have ceased to be, but for the traitors who surround her."

"Should you accede to my request, sire, the noble daughter of king Louis XVI. and Maria Antoinette will hasten, I doubt not, to accept your majesty's mediation, and you will restore to the orphan of the temple her whom he has never ceased lamenting during his life, and who deserves by her long and cruel sufferings to find a brother and a friend."

To what degree of credit the claims of this individual are entitled, we have no means of determining. If he be the "true prince," his case is certainly a hard one, compelled as he is to see a distant branch of the Bourbon family placed in that throne to which he possesses an hereditary claim. But such are the tricks which fortune so often plays both with kings and subjects.

[Philadelphia Commercial Herald, Oct. 19.]

GAME BY THE WHOLESALE. The Portland Argus states that at a recent shooting match, in Fryeburg, (Mud city), captain Henry Batchelder and five others brought in 1,735 squirrels of all kinds, black, gray, red, flying and striped; and about 150 woodpeckers, blue jays, hawks and owls. Another party, consisting of captain Charles and four others, brought in 1,265 squirrels of the above description, over 100 woodpeckers and many other birds—the whole amounting to nearly 3,850. Bears are also very numerous in that section of the country: six or seven have been killed in that neighborhood. Near the White Mountains a boy five years of age was taken by one and carried off. At the same place, an infant child was taken from its mother's arms by one of these monsters, who escaped to the woods with it, where it was soon followed by men and dogs and made to pay the forfeit of its life. No trace of the child was found, save a few pieces of its clothes.

The same paper says, there is now living in Fryeburg, in this state, a lady, whose weight is estimated at 700 lbs. She walks about the house with apparent ease, is healthy and cheerful. Her countenance is as fresh as a buxom lass of 16, though her age is about 45.

LONG ISLAND FARMS. Alderman Ingraham stated in the course of debate in the board of aldermen, of New York, that upwards of two hundred thousand dollars had been offered for the Long Island farms—these grounds cost the city, a few years since, only about six thousand dollars.

FOREIGN NEWS.

PORTUGAL.

The Diario de Gobierno, published at Lisbon on the 10th September, contains a proclamation issued by the queen relative to a new revolution, her acceptance of the resignation of all the late ministers in consequence, and the appointment of others. The members of the present cabinet are—Conde de Lumiares, minister of war and president of the council.

Manoel de Silva Passos minister of the interior. Manoel Antoni Lopez Vicira de Castro, minister of ecclesiastical affairs.

Visconde de Sa de Banderia, minister of finances and ad interim minister of foreign affairs.

Antonio Cesar de Vasconcellos Correa, minister of the navy.

The following proclamation was issued by the queen on the 10th of September:

Department of the interior. In accordance with representations, that have recently been made to

me by a great number of citizens, and induced by other demonstrations of the national will in favor of the restoration of the political constitution of the kingdom, of the 23d September, 1822, with such modifications as circumstances require, I freely declare, that the said constitution is in full force, and direct that the general cortes of the Portuguese nation shall be immediately convened; the members of which, besides the ordinary powers they possess, shall be invested with power to make those modifications in the constitution they may think proper.

The minister and secretary of state of the department of the interior, ad interim, will carry this decree into execution, and take prompt measures to receive my oath to the constitution, and for the meeting of the cortes.

Given in the palace de Necessidades on the 10th September, 1836. THE QUEEN.

The Malaga papers furnish some information touching the causes of this revolution. We avail ourselves of the translations given by the Courier & Enquirer:

It appears that for some time previous a general dissatisfaction was evinced by the people of Lisbon, against the minister Freire, and that on the arrival there on the 9th of September of some opposition deputies from the provinces of the Douro and Upper Beira, this dissatisfaction was manifested by the demonstrations of joy with which these deputies were received; the Tagus was covered with boats filled with people, and on their landing they were accompanied by an immense crowd to their lodgings. The government had taken measures to prevent any events of serious consequence following, but they appear to have been fruitless.

At night the battalions of the national guards who were under arms, joined the troops of the line, and proclaimed the constitution of 1822. A deputation was sent by them to the queen, requiring her to proclaim the constitution of 1822, and dismiss her ministers. This was immediately conceded, and the count de Lumiares and Viscount Sa de Bandeira, were directed to form a new ministry. No excesses, it is said, were committed, except the breaking the windows of the palace of the duke de Palmella.

The ex-ministers, Freire and Carbalho, had disappeared, and it was supposed they were secreted in the queen's palace, whose husband, Don Fernando, was believed to be inimical to the change. An apprehension was entertained that the queen would attempt to escape on board of one of the vessels of the English squadron in the Tagus, which had been considerably reinforced and consisted of three ships of the line and many smaller vessels.

On the morning of the 10th, a considerable activity was observed in the British squadron; the boats were lowered and filled with marines, three of them had guns on board, and they approached in line near to the Belem quay. The national guards immediately ran to arms, and were joined by the troops of the line that were encamped at Origue. At one o'clock they proceeded with their chiefs to the palace of Las Necessidades. A deputation of officers repaired to the queen to demand an expression of her adhesion to the constitution. The whole corps diplomatique were with her with the exception of the Spanish minister. Her majesty, after conferring with the British ambassador, signed the decree we published above, and subsequently the troops marched off after passing before her, stationed at the balcony.

Those who directed this movement not being entirely satisfied, the count de Lumiares prevailed on the queen and her husband to swear to the constitution in the municipal hall, whither she proceeded in a carriage with him, and there they both took the oath required.

It was said that all the foreign ministers except the Spanish, have protested against the act of the queen, which they assert she was compelled to perform by violence. The English steamboat was detained till the 11th, when she left Lisbon, taking with her the protests of the diplomatic corps, and other interesting despatches.

The following proclamation was issued by the governor of the palace.

The chief of the staff in a private letter to me, dated from Carolina on the 22d of this month, gives me the pleasing intelligence that the rebels under Gomez, united with those under Serrador, Quilez, Esperanza and others, making in all 14,000 men, have been completely defeated at Villarrobledo, on the right bank of the river Manzanares, by general Espartero's division under the command of brigadier Alaix, 3,000 prisoners, all the baggage, a large number of killed, and the complete dispersion of the rebels are the trophies of brilliant victory, which is a happy accompaniment to that obtained in Navarre, by our brave general Oraa.

JUAN ANTONIO ESCALANTE.

SPAIN.

Captain Townsend, of the brig Empress, at New York, in 28 days from Malaga, informs the editors of the Daily Advertiser that despatches from Madrid had arrived at Malaga on the 26th September, announcing that general Alaix (of the queen's party) on the 21st of September had had an engagement with general Gomez, of the Carlist army. Gen. Alaix had taken 3,000 prisoners with all the booty that gen. Gomez had before taken from the queen's army, and had completely dispersed the whole Carlist army, which consisted of 14,000 men. A great number of the Carlist troops were killed. This news was confirmed by an extra express from Madrid, which arrived a few hours before the Empress sailed. There were great rejoicings in Malaga on the reception of this news.

ELECTIONS.

GEORGIA.

We have received full returns of the congressional election in this state, and subjoin the aggregate votes given to each candidate—from which it will be seen that the union ticket is elected, with the exception of gen. Coffee, who died previous to the termination of the election, and his name was consequently dropped. Mr. Dawson, being the highest on the state rights ticket, is therefore elected. The legislature stands, union men, 155, state rights, 111.

Recapitulation of the ninety counties in the state.

Union ticket.		State rights ticket.	
Cleveland,	29,577	Alford,	28,754
Coffee,	28,521	Black,	28,318
Glascok,	48,139	Colquett,	28,607
Grantland,	29,330	Dawson,	28,944
Haynes,	29,475	Habersham,	28,523
Holsey,	29,175	Jackson,	28,408
Jackson,	29,403	King,	28,401
Owens,	29,321	Nesbit,	28,337
Towns,	29,539		

General Glascock was on both tickets.

SOUTH CAROLINA.

The following members of congress have been elected—Mr. Pickens in the 3d and Mr. Thompson in the 2d district, were elected without opposition. The 4th, 7th, 8th and 9th districts are still to be heard from.

Members elected.

1st district,	Hugh S. Legare,
2d	Waddy Thompson,
3d	Francis W. Pickens,
5th	Wm. K. Clowney,
6th	James H. Hammond.

PENNSYLVANIA.

The following statement of the congressional vote of Pennsylvania is copied from the "Pennsylvania," which paper says, the returns are all official with the exception of a few from the north western counties which, however, will be found to correspond, very nearly, with what is set down to them.

Dist.	Van Buren.	Harrison.
1. Southwark, &c.	2,568	2,074
2. Philadelphia city	3,072	5,317
3. Northern Liberties, &c.	4,432	4,389
4. Delaware county	1,043	1,100
Chester	3,811	3,427
Lancaster	4,207	5,389
5. Montgomery	3,194	1,963
6. Bucks	3,085	3,260
7. Northampton	2,154	1,012
Wayne	580	284
Pike	maj. 846	
Monroe	1,146	205
8. Schuylkill	1,128	935
Lehigh	1,753	1,495
9. Berks	4,276	3,160
10. Dauphin	1,834	1,609
Lebanon	1,051	1,186
11. York	3,386	2,414
12. Franklin	1,795	1,703
Adams	1,813	1,344
13. Cumberland	1,889	1,715
Perry	1,100	421
Junata	644	519
14. Columbia	1,250	1,002
Luzerne	1,631	1,644
15. Mifflin	1,036	575
Huntingdon,	1,793	1,922
Centre.	2,085	637
16. Lycoming,	1,522	937
Union,	1,391	1,170
Northumberland,	1,362	919
17. Bedford,	1,385	1,494
Susquehanna,	902	875
Toga,	1,217	105
Potter,	226	46
McKean,	158	16
18. Bedford,	maj. 800	

Somerset,	577	1,453
Cambria,	maj. 36	
19. Westmoreland,	2,871	1,574
Indiana,	823	1,100
20. Fayette,	2,075	
Greene,	1,177	
21. Washington,	2,537	2,766
22. Allegheny,	2,984	3,155
23. Butler,	1,433	970
Clearfield,	455	289
Jefferson,	290	355
Armstrong,	maj. 163	
24. Beaver,		maj. 250
Mercer,	1,265	1,731
25. Crawford,	1,466	1,148
Erie,	1,172	1,727
Warren,	512	251
Venango,	maj. 600	

86,415 72,967

Members elected to the next congress, to which is prefixed the delegation in the present congress.

24th congress.	25th congress.
Joel B. Sutherland,	Lenuel Paynter,
James Harper,	John Sergeant,
Joseph R. Ingersoll,	Geo. W. Toland,
Michael W. Ash,	Francis J. Harper,
Edward Darlington,	Edward Darlington,
William Heister,	Edward Davies,
David Potts, jr.	David Potts, jr.
Jacob Frye, jr.	Jacob Frye, jr.
Mathias Morris,	Mathias Morris,
David D. Wagener,	David D. Wagener,
Edward B. Hubley,	Edward B. Hubley,
Henry A. Muhlenberg,	Henry A. Muhlenberg,
William Clark,	Luther Reily,
Henry Logan,	Henry Logan,
George Chambers,	Daniel Sheffer,
Jesse Miller,	Charles McClure,
Joseph Henderson,	William W. Potter,
Andrew Beaumont,	R. H. Hammond,
Joseph B. Anthony,	David Petriken,
John Laporte,	Samuel W. Morris,
Job Mann,	Charles Ogle,
J. Klingensmith, jr.	J. Klingensmith,
Andrew Buchanan,	Andrew Buchanan,
T. M. T. McKennan,	T. M. T. McKennan,
Harmar Denny,	Richard Biddle,
Samuel S. Harrison,	William Beatty,
John Banks,	William Henry,
John Galbraith,	Arnold Plummer.

Mr. Pearson is elected to supply the vacancy in the present congress occasioned by Mr. Bank's resignation.

OHIO. The names of the whigs are put in italics.

Having received authentic returns from all the congressional districts in Ohio, we annex a complete list of the members elected to the next congress, to which, for the purpose of comparison, we prefix the names of the present representatives.

24th congress.	25th congress.
1. Bellamy Storer,	Alexander Duncan,
2. Taylor Webster,	Taylor Webster,
3. Joseph H. Crane,	Patrick G. Goode,
4. Thomas Corwin,	Thomas Corwin,
5. Thomas L. Hamer,	Thomas L. Hamer,
6. Samuel F. Vinton,	Calvary Morris,
7. William K. Bond,	William K. Bond,
8. Jeremiah McLene,	Joseph Ridgway,
9. John Chaney,	John Chaney,
10. Sampson Mason,	Sampson Mason,
11. William Kennon,	James Alexander, jr.
12. Elias Howell,	Alexander Harper,
13. David Spangler,	D. P. Leadbetter,
14. William Patterson,	W. H. Hunter,
15. Jonathan Sloane,	John W. Allen,
16. Elisha Whittlesey,	Elisha Whittlesey,
17. John Thomson,	Andrew W. Loomis,
18. Benjamin Jones,	Matthias Shepler,
19. Daniel Kilgore,	Daniel Kilgore.

OH-Whigs in italics.

In the next congress there will be eleven whigs and eight Van Buren members. In the present congress the parties are ten to nine. The changes in the 3d, 6th, 12th, 13th and 15th districts were caused by the present members declining a re-election. Mr. Corwin was re-elected by a majority of 1,702 votes, and Mr. Ridgway by a majority of 1,586 votes over Mr. McLene, the present Jackson member. Mr. Storer lost his election by 550.—The exact state of the polls in the other districts we have not learnt.

IMPORTANT TREASURY CORRESPONDENCE.

From the Globe of the 26th inst.

Having understood that a correspondence had recently taken place with the secretary of the treasury in respect to the present state of the money mar-

ket, and more especially in New York city, as growing out of the late deposit act and other causes, we applied for copies of it. They have been politely furnished, and will tend, we believe, to remove much misapprehension in respect to this subject, and to correct many prevalent errors.

Washington, Oct. 22, 1836.

SIR: In the present state of the money market in England, we cannot look with confidence to a continuance of the import of specie from Europe. It might therefore be deemed beneficial by the department, at this time, to procure a million of dollars or more in specie from Havana or Jamaica. Should instructions be given to that effect, to the superintendent of the mint, the bank of America will cheerfully act as agent (without any charge on their part) to carry the same into effect. Cuba or Jamaica presenting at this moment the best prospect for obtaining a supply. We have the honor to be, sir, with great respect, your most obedient servants,

GEO. GRISWOLD,
BENJ'N L. SWAN.

Hon. Levi Woodbury.

Washington, Oct. 22, 1836.

SIR: The unparalleled speculations in lands throughout the United States, the over trading of the commercial community, and the transfer of the surplus funds under the recent act of congress—preparatory to a distribution among the several states—have turned the balance of trade against the city of New York, and caused a very severe pressure upon the money market.

Believing it will give you pleasure to remove the existing evils, as far as it is compatible with your official duties, we beg to suggest for your consideration, the postponement of the warrants already drawn on banks in the city of New York, and running to maturity, in favor of banks in the state of New York, thirty days from the time they respectively fall due; and all those payable to banks out of the state, three and six months; and, in the mean time, to direct the banks on whom those warrants are drawn, to place the amount of those funds in the respective places required.

It may be proper to remark, that we have not come here as delegates or agents for any institutions or others, but in our individual capacity, knowing the above facts, and to represent them to the secretary of the treasury, being fully persuaded he feels a deep interest in the welfare of the country. We have the honor to be, sir, with great respect, your most obedient servants,

GEO. GRISWOLD,
BENJ'N L. SWAN.

Hon. Levi Woodbury.

Treasury department, October 24, 1836.

GENTLEMEN: Your communications of the 22d instant have both been received, and carefully considered:

In respect to your suggestion about the mint, and the readiness of the bank of America to aid the government without charge in procuring a supply of suitable metal for coining, I am happy to acknowledge the liberality of the offer, and to state, that the director of the mint, as long ago as last August and September, had full authority conferred on him for this purpose. At the same time he was requested to make seasonable preparation to obtain the amount of metal probably needed to keep the mint in full and active operation, and was assured that any reasonable sums of money would be transferred to him for that purpose. I trust that on your seeing him, or opening a correspondence with him, he will give any further information desirable on this point.

In respect to the other topics in your letters, connected with the present state of the money market, you do not err in "believing it will give me pleasure to remove the existing evils, as far as is compatible with my official duties."

But as the causes which you justly assign for those evils are so deeply seated and wide spread, and are so disconnected with the operations of this department, it is hardly practicable that any durable or efficient relief can be obtained, except by a removal or modification of the causes themselves. This removal or modification of the chief and primary causes, must depend on the returning prudence, moderation and good sense of the community, generally, in limiting trade within reasonable boundaries, abandoning numerous wild speculations in lands and stocks, and in managing their banking concerns with a stricter regard to true banking principles.

The only cause over which this department has any immediate control, being the execution of the late deposit act, you will readily perceive that its

several provisions having emanated from congress, and not the treasury, can legally be changed or modified by congress alone. In the mean time, those provisions it is my duty, and will be my care, faithfully to enforce, while they remain a part of the law of the land. But every indulgence which can be granted, consistent with those provisions, will cheerfully be given to the fiscal agents of the treasury, and through them to the commercial community, as well as to all persons unfavorably affected by the operation of a portion of the deposit act.

So far as regards your requests, there is a discrimination to be noticed between two species of distribution of the public money required by the act.

The first distribution is between different banks, so that no one shall be allowed to hold permanently more public money than three-fourths the amount of its capital. This is not in any degree postponed by the act of the next year, or any other specified time; but is to take effect soon as practicable, or according to the fair construction of the intention of congress, soon as it can reasonably be effected, considering all the various circumstances connected with so large and delicate an operation. In your city alone, its operations will require the transfers of something like eight millions of dollars from the old deposit banks to new ones, either in the state or out of it.

The selection and organization of new banks to receive so large a sum, and the collection and removal of so great an amount gradually and safely, have, with the like operation in other sections of the country, severely taxed my attention and labors for some months, and are still doing it.

Besides this first distribution of the deposits, a second one is rendered necessary by the deposit act, among the different states in ratable proportions. Under this last operation, the proportions are not required to be actually paid over to the states till next January, and quarterly thereafter during the year.

But the preparation beforehand to insure their punctual and prompt payment there has been careful and constant, and coupled, whenever convenient with the first and earlier distribution required among the banks, so as to prevent the great inconveniences and pressure in the money market attendant on double transfers, first from bank to bank near, and next from state to state at a distance.

I have, therefore, in cases where the public money had largely accumulated in any banks in any one state, and new banks could be seasonably obtained in other states, where only a little public money already existed, made but one transfer to accomplish both objects, and by a single operation have reduced the excess in certain banks and in certain states, and placed it in the states where it would be needed next year, and where they before had not an equal portion of the public money.

In accomplishing these objects with a view to arrange, upon an equal and proportionate basis, the deposits among both the banks and the states as required by the law, due notice of the times and place of large payments, has been given so as to proceed in a gradual, and at the same time, seasonable manner, considering a sudden and immediate transfer of the whole, not only possible, but ruinous to the community as well as the banks, and not intended by the act. When it has been ascertained that the operation going on was too rapid for the resources of the banks or the neighborhood, without great distress, I have extended the period of time for the transfers, and especially those of distant states, (which are less urgent than the others under the law), provided it could be done without defeating the spirit as well as the words of the law, and without hazarding its faithful and prompt execution.*

*It may be proper to add, by way of further explanation as to the facts, that, if all the above ordered transfers to other states from New York were completed, and no new transfers, receipts or expenditures should take place, there would still remain in that state, and most of the amount in its commercial capital, about ten millions of dollars of public money, or quite five millions more than the whole probable proportion of that state, under the provisions of the deposit act.

The three original deposit banks in that city, had, by the last returns, nearly a million of dollars each more public money than three-fourths of the amount of their respected chartered capitals. But the excess has, since the deposit law took effect, being four months ago, been seasonably placed under transfers to other banks, some of which are within, and others out of, the state of New York, and payable at future periods; giving what was regarded reasonable time for the operation.

Adhering to these principles, I do not hesitate on your representation, to extend the time of payment for most of the transfers not yet due from the several banks in New York city though the transfers in your own neighborhood, and particularly those for the reduction of the deposits to their legal amount among these banks, cannot, with propriety, be much longer delayed. Some of the outstanding transfers have now 30, 60 and 90 days or nearly that, to run before payable; and several of them, amounting in all to about one and a quarter millions of dollars, are not payable at a distance but in your own city.

All those payable out of the city and state, over the amount of transfers payable from other states before the 1st of January, are less than one and a half millions of dollars.

Those transfers from your city, which fall due at home or within the state of New York before the 1st of January, will, therefore, as you desire, be postponed 30 days each, but cannot, with propriety, be further extended. Those which fall due out of the state, before the 1st of January, will at once all be postponed to the 1st of January, as the chief, though not sole object of them, is to have the money there seasonably for division among the states.

It is hoped that these indulgences will be employed, by the banks to enable them to complete easily the transfers already ordered, and to execute efficiently the remaining transfers which will be necessary under the act to be directed hereafter, and of which, as heretofore, unless public exigencies should forbid, whenever large in amount, a due and liberal notice beforehand of the times and places of payment, will be carefully given.

Concerning your last request to me to direct the banks making the transfers to put the amounts at the proper places, in the meantime, before they become payable, it may be necessary to explain, that the transfer order is now, in both form and substance, to that effect. When it is made payable at a distance, the funds must be remitted there by the time it falls due; but if at home, they must be got ready at home.

If, as is apprehended from your remarks, it is supposed by some that a transfer draft can, any more than a treasury warrant, be made payable on its face in any thing except specie, provided the holder chooses to demand specie, the error should be corrected, as the idea is illegal and preposterous. But the department has, in no case ever given any order to demand any portion of either of them in specie.

The holder of the warrant often accepts bank notes or checks, and so does the holder of the transfer draft, and in the latter case the bills of the bank, in whose favor it runs, or balances against such bank would, of course, be always as available as specie to meet the transfer when due. I am, gentlemen, very respectfully, your obedient servant,
LEVI WOODBURY, secretary of the treasury.

To Geo. Griswold and Benjamin L. Swan, esqs.
New York.

LAW CASE.

From the Journal of Commerce.

Superior court, October 20th. Judge Oakley presiding. Fetterplace, Hiler & Co. vs. Tinkham & Hart.

This was an action to recover damages for injury done to merchandise, on board a vessel belonging to the defendants, who undertook to convey it to this port.

The plaintiffs reside at Marseilles, and the defendants are ship owners in this city. On the 22d of April, 1835, the plaintiffs shipped at Marseilles, on board the brig Seadrift, belonging to the defendants, 100 bags of beans, in good order, consigned to Putnam and Slocum of this city. The brig arrived here in July, and the consignees found that 42 bags of the beans were materially damaged on the passage, and 7 bags of them so completely spoiled that they were ultimately thrown away as being totally worthless. The consignees therefore had them surveyed by the port warden, and sold at auction as damaged goods, by Minturn & Co, who sold the 39 bags for \$193 19, which appeared to be nearly the full value of them, in their then condition, as a judge of the article who purchased them at the auction, was glad to resell them for a few dollars more than he gave for them. The damage which the beans received on ship board was occasioned chiefly by rats and mice, but it was also alleged that they were damaged by improper stowage, and damp, as they emitted a most offensive smell, and it appeared that several of the bags had become so rotten on the passage, that on their arrival here, the mate of the vessel purchased some new bags and put into them the beans which had fallen out of the original bags which had become decayed. Another proof

of the article having been improperly stowed, was deduced from the fact, that some of the bags were marked with the rust of the iron hoops of casks which had been stowed over them, and that the parts of the bags so marked were completely rotten. In order to show that the articles must have been injured by damp, and had not become spoiled from any inherent defect, it was shown that some of the bags had been stowed in the state room, and in these the beans were in order on their arrival here. It was shown in evidence that if the beans had been in good order they would be worth \$650 in this market at the time they arrived here.

For the defence, it was contended that the damage was done the beans entirely by mice, and that it was therefore one of those inevitable accidents which ship owners were not liable for, and in order to show that all due care and precaution had been taken in this respect, evidence was adduced to show that before the vessel left N. York she had been thoroughly smoked. From New York, she went, in the first place, to New Orleans, and there a cat was procured, which remained on board during the remainder of her voyage. Whilst the vessel was at Marseilles she was hove down, newly coppered and thoroughly overhauled, and the mate deposed that he then saw no mice on board, or until after the vessel had got to sea, on her voyage home. It appeared, however, that there were great numbers of them then on board, during the latter part of the passage. There were no other articles likely to attract mice, taken on board at Marseilles, except the beans, and evidence was adduced to show that the mice might have been brought on board in the bags which contained the beans. The rust marks on the bags were endeavored to be accounted for, by alleging that it occurred from the bags having been thrown on the casks when the vessel was being unloaded. The evidence as to whether the beans were or were not properly stowed, was on the whole extremely indefinite.

The court charged the jury. That the evidence as to the stowage was by no means satisfactory, but as the jury were satisfied that the bags were placed in contact with the casks, all the witnesses agreed that this was bad stowage, and for any injury which the articles had thus sustained, the plaintiffs were entitled to damages. But if the jury believed that the articles had been properly stowed, the plaintiffs could recover no damages on that account. Whatever might have been the effect of the stowage, it was very evident that the beans had been injured to some extent by mice. On this part of the subject the question was, did the captain use all due caution to avoid the damage. The jury were to consider that the law was not, that the ship owners were responsible at all hazards, or under any circumstances, for the injury done by mice. If the jury were satisfied that every possible means had been used to keep the mice out of the ship, but that notwithstanding they got into it, and that when they did get in, every possible effort was made to destroy them, then the owners were not responsible. The extent of injury sustained was not very clearly shown in evidence, and the jury perhaps ought to calculate it liberally. There was some evidence as to the value of the beans, but the sale under the warden's inspection was not binding on the defendants as to the value of the article. The court knew no law which made such a sale of goods binding on the ship owners as conclusively showing the value of the article sold; it might however be taken as so much evidence in proof of the value.

The jury retired, and after remaining out for some time without coming to a decision, the court ordered them to seal their verdict and bring it into court this morning.

For the plaintiffs, Mr. Paine; for the defendants, Mr. Cutting.

The jury returned a verdict for the plaintiffs of \$294 54.

"REFORM OR REVOLUTION" IN MARYLAND.

ALLEGANY COUNTY.

A meeting of the Van Buren party, attended by many Harrisonians, was held at the court house, on Friday evening, the 14th instant. As the notice for the meeting was of a party character, THOMAS PERRY was called to the chair, and HENRY HAMMILL appointed secretary. After the meeting was organized, William Matthews, esq. addressed the audience, and gave his reasons for supporting Martin Van Buren in preference to general Harrison. When he had finished, a call was made upon Mr. Perry, by some of his friends, to give his views also. To this call Mr. Perry acceded; and when he had concluded, S. M. Semmes, esq. asked permission to address the meeting in reply. To this some objection was made, and Mr. Semmes requested the question to be taken, on a motion made

to ascertain the wishes of the meeting. There was no determining by the sound, as it was impossible to decide from the number of voices on each side of the question; but the chair declared that a majority of the meeting were opposed to hearing Mr. Semmes. A motion was then made to adjourn, which a number of Van Buren men (among them the officers of the meeting) practically carried by blowing out the lights, and leaving.

A call was now made, for all who wished to hear both sides of the question, to stand fast. A large number of both parties remained, and the meeting was immediately reorganized by calling SINGLETON TOWNSHEND, esq. to the chair, assisted by ISAAC McCARTY and GEORGE W. DEVECKON, and appointing NORMAND BRUCE and HANSON B. PIGMAN, secretaries. Mr. Semmes then went on at length to reply to the addresses of Messrs. Matthews and Perry. After he had concluded, H. B. Pigman addressed the meeting. Dr. S. P. Smith then made some appropriate remarks with regard to subjects connected with the reform for which the Van Buren party contend, and the manner in which they have identified it with the revolutionary movement of the eighteen electors. In conclusion, Mr. Townshend, the chairman, made some very happy and interesting remarks, and was frequently interrupted by the cheers and applause of the meeting.

On motion of Joseph Shriver, it was resolved, that the proceedings of this meeting, signed by the officers, be published.

On motion, the meeting then adjourned.

SINGLETON TOWNSHEND, *president.*

ISAAC McCARTY, *vice*

GEORGE W. DEVECKON, *presidents.*

NORMAND BRUCE, *secretaries.*

HANSON B. PIGMAN, *secretaries.*

IMPORTANT EXPOSE.

The following correspondence is published with the view of informing the people of the manner and means resorted to by the disorganizers of our state government, to carry their schemes into effect. It is upon a subject that most vitally interests the welfare of the whole state. In attempting to bring Allegany into their measures, however, these revolutionists have widely missed their object. The letter of Mr. Buchanan is highly creditable to him, and there can be no doubt, that in relation to this revolutionary movement and the conduct of the eighteen recusant electors, it expresses the sentiments of the people of Allegany county. Mr. Buchanan is a Van Buren delegate elect from this county.

Correspondence.

Cumberland, Oct. 17, 1836.

SIR: In a casual and friendly conversation between us this morning, you mentioned having received a circular from some gentlemen in Baltimore, in reference to the call of a provisional convention, and that you had replied thereto. You did not say distinctly what was the purport of that reply, nor was I sure at that moment that I had a right to ask. A little reflection, however, convinces me, that on a subject so vitally important to the whole people of the state, and more especially to the citizens of this county, it is both right and proper that the correspondence should be exposed to the public view. Convinced then, as I am, from my knowledge of your views on that subject, that you will at least not sink in the estimation of your constituents, by such exposure, may I not ask the favor of you to furnish me with a copy of that correspondence for publication? With sentiments of regard, I am yours, &c. M. C. SPRIGG.

To J. M. Buchanan, esq.

Cumberland, Oct. 17, 1836.

DEAR SIR: Your polite note of this date, requesting me to furnish you with a copy of the correspondence which has taken place between myself and certain gentlemen of Baltimore, has been received. The correspondence was not intended by me for the public eye, nor can the sentiments of one so humble and obscure, even in the ordinary walks of life, as myself, be of any effect at this time; but the peculiar relation in which I now stand to the citizens of Allegany county, will certainly be a sufficient apology for me in furnishing you with a copy of the correspondence alluded to, to be disposed of in any manner you may see proper. Very respectfully, your friend, &c.

JOHN M. BUCHANAN.

To hon. Michael C. Sprigg.

Circular to Mr. Buchanan.

Baltimore, Oct. 9th, 1836.

To J. M. Buchanan, esq.

SIR: It will be recollected that the nineteen electors who refused to meet with certain of their

colleagues to form a senate, in their address to the people of Maryland made the following recommendation:—"we would most humbly and respectfully recommend to our fellow citizens throughout the state, to proceed forthwith to elect, on the first Monday of November next, six delegates from each county and city, to meet in convention at Annapolis, on the third Monday of the same month, clothed with full powers to extend the authority of all civil and military powers now in commission, until a convention hereafter to be chosen, can be convened to amend the old or form an entire new government for the people of Maryland."

In pursuance of the above, meetings have already been called in the several counties, and delegates to a provisional convention will have been nominated before this reaches you. For the purpose of deliberating upon the just demands of the whole people, and the best means to obtain a reform of present abuses, it is very desirable that the friends of a republican constitution in every county in the state should make a common effort in the cause, and elect delegates to said convention. You are therefore respectfully requested to use your best exertions to further the object recommended by the nineteen republican electors, by calling meetings immediately, and putting in nomination such gentlemen as the friends of reform in your county may judge best able to represent their views on the subject in agitation, and to carry out the measure recommended in the foregoing extract from said address to the people. It will be necessary that some arrangements be made in reference to the judges of election.

On behalf of the friends of reform, we are, with high respect, your obedient servants,

William Krebs, Geo. Gordon Belt,
John Jas. Graves, Cornelius McLean,
T. Parkin Scott, B. H. Richardson,
Joshua Vansant, John S. Tyson,
Albert Constable, Joseph White.

Mr. Buchanan's reply.

Ellerslie, near Cumberland, Oct. 15, 1836.

GENTLEMEN: I received your circular communication dated 9th inst. informing me that "the nineteen electors who refused to meet the twenty-one and elect a senate had recommended to their fellow citizens throughout the state to proceed forthwith to elect, on the 1st Monday of November next, six delegates from each county and city to meet in convention at Annapolis," &c. &c. and to "use my best exertions to further the object recommended," &c. &c.

Could I imagine that any possible advantage would be derived to the interests of this, the county of my adoption, to the honor of my native state, or to the welfare and happiness of the citizens thereof, by adopting the course recommended by the nineteen electors, I would most cheerfully and cordially yield my feeble but zealous exertions to promote the object of your communication.

But inasmuch as I conscientiously believe that, should the course recommended by the nineteen recusant electors be carried into effect, it will be destructive of the best interests of the state, and will inflict a stab upon our institutions, and present happy and prosperous condition as a state, which neither time nor the ingenuity of man will ever be able to heal, I cannot, of course, co-operate with you in carrying the proposed convention into effect.

In thus refusing to lend you my aid, I trust I will not lay myself liable to the imputation of having changed my sentiments upon the all-absorbing subject of state reform.

Those who know me personally will not for a moment entertain such an idea. It is well understood here that I have been a principal pioneer in Allegany in propagating the principles of reform; but I never for an instant supposed that the good work was to be accomplished by means of a revolution, and at the sacrifice of the honor of the state, and thereby bringing upon us all the calamities of a civil war, anarchy, confusion, bloodshed, and a train of evils too horrible to imagine. This is no ideal picture. Before the proposed project can be consummated, we will be witnesses of the sad reality, and those who are foremost and loudest in advocating this nefarious scheme will be the first to fall victims to their mad and ruinous indiscretion.

I entreat you, gentlemen, by that love which I know you all entertain for your country, by the tender and endearing ties by which you are connected with your wives and children, to abandon your present wild and visionary scheme, (to call it by no harsher name), and let us all, at this important crisis, unite, cordially and heartily, in one common effort to save the constitution of the state and her laws inviolate, from the perfidious hands of AMBITIOUS DEMAGOGUES, AND THE MACHI-

NATIONS OF WICKED, CORRUPT AND ABANDONED POLITICAL KNAVES.

I am now, as I always have been, the decided and zealous friend of reform, and will cheerfully go as far as those who step the farthest to remedy the grievances complained of in our present form of government, according to the mode indicated by the sages who framed our constitution. To any other mode I would object at this time, as being dangerous alike to the stability of our institutions, to the interest and honor of the state, and to the peace and happiness of her citizens.

Under the present very excited state of public feeling, I doubt very much whether any form of government could be adopted which would prove at all acceptable to the whole people, or give peace and quiet to the state.

I humbly pray, however, that a season much more propitious to a calm discussion of the interesting subject of reform is not far distant, when we will all see "how sweet and pleasant it is for brethren to dwell together in unity and love"—when the feuds and angry bickerings of party strife will have died away, and floated down the stream of time, no more to be remembered, or remembered only to be condemned and regretted, when we will all be able to set down together as our fathers did of old, intent only on forming such a system of government as will advance the prosperity of the state, the honor and happiness of the people, and enable us to hand down to the latest posterity, unimpaired, the advantages and blessings of a free government. With sentiments of respect, I am, gentlemen, your friend, truly,
JOHN M. BUCHANAN.

To William Krebs, John James Graves, &c.

From the Republican Citizen extra.

FREDERICK COUNTY.

The meeting was organized by calling Gideon Bantz, esq. (the late whig senatorial electoral candidate), and col. John H. Simmons, V. B. to the chair, and appointing Mahlon Talbott (late sheriff of Frederick county, a whig) and John Sifford, esqrs. as secretaries. The hon. Henry R. Warfield, hon. W. C. Johnson, hon. Francis Thomas and col. John H. McElfresh addressed the meeting in eloquent speeches, which were responded to by frequent, animated and enthusiastic cheers.

On motion of the hon. Wm. C. Johnson, the chair appointed the following gentlemen, as a committee to draft resolutions: Wm. Cost Johnson, whig, Washington Burgess, W. Dr. Robt. C. Cummings, W. Mahlon Talbott, W. L. P. W. Balch, W. Jacob Markell, Van Buren, Madison Nelson, V. B. John Rigney, V. B. John Brunner of J. V. B. John B. Boyle, V. B. Christian Getzendanner, V. B. col. John McPherson, V. B. Dennis Dorsey, V. B. who after retiring a short time, reported the following resolutions—which were unanimously adopted.

Resolved, As the opinion of this meeting, that no good end can be gained by the continued reiteration of an unfounded assertion, that life and property are in danger in Maryland. However widely men may differ as to the character of our institutions, and the best means of altering and reforming them, there cannot be found, we solemnly believe, any respectable number of persons in this state, who would not cheerfully aid to protect life and property, if seriously in danger.

Resolved, That this meeting is fully satisfied that no senate will be formed, by a compromise, between the conflicting claims of the two branches of the electoral college, and that it is therefore the duty of every lover of order and peace, to devise some other means, by which the duties devolved under the present constitution on the senate alone, or the senate and house of delegates united, shall be performed.

Resolved, As the sense of this meeting, which we believe to be in accordance with the opinions of an overwhelming majority of the voters of this county, that the only way of providing a substitute for the senate and house of delegates, and effecting reform of the present constitution of Maryland is by a convention, elected fresh from the people, for that specified purpose—and, that we regard all attempts at reform by the legislature, passing two successive enactments as futile and impracticable, so long as a majority of the legislature may be elected by seven thousand out of fifty thousand of the voters of the state, and cannot therefore be considered responsible to the great body of the people for their acts.

Resolved, That we will never cease our exertions to reform the present constitution, until a convention has been organized and a republican constitution has been submitted to the people at the ballot box, and by them either rejected or adopted.

Resolved, as the opinion of this meeting, that four-fifths at least of the voters of this county, desire to see a convention of delegates assemble with full powers to revise, remodel and amend the existing

constitution; or abolish the same, and substitute in its stead a form of government not unworthy of the age.

Resolved, That the chair appoint a central committee, composed of one hundred members of both parties, with power to make such arrangement as may be necessary, to aid the people of Frederick county in the great undertaking which four-fifths of them have at heart, to restore to the majority their right to rule.

Resolved, That these proceedings be signed by the chairmen and secretaries, and published in all the papers in the state, friendly to conventional reform.

GIDEON BANTZ,
JOHN H. SIMMONS, } chairmen.
MAHLON TALBOTT,
JOHN SIFFORD, } secretaries.

FACILITY IN TRAVELLING.

From the American Almanac

Internal improvement; increased facilities of intercourse and travelling in the United States.

The great and rapid improvement which has taken place in the condition and circumstances of the people of the United States, since the American revolution, is strikingly illustrated by the increased facilities of travelling and intercourse between the different parts of the country, by means of turnpike roads, canals, rail road cars, all of which were, at that time, wholly unknown here, with the exception of stage coaches, which had been established on two or three short routes. But it is since the close of the last war with Great Britain, that the spirit of enterprise, with respect to internal improvement, has been chiefly manifested; it is, at the present time, especially active, and promises, should nothing happen to check its progress, to accomplish much more in the ten succeeding years, than has been effected in twice the number of any years that are past.

The present facilities of intercourse are altogether beyond what not only the first settlers of the country, but also the inhabitants no more than fifty years ago, could have conceived to be possible.

The following statement of gov. Everett, at the late centennial celebration of the settlement of Springfield, Massachusetts, is scarcely an exaggeration. "Such was the difficulty of crossing the pathless wilderness which lay between them [the first settlers of Massachusetts] and the coast, that a man may now go from Boston to New Orleans, by way of Pittsburgh, a distance of more than 2,500 miles, in about as many days as it took the first settlers to reach the banks of Connecticut river."

In the year 1754, a convention of delegates from the English American colonies met at Albany, for the purpose of forming a plan of union; and it was proposed that, if the plan were carried into effect, Philadelphia should be the place of meeting. The reasons in favor of the city were stated by Dr. Franklin, a member of the convention, who was evidently disposed to give the most favorable representation of the facilities of intercourse which the case admitted, as follows:

"Philadelphia was named as being nearer the centre of the colonies, where the commissioners would be well and cheaply accommodated. The high roads through the whole extent are, for the most part, very good, in which forty or fifty miles a day may very well be, and frequently are, travelled. Great part of the way may likewise be gone by water. In summer time, the passages are frequently performed in a week from Charleston to Philadelphia and New York; and from Rhode Island to New York, through the sound, in two or three days; and from New York to Philadelphia, by water and land, in two days, by stage, boats and wheel carriages that set out every other day. The journey from Charleston to Philadelphia may likewise be facilitated by boats running up Chesapeake bay, three hundred miles. But if the whole journey be performed on horseback, the most distant members, viz: the two from New Hampshire and South Carolina, may probably render themselves at Philadelphia in 15 or 20 days; the majority may be there in much less time."

But such a change has now taken place, that one may travel with ease from Concord, the capital of New Hampshire, to Philadelphia, or from Boston to the city of Washington, all the way in rail road cars and steamboats, a distance of about 450 miles, in less than 48 hours; and the passage between New York and Philadelphia is performed in from 7 to 8 hours.

Stage coaches were very little known in this country till a period subsequent to the close of the revolutionary war; and for some time after they were introduced, they did not often go more than about 40 miles in a day. In England, in 1706, the stage coach was four days in going from London to York, a distance of about 200 miles, which has, for

some years past, been travelled in about 20 hours. The first stage coach drawn by four horses in Massachusetts, of which we have any knowledge, was established in 1774, running between Boston, Salem and Newburyport. An intelligent gentleman, who travelled in the first stage coach from Boston to Worcester, makes the following statement: "Lemuel Pease, of Shrewsbury, established the first line of stages between Boston and Worcester, in 1782; afterwards extended to Hartford, and subsequently to New York. Before that time, the public mail was carried on horseback by Messrs. Hyde and Adams, alternately, every thing being conveyed in a pair of saddle-bags, and one mail a week only coming from the south. After New York was evacuated by the English, in 1783, the mail was extended to that city. But the principal intercourse from the north was by water. In 1786, Mr. Ballard set up the first hack in Boston. It was a chaise, and was stationed by the old statehouse. A coach was soon after added."

The first turnpike corporation in Massachusetts was granted in 1795; the oldest canals in the United States of any considerable magnitude are the Santee canal and the Middlesex canal, the former of which was completed in 1802, and the latter in 1808. The oldest canal which has been much used for conveying passengers is Erie canal, which was completed in 1825. The oldest rail road in the United States, the Quincy rail road, in Massachusetts, only three miles in length, was finished in 1827. The rail road which was first used in the United States for conveying passengers is the Baltimore and Ohio rail road, (not yet finished), which was opened for passengers from Baltimore to Ellicott's Mills, 13 miles, in 1830. The first steamboat that was used in any part of the world for conveying passengers was one which commenced sailing on the Hudson, between New York and Albany, in 1807.

The first post office in America was established at New York in 1710. In 1790, the number of post offices in the United States, was only 75, and the extent of post roads 1,875 miles. In 1835, the number of post offices was 10,770; the post routes covered about 112,774 miles. In daily, or less frequent trips, the mails were carried on these routes about 25,869,486 miles, viz: 16,874,060 miles in four horse post coaches and two horse stages; 7,817,973 miles on horseback and in sulkeys; 906,959 miles in steamboats; and 270,504 miles in rail road cars.

The rivers and waters of the United States present a vast field for steamboat navigation, which is more in use here than in any other parts of the world. This mode of navigation has produced surprising changes with respect to facilities of intercourse, especially in the extensive region which is watered by the Mississippi and its tributaries. In the western country, the present century has witnessed extraordinary changes and wonderful improvement in the arts of civilized life; and a system of internal improvement is now in progress there, which, considering the recent settlement of the country, may be justly regarded as magnificent.—The following account of "things seen by a young son of the west," originally published in the "Cincinnati Register," is extracted from the "People's Magazine," for July 13th, 1838:

"I have seen the time when the only boat that floated on the surface of the Ohio was a canoe, propelled by poles used by two persons, one in the bow, and the other in the stern.

"I have seen the day when the introduction of the keel-boat, with a shingle roof, was hailed a mighty improvement in the business of the west.

"I remember the day when the arrival of a Canadian barge (as the St. Louis boats were called at the head of the Ohio) was an important event in the transactions of a year.

"I remember the day when a passage of four months from Natchez to Pittsburgh was called a speedy trip for the best craft on the river, and when the boatmen, a race now extinct, leaped on shore after the voyage, and exhibited an air of as much triumph as did the sailors of Columbus on their return from the new world.

"I remember the time when the canoe of a white man dared not to be launched on the bosom of the Alleghany.

"I remember the time when a trader to New Orleans was viewed as the most enterprising amongst even the most hardy sons of the west, on his return from his six months' trip, he was hailed as a traveller who had seen the world.

"I remember the day when the borders of the Ohio were a wilderness, and New Orleans was 'toto orbe divisa,' literally cut off from the whole world.

"I have lived to see the day when the desert is flourishing as the rose;—when the race of boatmen has become extinct, and their memories only preserved in the traditional tales of our borderers.

"I have lived to see two splendid cities, one devoted to manufactures, the other to commerce, spring up, where, in my boyhood, nothing appeared like civilization but the hut of the soldier or of the settler.

"I have lived to see a revolution produced by a mechanical philosophy, equal to that effected by the art of printing. It has changed the character of western commerce, and almost proved that the poetical wish of 'annihilating time and space' was not altogether hyperbolic. By it Pittsburgh and New Orleans have become near neighbors.

"I have lived to see the day when a visit to New Orleans from Cincinnati requires no more preparation than a visit to a neighboring country town. I remember when it required as much previous arrangement as a voyage to Calcutta.

"I have lived to see vessels of 300 tons arriving in twelve or fifteen days from New Orleans at Cincinnati; and I calculate to see them arrive in ten days.

"I have lived to see vessels composing an amount of tonnage of upwards of 4,000 tons, arrive in one week at the harbor of Cincinnati.

"All these things I have seen, and yet I feel myself to be entitled to be numbered amongst the young sons of the west."

The steamboat Mediator has been recently stated to have performed the passage in July, 1836, from New Orleans to Louisville in 7 days and 15 hours; at the same rate it would have reached Cincinnati in about 8 days, so that the expectation of this "young son of the west" is already more than realized.

The canals in the United States, which are now finished, comprise upwards of 2,000 miles in length; the rail roads already completed, upwards of 1,500 miles; and the rail roads now under contract or in progress, have been recently estimated to amount to more than 3,000 miles. It may doubtless be said without exaggeration, that rail roads are now projected in this country on a more extensive scale than in all other parts of the globe. When the various works of this description, which are now in progress or in prospect, shall be completed, the principal places in the different parts of the country will be brought comparatively near to each other; and one may travel on a continuous line of rail roads from Portland to New Orleans, and from various other points on the Atlantic to the Mississippi.

The spirit of enterprise, with respect to internal improvement, has extended more or less to all the states in the union, yet in very different degrees. Some of the states, indeed, do not admit of the construction of canals or rail roads, except of comparatively small extent, while others present a vast field and great inducements for works of the kind on a magnificent scale.

FRANCE.

Dissolution of the Thiers administration, and proposed French intervention.

From the New York Daily Advertiser.

Paris, Aug. 22, 1836.

To the editors of the N. Y. Daily Advertiser:

GENTLEMEN: Events of vast importance succeed each other with wonderful rapidity. To-day, we are without a government, though that which has gone out of office has only lasted six months.—Since the revolution of 1830, the *doctrinaires* are the only men who have retained for any great length of time their places and influence. The reason of this is obvious. They are the only men who would brave public opinion, put to naught public feeling and sympathies, and retain place for the sake of power, patronage and pecuniary advantages. I assure you this is the case. They know they are hated—they know that for every *doctrinaire* in France we can point to five thousand patriots.—They know they are suspected. They know that the nation has no confidence in either their integrity or their policy—and that France is far more legitimate than she is *doctrinaire*. Still they jogged on, always tricking, and never thriving. When they come into office, they have heard the universal groan of sorrow, misery and national dissatisfaction.—When they have been turned out of place by some misunderstanding in the chambers, or by some intrigue at court, they could not fail to hear the shouts of joy and gratulation which have literally proceeded from all sides. They are "*the poison in the potage*." They are the "*death's head at a fete*."—They are the "*ghost of former times*," stalking through halls which are splendidly gay and illuminated and joyous. Whenever they appear, they convert mirth and ease into sombre care and uneasiness. They are the "*nightmare*" on the security and repose of the country. They are "*the blight*" which withers the hopes of the cultivator, and the possessor of land and of gardens. Yet these men

are once more on the tapis. Guizot, who was spouting in Normandy, is now conspiring at Paris. He has sent for *Duchatel*! He has consulted *count Jauhert*. He has had an interview with *de Remiat*. His right hand man is the vindictive *Periel*. He is preparing a list of an administration to the king.—It is to be the quintessence of the "doctrine"—which means bad laws and force—obedience without liberty—and monarchy without legitimacy.

The history of the dissolution of the Thiers administration may be told as follows. I am answerable for the correctness of my statement, both to you and your readers.

The late president of the council was always of opinion that, from the moment the conflict in Spain assumed a serious shape, by the escape of Don Carlos from London, and his arrival in the Basque provinces, France ought to interfere avowedly and actively—capture Don Carlos—destroy the Carlist army—obtain a general pardon for the Basques and Navarrese, and aid in placing the queen on the throne with a sort of "*juste milieu*" government, and "*juste milieu*" constitution. As well during the administration of the duke de Broglie as during his own, he often urged this line of policy on the king of the French, and predicted, over and over again, that if this system should not be adopted, either Don Carlos would succeed in obtaining the throne, and would establish absolutism at Madrid, or else that the republican party would rise, and, after having proclaimed the constitution of 1812, would go on from step to step, until at last the republic itself would be established.

The king, Madame Adelaide, and the ambassadors of the northern powers, were always opposed to this advice and to this policy. The king was resolved on not intervening in the affairs of Spain. Even the assistance which was given to the queen Christina, in the shape of a foreign legion, headed by the brave gen. Bernelle, was opposed to his wishes and convictions—and Louis Philippe often regretted that he had not simply confined his proceedings to guarding the French frontiers, and allowing of no sort of interference on either side.

At last, the French legion obtained a signal victory over Villareal. The Carlists were defeated by gen. Bernelle. A newly formed Polish squadron of cavalry assisted in obtaining that result; and Cordova and Harispe agreed in opinion that, if from 20,000 to 30,000 volunteers could be raised in France, and be gradually introduced into Spain, and be headed by a French general, the result would be most satisfactory for the cause of the queen.

In this measure, the king assented with great reluctance. He was opposed to a secret, as much as he was to an open intervention: and he knew quite well that the day would come when this *secret* intervention would and must lead to protests on the side of the northern powers, and then either to war, if persevered in, or to national humiliation, should the system of intervention be abandoned.

But M. Thiers, who had never really given up his original plan of an avowed and positive French intervention, went on with his system of recruiting, and established head quarters at Pau. General Bugeaud, who had gained some laurels in Africa, was sent for by M. Thiers secretly to return to France, in order to head the foreign legion as soon as it should enter; and the minister of foreign affairs had so laid his plans as that the recruiting should go on to supply from time to time auxiliaries to the queen, until really she should be supplied with a French army. But, unfortunately for M. Thiers, (though I rejoice at it), this could not be done in a corner—the king heard what was the scheme of the president of the council from M. de Montalivet, and from the ambassadors of the northern powers—and he was resolved that, at any rate, gen. Bugeaud should not be appointed to head the legion. Gen. Bugeaud, when he learnt that the king of the French was opposed to his nomination, of course refused to accept the post, and felt by no means grateful to M. Thiers for having recalled him from Africa, where he hoped to gain fresh laurels. As the king would not allow so prominent an officer as gen. Bugeaud, a member of the chamber of deputies, to head the auxiliary corps forming at Pau, certain that such a measure would be looked on by foreign governments as a real act of intervention, M. Thiers consulted gen. Harispe by despatch as to the best French officer to be appointed to this distinguished post. He pointed out gen. Lebeau—and, after some correspondence between Conlova, Saarsfield, and the government of the queen regent at Madrid, gen. Lebeau was named the commander of this auxiliary corps, with a portion of which he crossed the frontiers and entered Spain.

But, unfortunately for the plans of M. Thiers, (and again I say I rejoice at it, because I am an enemy of all intervention), just as he was about carrying into full effect all his projects, the ambas-

sadors of the northern powers addressed themselves to the king, in consequence of gen. Lebeau having announced in a proclamation that he had been named commandant by the king of the French, instead of saying by the queen regent of Spain. This was a violation of all the engagements entered into by the king with the ministers of Austria, Russia, Holland and Prussia, at Paris—as well as in direct opposition to all that the dukes of Orleans and Nemours had declared at Berlin and Vienna. The king was angry that Lebeau had thus, unauthorised, made use of his name; but he soon found out that it was the fault of M. Thiers, who had informed the general that the king of the French had appointed him to that post. Little did M. Thiers think that gen. Lebeau would let out the secret in a proclamation. When the king discovered, through M. de Montalivet, and through the ambassadors of the northern powers, that gen. Lebeau had acted under the advice, and in consequence of the orders of M. Thiers, his majesty required that the proclamation of gen. Lebeau should be formally denied in the columns of the *Moniteur*. To this, M. Thiers was of course much opposed. It was humiliating to him, and humbling to gen. Lebeau. But the king would not yield; his honor was engaged that there should be no intervention, and he would not forfeit his word to foreign powers.

In the mean time, however, a circumstance occurred of immense magnitude, which, for the moment, appeared likely to reconcile all conflicting opinions, and to put off the question of intervention *ad infinitum*. The constitution of 1812 was proclaimed at Saragopas, at Seville, at Malaga—then at St. Ildeonso—and then at Madrid. The queen was said to be a prisoner. Butcheries were said to be perpetrated in the streets of the capital, and Spain was represented to be in a state of anarchy! The affair of the legion was, for the moment, forgotten. "There were some differences of opinion," said the Journal de Paris, but these are now at an end. The events which had occurred were reported to have set all to rights—and the Thiers cabinet was saved!

But these were incorrect reports. True, M. Thiers consented not to go on recruiting. True he agreed to general Bernelle and his men returning to France. True he agreed to wait, and see what course would be adopted by the Calatrava cabinet at Madrid. All this was settled. So far good. But this was not enough. The king required that the author of the "*revolt*!" at St. Ildeonso and Madrid should be shown that France would not recognize the constitution of 1812—would not suffer the alleged "*imprisonment*" of the queen—would not sanction any democratic movement or form of government in Spain—and would withdraw all allegiance from every Spanish government which should not be based on "*juste milieu*," or even perhaps "*doctrinaire*" principles.

M. Thiers refused to consent to such a line of policy. He was quite as much opposed to the constitution of 1812, as was the king of the French, or the northern powers of Europe; but he thought that, if it should be given out in Spain that France had abandoned the liberal cause, in consequence of that constitution being proclaimed, the French government would, of course, lose all its influence at Madrid—the democratic feelings of the Spaniards might be excited to the highest pitch—and, driven to see and to feel that they must do all themselves, they would proclaim the republic as the sure and certain means of extinguishing Don Carlos and all his army. Thus, according to M. Thiers, the last case would be worse than the first.

The king of the French, Madame Adelaide, and M. de Montalivet reasoned differently. They were of opinion that the foreign legion should be dissolved—that the military camp formed at Pau should be broken up—that the Spanish liberals in power should be made to feel that France, or her government, was no more for them or their cause—and that, if they wished to escape destruction by the Carlists, they must return to "more wholesome doctrines," and to a "more monarchical government," before they could expect or receive even the indirect support and protection of France.

So the question arose, of whether the French legion should be broken up—all French troops recalled—the corps at Pau disbanded—and France remain a simple spectator; or whether the troops at Pau should remain as they were, and the troops in Spain remain inactive, until the Spanish government and cortes should show what was their intentions and policy.

The king would not yield. M. Thiers would not give way. To disband the troops he would not consent. The king gave orders that they should be disbanded. M. Thiers gave orders that they should not. This state of things could not last; M. Thiers gave in his resignation, and it was ac-

cepted. With respect to the coadjutors of M. Thiers, they were more or less divided in opinion, except M. de Montalivet, who held opinions diametrically opposed to those of M. Thiers. For instance, the minister of public instruction, M. Pelet, was opposed to all intervention; M. Duperre, the minister of marine, was for letting the troops which had actually entered Spain remain there, but for disbanding those who were at Pau; whilst Messrs. Thiers, Jugut, Papy and Maison, were against taking any step, which would, in their opinion, drive the democratic party to extreme measures. But when the question came on for division of M. Thiers' resignation, then indeed the whole of his coadjutors united with him, and they decided that they would all leave the ministry together. M. de Montalivet thought differently, and he remains. M. d'Argout was absent, but he has since fully acquiesced in the step taken by his late associates.

At the moment I write, nothing is decided by the king. He is no lover of the doctrinaires. They are tyrants at heart, and he knows it. But to whom can he address himself but to them? They are the only party who will consent to take office on any terms for the sake of being in power; and, when once there, then they are tyrants. For two years past their organ, the *Journal des Debats*, has been proclaiming the necessity for an intervention. But now that they are aware that whoever shall come into office must be prepared to abandon all intervention, or the king will not name them, they turn dead round, and write daily articles against any intervention, so as to obtain place by accepting the conditions of the king.

You know my opinions on the subject of intervention. I hate obedience to foreign dictation, and I loathe subserviency to the will and threats of foreign ambassadors. But yet I am an enemy, a decided and firm enemy, to all intervention in the affairs of Spain; and, much as I deplore the probable return of the doctrinaires to office, I shall the less regret it, if it shall lead to the rigorous enforcement of the principle of non-intervention. Still I have my doubts. The doctrinaires are always tricksters. They will not intervene now, whilst the constitution is triumphant; but, if hereafter they should be able to follow the example of 1823, and intervene in favor of absolutism against liberalism in Spain, I am convinced they would do so with all their hearts and souls. I am, gentlemen, your obedient servant, O. P. Q.

EXPRESS MAIL.

This mail will commence running on the 15th of November next.

Between New York and Philadelphia, there will be two mails daily upon the rail roads, running with the speed of the express, and carrying the entire mail matter, in consequence of which the additional postage will not be charged between those cities. The same policy will be pursued between Philadelphia and Baltimore, and further south, as soon as the department, by the aid of the rail roads or other means, can give the whole mail the same expedition as the express.

The department will endeavor to make such arrangements as will give the towns on the upper line through New Jersey, the same mail facilities they now enjoy, and expects shortly to improve them.

Annexed are the regulations formed by the postmaster general in reference to the matter to be conveyed by this mail: [Globe.]

Post office department, Oct. 22d, 1836.

Regulations for the express mail.

1. No letters will be sent by this mail, except such as have written upon them the words "express mail."
2. No free letters, nor letters containing money, nor letters exceeding half an ounce in weight, except public despatches, nor any newspapers or pamphlets, will be sent by this mail.
3. If letters bearing a frank, or containing money, or weighing more than half an ounce, be put into post offices marked "express mail," the postmasters will erase those words, and send them by the ordinary mail.
4. All letters and public despatches sent by this mail will be charged with triple the usual rates of postage.
5. Letters marked "express mail," and put into post offices not on the line of the express, will be sent by that line, when they reach it, and will be charged, where put in, with triple postage for the whole distance.
6. Editors of newspapers have a right to receive free by this mail, slips from all newspapers which they may now receive free by the ordinary mail, but cannot receive the slips and the newspapers

both. If both come to them, the postmasters will charge the newspapers with postage.

7. Slips from newspapers, are small parts of newspaper publishers, to convey the latest news, foreign and domestic. But one slip can be received from the same newspaper; and in no case must it exceed in size two columns of such newspaper.

8. Newspaper slips must show on their face from what newspapers they come, and be put into the post office open, with the name of the editor or newspaper for whom designed distinctly written upon them.

9. Postmasters will put all slips for the same place into a packet directed to that place.

FRENCH CLAIMS.

While our nation glories, and with propriety, in having brought other powers to do justice to the claims of our merchants, it is singular that the nation itself should stand in the light of a defaulter towards those very merchants whose right it so eloquently pleaded with other powers. The government of the United States is, by its treaty with France, indebted to the merchants of the United States for all the claim of the latter upon the government of France, for spoiliations previous to 1800—and we are glad that means have been resorted to by the claimants, to procure from the government an acknowledgment and restoration of their rights. This is fortunately a question of wrong that does not apply to the present administration, more than to any previous one since the ceding of Louisiana. [Philad. U. S. Gaz.]

At a convention of delegates from several states of the union, on the subject of French spoiliations prior to September, 1800, assembled conformably to notice, in the city of New York, on the 13th of October, 1836—George Griswold, of New York, was appointed chairman, and Theodore Dexter, of Massachusetts, secretary.

The following states were represented, viz: Maine, Massachusetts, Rhode Island, New York, Pennsylvania, Maryland, North Carolina, South Carolina and the District of Columbia.

It was, on motion, Resolved, That James Bayard of Pennsylvania, J. H. Cauten of the District of Columbia, and Theo. Dexter of Massachusetts, be a committee to prepare a memorial to congress on the same subject, and to report such measures as they may deem expedient in relation thereto.

At an adjourned meeting held on the 14th October, the above committee reported a memorial which was unanimously adopted, as were the following resolutions:—

Resolved, That the memorial adopted by this convention be signed by the delegates from the several states, and transmitted to Washington, to be presented to congress early in their next session.

Resolved, That the claimants in each state be requested to appoint one or more persons to repair to Washington as soon after the meeting of congress as possible, to act in concert, as a committee, in urging their claims upon the attention of that body.

Resolved, That claimants throughout the United States be requested to forward memorials, either separately or in connexion with others in the same place, to their respective representatives in congress, at an early period of the next session.

Resolved, That Charles Macalester of Pennsylvania, Jas. B. Murray of New York, Theodore Dexter of Massachusetts and J. G. Davies of Maryland, be a committee to wait upon the president of the United States, and present him with a copy of the proceedings of this convention.

Resolved, That the following gentlemen consisting of one from each state be a committee of correspondence, with full power to perform any acts necessary to promote the obtaining of their just rights from congress:

Maryland	Philip Wallis.
Pennsylvania	John C. Smith.
New York	James B. Murray.
Massachusetts	Theodore Dexter.
Maine	William King.
New Hampshire	Edward Cutts.
Rhode Island	J. C. Brown.
Virginia	J. Cooper.
North Carolina	J. B. Hinton.
South Carolina	J. S. Guier.
District Columbia	Nathaniel Wattles.

Resolved, That the proceedings of this convention be signed by the chairman and secretary, and published. GEO. GRISWOLD, chairman.

THEO. DEXTER, secretary.

THE POST OFFICE DEPARTMENT.

Senate chamber, Washington city, June 10, 1836.

SIR: The peculiar situation in which you recently stood before the senate, the protracted delicate state of your health as well as my own bodily infir-

mities, have conspired to prevent me from addressing you sooner in relation to a course of conduct heretofore pursued by subordinates of the post office department, which to my mind is not only disgraceful to the character but subversive of the principles of a free government; and to ask you respectfully, to inform me whether such practices are or are not tolerated by the rules of the department? and if not, whether you will take official cognizance of charges, if preferred, to the end that the guilty may be removed from stations which they have disgraced and unworthily hold, or, if innocent that they may be exonerated from unjust suspicion. It seems to me that this course is equally due to public sentiment, the individuals implicated and the reputation of the department over which you preside. Therefore anticipating your prompt and affirmative reply, and with a view of furnishing a few cases in point, for immediate investigation, and as specimens of a widely extended system, I will for the present content myself by bringing to your notice the following.

B. H. Dibble, postmaster at Buffalo, in the state of New York; George Plitt and John Taylor, the latter a foreigner, clerks in the post office department, have used the time and influence of their official stations by written communications and personal importunities to bias voters, to produce favorable results in local and state elections, especially in reference to the nominations and during the pendency of the late gubernatorial canvass in the state of Pennsylvania. And it is my desire that so much of this communication as refers to the individuals above named, shall be considered by you and filed of record as charges emanating from me; and which I will substantiate by the clearest proofs if called upon to do so by the head of the department; who alone possesses the power of a summary correction. But calls upon me for proofs from any other source than the P. M. general will receive no other notice than my present declaration, that I hold myself morally and legally responsible for what I speak and write, and will plead no other privilege than to give the truth in evidence.

I am far from desiring, in the remotest degree, to disfranchise or curtail the rights of public agents; but the gross impropriety of a servant of the people, living on their bounty, arrogantly assuming an official superiority and right to dictate to his masters, is too glaringly insolent and absurd to admit of illustration, and ought to meet with the indignant frowns of every freeman. It is however due to truth and fair dealing to say, that I know of no causes of complaint similar to those above mentioned, thus far, during the administration of the present head of the post office department. To touch this subject, in any manner whatever, is as unpleasant to me as it can be to any individual; and nothing could have incited me to do so, but a strong desire for the abatement of a loathsome public nuisance, which, in my mind, ought not to be looked upon with the least degree of allowance. I remain, very respectfully, your obedient servant,

SAMUEL MCKEAN.

Hon. Amos Kendall, P. M. general, U. S.

Post office department, Sept. 27, 1836.

Hon. Sam'l McKean, U. S. senator.

Burlington, Bradford county, Pennsylvania:

Your letter of the 10th June last, complaining of the political conduct of sundry persons holding appointments under this department, was duly received. My answer has been delayed partly by pressing business, partly by ill health and consequent absence from the city, and partly by the importance and delicacy of the subject. On the one hand, it is difficult to maintain by argument, that a person accepting a public station forfeits thereby any right to canvass freely, in speeches or in writing, the claims of aspirants to office, and the principles involved in pending elections, which he possessed as a private citizen. On the other hand it must be admitted that there would be danger to our institutions, should the government support, in those who receive honors and emolument at its hands, a band of political leaders who should, through their public stations, assume to direct public opinion and control the results of elections in the general or state governments. The difficulty is to draw the line between the rights of the citizen on the one hand and the assumptions of the office holder on the other. To draw any distinct line, I must confess myself, after mature reflection, utterly incompetent. I do not however hesitate to say, that I deem the direct and habitual interference of officers of this department in the electioneering contests carried on in the several states, dangerous in principle as well as mischievous in practice.

It would be dangerous to have our eleven thousand post offices made centres of electioneering

operations directed by their incumbents, and sustained by the revenue which they collect from the people, under the laws regulating the post office department. It would have a mischievous effect on the intercourse and business of the country, if the correspondence of the citizens were exposed to be handled by men of excited feelings, who might have or might think they had a strong personal as well as political motive to misdirect or suppress it. My advice to postmasters and all the officers and agents of this department, on all proper occasions, has been to keep as clear from the excitement of political strife as possible—to shun mere political meetings, or if present to avoid taking any part in their proceedings. To decline acting as members of political committees or conventions—to abstain from engaging in disputes and altercations with persons having official business with them, and as far as practicable with all others—and to take especial care to treat all men alike in their official intercourse.

There is a legitimate influence attached to office. It is that which arises from a faithful, prompt and polite performance of its duties, in which all men of all opinions and parties are served with the same impartiality and urbanity. The office holder thus makes himself beloved in the circle which surrounds him; all honest men are satisfied, thus far, with things as they are; and the popularity which gathers around him, is shared by the administration under which he acts. This is the legitimate influence of office, and it is in this manner only that I desire the postmasters, officers and agents of this department, to endeavor to sustain and enhance the popularity of the administration.

Do not understand me as maintaining that political considerations should have no weight in selecting for office, or that any one should give up or compromise his political principles after he has received an appointment. On the contrary, although I would not remove a good postmaster and honest man, for mere difference of political opinion, I hold that it is but common honesty in those holding power to select for office, men, whose principles accord with their own, and that in a contrary course they give evidence of an entire want of sincerity in the principles they profess. What honest motive can induce a man of one set of principles to give dignity, power and influence to men who profess the reverse and are struggling to overthrow that which he desires to establish?

May not the world justly suspect that he is either hypocritical or corrupt? As an honest man, therefore, I must give a preference to political friends in making appointments, if those presented shall be men of moral worth and qualified for the stations. Nor do I hold that men in office should conceal their political opinions or refrain from an open and manly exercise of their political rights. They may do the one without entering into disputes and altercations, and may accomplish the other without stepping forth as leaders of the people in the canvass.

It results from these observations, that no well defined rule for the regulation of the political conduct of those in office can be safely prescribed, and that every case must be decided upon its own merits and accordingly to the peculiar circumstances which surround it.

The offences of which you complain are stated to have been committed before I came into the administration of this department. One of the gentlemen complained of is no longer in the service, and I am quite sure that for the last seventeen months there has been no cause of complaint against the other two.

Under these circumstances, I have a repugnance to calling in question their political conduct during the administration of my predecessor, whose opinions and advice to his subordinates may have been very different from mine. If I were to do so, I might condemn and punish them for political conduct, which their official superior at the time, countenanced and approved. While, therefore, do not decline examining any evidences which may be submitted to me touching their political conduct, in as much as it may involve other considerations affecting their fitness for public trust, I do not feel that it is my duty to call for such evidences in this case, where the complaint is exclusively political. With very high respect, your obedient servant,

AMOS KENDALL.

WILL OF THE LATE COL. BURR.

Below will be found the will of the late col. AARON BURR, which will doubtless be perused with interest by most of our readers. We understand that the first volume of *Burr's Memoirs* [by Mr. Davis] is in the hands of the Messrs. Harpers for publication, and will probably appear about the middle of November. Some of the pages of the

manuscript have been submitted to our perusal, and we do not hesitate to say that the work will do credit to the industry and intelligence of its author. From Mr. Davis' long and intimate connexion with col. Burr and the political parties of the day, he is admirably well calculated for the task he has undertaken, and we are satisfied that he will conscientiously discharge the duty imposed upon him without being influenced by fear for the living, or affection for the dead.

[*Courier & Enquirer.*]

I, Aaron Burr, of the city of New York, now residing at No. 23 Nassau street, do make and publish this my last will and testament, as follows:

I appoint Matthew L. Davis, Peter Townsend and Henry P. Edwards, attorney and counsellor at law, my executors.

I give the charge and custody of my private papers to the said M. L. Davis, to be disposed of at his discretion.

I propose in a codicil, to be hereunto annexed, to give a list of my debts, and to point out the resources from which they are to be paid.

And I authorise my said executors to settle all suits and claims which I may have against any person or persons whatsoever, and to give receipts and acquittances thereupon; and to sell my land or real estate to which I may be entitled at the time of my death, and to give deeds therefor.

And I do hereby revoke and annul all former and other wills and testaments by me made.

In witness whereof, I have hereunto subscribed my name this 21st day of April, in the year of our Lord 1834.

A. BURR.

Signed, published, &c. in the presence of

CHARLES F. HILL,
HENRY OSCAR TAYLOR. }

Whereas, on the 21st day of April, in the year of our Lord 1834, I made and published my last will and testament, and therein declared my intention of making a codicil thereto: Now, in performance of such intention, I do hereby make and declare and publish this as a codicil to my said will.

First—I give to Bridget Williams the sum of nine hundred dollars, being the balance of moneys left in my hands for this purpose, with which I direct my executors to purchase an annuity, payable to her during her natural life, payable quarterly.

Second—I give to my two daughters, known by the names of Frances Ann, aged about six years, now residing with Mrs. Frances Watson, and under the immediate care of her daughter, Mrs. Sarah Minthorne Tompkins; the other daughter, named Elizabeth, being about the age of two years, now residing with Mrs. Guaynetta Conklin, both well known to Henry O. Taylor, all the rest and residues of my estates, both real and personal, to the survivor of them, their heirs and assigns, forever. Nevertheless, I give to Samuel Corp two hundred dollars, being in consideration of an act of great liberality shown towards me more than twenty years ago. I regret that it has not been in my power at an earlier date to give any evidence of my gratitude towards him. In testimony whereof, I have hereunto subscribed my name, this 11th day of January, 1835.

A. BURR.

Signed, &c. in the presence of

HENRY OSCAR TAYLOR, }

I, Aaron Burr, of the first ward of the city of New York, do make and publish this as a further codicil to my will dated the 21st day of April, in the year 1834.

Item—I give to the duke de Bassano—frances, for which he has my note, payable without interest, which sum he advanced me in the most liberal and delicate manner, having learnt, as I was afterwards informed by the celebrated Monsieur Denon, directeur general desnuesser, at Paris, which I much regret that it has not been sooner in my power to repay; and which I now beg him to receive with my thanks.

I direct that all my private papers, except law papers, appertaining to suits now depending, be delivered to my friend Matthew L. Davis, to be disposed of at his discretion, directing him, nevertheless, to destroy or deliver to the parties interested all such as may, in his estimation, be calculated to affect injuriously the feelings of individuals, against whom I have no complaint. In witness whereof, I have hereunto set my hand, &c. this 26th day of July, 1835.

A. BURR.

Signed, published, &c. in the presence of

A. E. HOSACK, M. D. }

The further codicil to the will of Aaron Burr, dated the 21st day of April, 1834: Further, I direct and order my pictures to be given to my two daughters upon the day of their marriage; in the mean time to be in the custody of my friend and kinsman, Theodosia Prevost, by whom the division is to be made.

Item—I give to Henry Oscar Taylor such books and maps and wearing apparel belonging to me as may be found in my house at my death.

Item—I give to my friend and kinsman, Theodosia Prevost, the picture of my daughter, which is enamelled on a China cup, which is believed to be in the upper drawer of my yellow desk. In testimony whereof, I have hereunto subscribed my name, &c. this 27th day of December, 1835.

A. BURR.

Signed and published in the presence of

OGDEN E. EDWARDS, }

HENRY OSCAR TAYLOR. }

COTTON MANUFACTURES.

In England, in 1834, the number of spindles was 9,833,000; in France 8 1-2 millions, while in the United States there were but 1 3-4 millions. And in the same year there were imported into this country, cotton goods from England to the value of \$8,200,000, from France \$1,100,000, and from Germany \$300,000, making a total of 9,600,000. This large sum expended among ourselves instead of being sent out of the country, might have given employment to a vast number of persons and been the source of wealth to many more. The fact also proves that there is abundant room for the profitable employment of a greater amount of capital in this important branch of business; for with our high protective duty, if the foreign manufacturer can afford to send his fabrics to this market, we, saving the duty both upon the raw material and upon the cloths, can certainly safely increase the quantity of our manufactures and afford to undersell him in our own markets. Besides these advantages, our exports of cotton fabrics have been gradually increasing from 1826 when they amounted to but little over one million of dollars until the present time.

In 1833 the exports amounted to \$2,321,000, of which \$1,900,000 were to South America and Mexico; \$120,000 to India and Africa; \$215,000 to China, and \$86,000 to the West Indies. Now with all the advantages of our country for manufacturing, with the opening of these and other markets for our goods, with the increasing use and demand in our own country and abroad, and the increasing popularity of American manufactures, can any doubt remain about the stability and the profit of cotton manufactures in the United States, and especially in New England. Let it be remembered that we have confined ourselves principally to the manufacture of *coarse goods*, but as the business advances, the higher and more valuable qualities of fabrics will become the subject of attention, by which new employment will be given to skill and ingenuity, and new markets opened to the manufactures of our enterprising and indefatigable countrymen. The same causes which have built up the cities of Liverpool and Manchester, in England, of Glasgow and Paisley in Scotland, and given employment to a million and more of persons in those countries, are now in operation among us, and under the fostering protection of our free institutions, the security of property, an energetic spirit, and increasing skill and improvements, are destined to diffuse wealth and prosperity widely over our land.

The following progress of a pound of cotton, extracted from the English Monthly Magazine, will not be uninteresting. "There was sent to London lately from Paisley, a small piece of muslin, about one pound weight, the history of which is as follows: The wool came from the East Indies to London; from London it went to Lancashire, where it was manufactured into yarn; from Manchester it was sent to Paisley, where it was woven; it was sent to Ayrshire next, where it was tumbled; it was then conveyed to Dumfries, where it was handsewed and again returned to Paisley, whence it was sent to Glasgow and finished, and then sent per coach to London. It may be reckoned about three years that it took to bring this article to market, from the time when it was packed in India, till it arrived complete in the merchant's warehouse in London: whither it must have been conveyed 5,000 miles by sea, nearly 1,000 by land, and have contributed to reward the labor of nearly 150 persons, whose services were necessary to the carriage and manufacture of this small quantity of cotton, and by which the value has been advanced more than 2,000 per cent."

[*Portland Ad.*]

STEAM COMMUNICATION WITH EUROPE.

The annexed article will be read with interest, we presume, at the present time, when we are almost in daily expectation of seeing the departure of the first steampacket for Liverpool. The subject was introduced and partially discussed, with a great variety of others connected with science and the arts, at the great meeting of the British associ-

ation at Bristol, (England), held during the week commencing on the 20th of August. At this meeting were present almost all the distinguished and distinguished men of science in Great Britain, and many from other countries, among whom, we observe, was Dr. Hare, of Philadelphia. The report of proceedings occupies no less than twenty-five wide and closely printed columns of the Bristol Journal, now one of the largest papers published in England.

As for the extract which we subjoin, we confess that it is not to us the clearest and most intelligible document that ever was. Perhaps it is owing to our want of full and accurate knowledge on the subject, and perhaps to a similar defect on the part of the reporter, who may not have caught the exact scope and bearing of the calculations; but we think that Dr. Lardner is responsible, having no great faith in either the talents or the learning of that gentleman.

Be that as it may, however, his opinions are before the reader, who will perhaps be able to make something more of them than we have succeeded in doing. If we understand him rightly, he doubts the practicability of making the Atlantic voyage by steam; captain Cobb will prove him to be in error, before long, or we are much deceived in our expectations. [New York Com. Adv.]

STEAM COMMUNICATION WITH DISTANT PARTS. Dr. Lardner said if there was one point in practice of a commercial nature which more than another required to be founded on experience, it was this one of extending steam navigation to voyages of extraordinary length. He was aware since the question had arisen in this city, it had been stated that his own opinion was adverse to it; that impression was totally wrong, but he did feel that as steps had been taken to try this experiment, great caution should be used in the adoption of the means of carrying it into effect; almost all depended on a first attempt, for a failure would much retard the ultimate consummation of their wishes. He believed those in this section who knew him would readily acquit him of being forward to question the power of steam; he tendered the most unqualified allegiance to the sovereignty of steam, but he tendered the allegiance of a free and thinking subject to a constitutional monarch; he did not bow before the power of steam as an abject slave, and if he found a failure in the administration of that power, he attributed it entirely to the ministers (cheers). There were distinctions to be drawn depending on the length of the trip, and on the stages into which it was divided. There was one main distinction between the operation of a marine and land engine; the marine engine was used with salt water, and the land engine with fresh water; heat would convert that water into steam, but the heat that would do that with the fresh water would not do so with other subjects that were combined with salt water—it would not do that with salt, which, in consequence, produced an incrustation in the boiler, and this was most injurious. A remedy for this had been discovered, which was almost perfectly efficient; this was the use of copper boilers. There had been a contrivance brought into operation, which, if it was effectual, as its promoters considered it to be, would be a perfect remedy; he alluded to a condenser which was known by the name of Hall's condenser, which was so contrived that the steam circulated like the blood in the human frame, but this had been discovered by Watt, who had left little for his successors to do.

With regard to the power of steam engines, practical men considered that for short trips the best proportion was to give the vessel the power of one horse for every two tons; that as the length of the trips increased, they must have a smaller proportion of power; this should be three tons for every horse power; and that for the longest trips to which steam power could at present be applied, the proportion should be about one horse to four tons. It might be asked why this particular proportion was selected, and the answer was this—that it was found by experience, that such would not contain sufficient coals; but the surplus of power in long voyages would be invaluable where power was most valuable. It was necessary they should devise some means of determining the locomotive duty of coals; it was a question to which he had devoted a good deal of time, and the only method he had been able to devise had been to determine the consumption of fuel per hour; he had made extensive observations, and he considered you must place 15 lbs. of coal per hour for every horse. Mr. Watt some time since established a series of experiments on boilers, with the view of determining the relative consumption of fuel and the result was then, that the consumption of fuel under the marine boilers was one-third less than under the land boilers.

A committee of the house of commons, some time since, had to determine the expediency of opening a long steam communication with India, and much evidence was given; in one case the opinion was 8 lbs. in another 9 lbs. and in another 11 lbs. They would take nine months, and then came the question of speed. They were all well aware that there had been for some years in operation a line of steamers by Falmouth and Corfu; they touched at Gibraltar. On an average of 51 voyages, the rate at which they made their trips was noted, and the result was 7 1-4 miles per hour; they had, therefore, the conclusion, that the locomotive duty of 9 lbs. of coal, is 7 1-4 miles of distance. If, therefore, 9 lbs. gave 7 1-4 miles in distance, one ton would give 1,900 miles for every horse power; then they must look for average weather; the build of the vessel was such that they had not space to try more than 1 1-4 ton of coals for every horse power. Almost all the vessels with which the experiment had been made had the patent paddle wheels, and they had been worked with the best coals. The next question was, what modification the vessel must undergo, when applied to steam communication with the United States.

In the Atlantic there were westerly winds which prevailed almost continually, extremely violent, and attended with a great swell of the sea; but it was an astronomical phenomenon, which was very well understood. The outward voyage of the large packet ships was generally estimated at 40 days, the homeward voyage in 20 days, so that the entire voyage occupied 60 days. If, then, they assumed that the average of outward and homeward voyages to the United States corresponded with the average weather between Falmouth and Corfu, then they would arrive at this conclusion: that the outward voyage was more than the average, in the proportion of 4 to 3. If the locomotive duty of coals provided for the voyage between Falmouth and Corfu was 1,900 miles for a ton per horse power, they must deduct from that 33 per cent.; in order to get what the duty would be on the outward voyage to New York, you must take a third from 1,900, and you would have 1,300 miles. The direct line from Bristol to New York was 3,500 miles; if you allowed one ton of coals for every 1,300 miles per horse power, the vessel would require to carry 2 1-3 tons for every horse power in her engine: therefore this vessel must carry nearly three times the whole complement the admiralty steamers could carry.—Let them take a vessel of 1,600 tons, provided with a 400 horse power engine: having 2 1-3 tons per each horse power, the vessel must carry 1,848 tons of coal; to that adding 400, the vessel must carry 1,748 tons. He thought it would be a work of time, under all the circumstances, to say much more to convince them of the inexpediency of attempting a direct voyage to New York; for in this case 2,080 miles was the longest run a steamer could encounter; at the end of that distance she would require a relay of coals. The question then became a geographical one as to the best mode of accomplishing this. There were two ways which might be proposed: one, to make the Azores an intermediate station, and to proceed from thence to New York; the other would be to proceed to some point in Newfoundland, and make that an intermediate station; the distance from Bristol to the Azores is 1,300 miles, and from the Azores to New York 2,400 miles, being 20 per cent. more than the steam limit he had mentioned.

There was a point called Sidney, in cape Breton, where there were coal mines, worked to a profit by Messrs. Rundell and Bridge; but, then, that was 2,300 miles; but if we took our final departure from some place upon the western coast of Ireland, and there charged the vessel with coals, the distance to Sidney would be only 1,900 miles. The rail road system might be established in Ireland which would be a benefit in more ways than one: London and all the southern sections of the country would pour in their produce and population by the railway to Bristol. (Cheers.) He could assure them he had a mind totally disinterested; he was not an engineer, and has not a share in any joint stock company! because he felt that to render himself useful to the community those faculties nature has given him, he should deprive himself of part of that utility if he placed himself in a situation that any one could say he would, by possibility, have any interested motive. He would, therefore, counsel those who proposed to invest capital in this most interesting enterprise, to keep in mind certain points to which he would direct their attention:

1st. He would advise that the measured tonnage should correspond with the tonnage by displacement.

2d. To go to an increased expense in using the best coals.

3d. He would earnestly impress upon them the expediency of adopting the paddle-wheels shown to the section yesterday.

4th. He advised the proportion of 1 to 4 as the proper tonnage.

5th. He would impress upon them the expediency of giving more attention in the selection of engineers and stokers; it was a matter of the last importance, and a saving of 30 or 40 per cent.

With respect to the boiler, he would recommend copper only.

Lastly, he would advise the coal boxes to be tanked.

Mr. Russell would confess he had listened with the greatest delight to the lucid and logical observations they have just heard. He would merely add one word: let them try the experiment with a view only to the enterprise itself, but on no account to try new boilers or other experiments, but to have a combination of the most approved plans that had been yet adopted.

Mr. Brunel then pointed out some errors in the calculation made by Dr. Lardner, which would be in favor of the undertaking; he was convinced nine or even ten miles an hour might be accomplished, and Dr. Lardner had formed his conclusions upon old vessels, and not from one in which every thing was done upon the most approved principles yet known, and thus reduced possibility to certainty.

Mr. Field said he had made the calculations for the ordinance on the vessels in Corfu; they were taken upon an average which included the infancy of the undertaking.

Dr. Lardner, in reply, said that he thought the voyage practicable, but he wished to point out that which would remove the possibility of a doubt, because, if the first failed, it would cast a damp upon the enterprise, and prevent a repetition of the attempt.

This discussion created the greatest possible interest.

MESSAGE OF THE GOV. OF ARKANSAS.

*Fellow citizens of the senate,
and of the house of representatives:*

In compliance with the provisions of our constitution, it is my duty, as a co-ordinate branch of the government, to communicate to you the condition of its affairs, and to suggest such measures for your consideration, as may occur to my mind, as expedient and proper for your action.

The duties, labors, powers and responsibilities of the present session of the legislature, are of greater magnitude than will, perhaps, be those of any succeeding one. The important and arduous duties of revising and remodelling our imperfect laws, upon which the peace, happiness and destinies of our citizens depend; the election of persons to the numerous offices which the constitution makes it your duty to fill; a judicious and wise arrangement of the various funds subject to your disposal; and the creation of a sound currency for the use of the state, give to the session upon which you have so recently entered, more than ordinary solemnity and interest. It becomes us, therefore, to advance to the task with our minds unbiassed—devoted to, and determined on, the performance of our duties for the good and happiness of the people, and the advancement and honor of the state. Let us offer up our acknowledgments to the Great Preserver of nations, and humbly supplicate His guidance, protection and approbation, in the accomplishment of duties of such magnitude.

It is with infinite pleasure that I can inform you, that our new and interesting state has just reason to boast of health, happiness and prosperity.

The reports of the auditor and treasurer are herewith transmitted. The latter exhibits the debt of Arkansas to be eight thousand six hundred and ninety-four dollars and ninety-six and three-fourths cents, showing a decrease of the debt, since the 30th September, 1835, of \$272 20. By the report of the auditor, the probable amount of the revenue of the state, yet unpaid, for the year 1836, will be twenty or twenty-one thousand dollars. The duties of the auditor and treasurer have been yearly augmenting, and are now so great as seem to demand an increase of the salaries of those officers, in proportion to their respective duties. The suggestions contained in the auditor's report, I deem of sufficient importance to recommend to your consideration; and will here remark, that the insufficiency of our present revenue laws suggests the propriety of the passage of others more salutary. The duties of all officers, connected with the revenue, should be clearly defined, and, to insure promptness and punctuality in the discharge of them, heavy penalties for great delay or wilful neglect should be imposed.

The extra duties performed by the auditor, in accordance with the requisitions of an act of the legislature, approved 23d of October, 1835, appear to have been so laborious that justice seems to demand the allowance of a compensation equal to the amount of extra labor imposed.

Although it may not be considered within the immediate province of the executive, I cannot allow this opportunity to pass, without communicating my views upon the subject of compensation that may be given to those who, under our constitution, may be chosen to fill offices. I feel warranted in the belief, that our sources of revenue will authorize the allowance of respectable and liberal salaries to our public functionaries. And I feel much solicitude that this should be the case especially in regard to the judicial department of the government. An enlightened and intelligent judiciary is calculated to have a great influence upon the future character of Arkansas—to have a wholesome influence upon the morals and feelings of its citizens, and upon the peace and happiness of the whole country. A devotion to the laws has ever been, (and I trust ever will be), a striking characteristic of the American people: that devotion is only acquired from the perfect confidence they feel in the honesty and capability of those who are chosen to construe and adjudicate upon them. It is with a desire to insure such feelings of confidence in the minds of the people of Arkansas, in those who sit in judgment upon their property, their liberty, and, it may be, their lives, that I here take the liberty of drawing your attention to the subject of the selection and compensation of our judicial officers. A liberal compensation seems to me to be necessary to induce men of scientific, legal and practical knowledge, to forego such professional prospects as their talents and qualifications would justly entitle them to at the bar, and to accept of places upon the bench. I feel assured that those you have the honor to represent, would cheerfully coincide with a course of this kind on the part of their agents.

Viewing our situation as the immediate frontier, and so near a neighbor to the Mexican or Texian government, in which a cruel and savage kind of warfare is now raging; and taking into consideration that the government of the United States has removed numerous tribes of Indians from east of the Mississippi river to our immediate western border, and that some of the leading men of their tribes, unwilling to quit their places of nativity, were forced away in chains, we have just grounds to entertain fears of hostility from some of those quarters. I feel every confidence that our government will place, and continue to keep, on our frontier, a respectable portion of their regular troops. Our standing army is, however, too small to justify the belief that the portion which can be assigned will be sufficient to insure us perfect safety against the tomahawk and scalping-knife.

Taking this view of the subject, I consider there is no power granted by our constitution to your executive, of more importance than that which makes him commander-in-chief of the military forces; and believing that the safety of our citizens and country, in a very great degree, depends on a speedy and effectual organization, disciplining and arming the militia of the state, I cannot too strongly urge this subject to your early and favorable action. I feel warranted in the belief that the citizens of no country would be found more willing and ready to march, at the first cry of the war-whoop, in defence of their country, than the people of Arkansas. But to enable them to act efficiently, they must have discipline and arms.

I would suggest the propriety of letting some part of your action on this subject, encourage the establishment of independent companies, under proper military regulations. In addition to the necessity of our own preparations and exertions to defend ourselves, as a border people, we should claim, from the general government, the erection upon our frontier, of sufficient garrisons to insure us protection and safety. It should also place at the disposal of the executive of the state, a sufficient quantity of munitions of war to arm the militia. We are also justly entitled to an arsenal, or depot of arms, at some convenient and appropriate point; and we should not rest satisfied without such means of protection. I therefore recommend the propriety of your representing our situation to the general government, and, in energetic language, ask them for those indispensable means of defence.

I cannot too earnestly press upon your consideration the subject of the completion of the state house. Some years since, a liberal donation was granted by the general government, for the purpose of erecting a suitable building for the accommodation of the representatives of the people of Arkansas. And, recently, from the same source, a farther grant, of five sections of the public lands has

been made, for the completion of that building. The latter donation is now at your disposal; it is for you to determine the manner in which the donation is to be converted to the purpose for which it was granted.

In the mean time, I would respectfully recommend that you make an appropriation to put the whole building in such a condition as to prevent farther injury by remaining in its present exposed state. My predecessor has delivered to me various papers, purporting to be abstracts relative to contracts and expenditures, connected with the disposal of the former appropriation. I would respectfully recommend the appointment of a committee to investigate this subject, with authority to examine all papers in relation thereto, and to call on such individuals as can elucidate and give explanations on any matter connected therewith. And also, in a similar manner, to examine into the disposition made of the fund arising from the thousand acre grant, designed for the construction of a court house and jail. There are several papers now in my possession relating to this subject.

As we are now dependent on other states for the facilities afforded by banks, the interest of our country appear to require our early action upon the subject of banking. Our constitution has most wisely limited the number of banks to two; a number sufficiently large at any time to give a safe circulating medium, and to answer the agricultural and commercial interests of the state. Any measure calculated to secure these ends will receive my cordial approbation.

By an act of the general government, regulating the deposits of the public money, approved 23d June, 1836, we will, on the 1st day of January, 1837, be entitled, as a loan, to a part of the surplus revenue, then remaining in the treasury of the U. States, for the reception and disposition of which, provision should be made.

I would, also, call your attention, to the act of the general government, supplementary to the act entitled "an act for the admission of the state of Arkansas into the union, and to provide for the due execution of the laws of the United States within the same, and for other purposes," approved 23d of June, 1836, which should be ratified. By a provision of this act, section numbered sixteen, in every township, has been granted to the state for the use of the inhabitants of such township, for the use of schools: a disposition of the lands thus granted, in a manner best calculated to secure the objects designed, will meet my approbation. All salt springs, not exceeding 12 in number, with six sections of land adjoining to each, have been granted to the state for the use of the state, which are to be selected by the general assembly, on or before the first day of January, 1840; the same to be used under such terms, conditions and regulations, as the general assembly shall direct, but not to be sold or leased, at any time, for a longer period than ten years without the consent of congress. For selecting those lands and leasing out the salt springs, agents or commissioners should be appointed.

For receiving the five per cent. on the net proceeds of the sale of public lands in Arkansas, to which, by this act, we are entitled, from and after the 1st day of July last, provision should be made. The funds arising from this source, will be gradually augmenting, and should be loaned out at interest until a sum of sufficient magnitude is at our disposal to be used with effect, as the law designs, for the purpose of making roads and canals.

Among the most interesting portion of your legislative labors, will no doubt be a consideration of, and action upon, a system of internal improvement for the state. By the division of the surplus revenue, to which I have before alluded, a fund will be placed at the control of the representatives of the people, which, if judiciously managed, will enable them to improve the roads and highways to a great degree, and thus enhance the value of the property of our citizens, by making the access to and from market, an object of trifling importance. We are too young, in knowledge and means, to follow closely in the vast strides of internal improvement taken by most of the states in the union; but we can make such a beginning as will, when our resources and experience become greater, and our population more dense, assist materially in the proper application of those resources. I would, therefore, recommend the appointment of a board of internal improvement, composed of persons of suitable topographical knowledge and experience.

The miserable and shackling condition of our common jails is such, that we have scarcely one in our state sufficiently strong to secure a prisoner without a standing guard. Experience, in other states, demonstrates clearly the good effects of penitentiaries; but should the present legislature, in

its wisdom, deem it inexpedient, at this session, to make provision for the erection of a building of that character, I am convinced that the public good requires some kind of legislation that will insure the establishment of common jails which will be sufficient to retain criminals, without the expense of guards, or necessity of loading them with chains.

The time and mode of choosing electors to vote for president and vice president of the U. States, is of sufficient importance to insure your immediate action.

One among the important duties to be performed by the present legislature, will be the judicious disposal of the fund which will arise from a donation of seventy-two sections of land granted to the state by the general government, for the purpose of establishing a seminary of learning. Its magnitude will doubtless insure your serious consideration and action. The creation of institutions of learning upon a scale as liberal as our means will justify, must, when carried into effect, give to our young state an early, respectable and proud stand among her sister republics. Most of the states in our union have adopted measures and created funds for a general system of education within their respective borders, and from their experience we are taught that an earlier movement in the same benevolent course, would have much advanced the moral and intellectual standard of their citizens; and learning wisdom from the experience of our neighbors, we can, in the outset, take such steps as will, in the course of a few years, enable all our citizens to bestow on their children the benefits of education.

Arduently hoping that unity and harmony of action will prevail in your deliberations, and nothing be done which will prove prejudicial to the best interests of the people, and that wisdom may guide you in the creation of wholesome and salutary laws, that will reflect honor on yourselves, and give character to our state, is the devout supplication of your fellow citizen.

JAMES S. CONWAY.

Little Rock, September 17th, 1836.

INDIAN WRITTEN LANGUAGE.

From the Georgetown Metropolitan.

The following very interesting incident of Indian life was written by governor Cass, our present minister to France, while on one of those numerous missions to the aboriginal tribes, in which his integrity, sagacity and deep knowledge of the Indian character achieved so many beneficial results for the United States, as well as for the outcast children of the forest themselves, by the amicable relations which he established, and the treaties which he made between them and our government; and is published now by his kind permission. It was the practice of governor Cass, while on these expeditions, to record minutely all interesting occurrences, and the facts respecting the history, habits and character of the Indian tribes, which practical acquaintance brought under the knowledge of a sagacious and inquiring mind. By such a man, what valuable materials for an authentic history of that remarkable and perishing race will not these documents present! We hope, from time to time, to have the high gratification of presenting further extracts to the public:

"An incident occurred, during a recent tour to the north west, so rare in itself, and which so clearly shows the facility with which communications may be opened between savage nations without the intervention of letters, that I have thought it would be interesting to communicate to you.

"The Chippewas and Sioux are hereditary enemies, and Charlevoix says that they were at war when the French first reached the Mississippi. I endeavored, when among them, to learn the cause which first excited them to war, and the time when it commenced, but they can give no rational account of either. An intelligent Chippeway chief informed me that the disputed boundary between them was a subject of little importance, and the question respecting it could be easily adjusted. He appeared to think they fought because their fathers fought before them.

"This war has been waged with various success, and in its prosecution instances of courage and self-devotion have occurred, within a few years, which would not have disgraced the pages of Grecian or of Roman history. Some years since, mutually weary of hostilities, the chiefs of both nations met and agreed upon a truce. But the Sioux, disregarding the solemn compact which they had formed, and actuated by some sudden impulse, attacked the Chippewas, and murdered a number of them. The old Chippeway chief, who descended the Mississippi with us, was present upon this occasion, and his life was saved by the intrepidity and generous self-devotion of a Sioux chief. This man

entreated, remonstrated and threatened. He urged his countrymen, by every motive to abstain from any violation of their faith; and when he found his remonstrances useless, he attached himself to the Chippeway chief, and avowed his determination of saving or perishing with him. Awed by his intrepidity, the Sioux finally agreed that he should ransom the Chippeway, and he accordingly applied to this object all the property which he owned. He then accompanied the Chippeway on his journey, until he considered him safe from any parties of the Sioux who might be disposed to follow him.

"The Sioux are much more numerous than the Chippeways, and would have overpowered them long since, had the operations of the former been simultaneous; but they are divided into so many different bands, and are scattered over such an extensive country, that their efforts have no regular combination.

"Believing it equally inconsistent with humanity and sound policy that these border contests should be suffered to continue, satisfied that government would approve of any plan of pacification which might be adopted, and feeling that the Indians have a full portion of moral and physical evils, without adding to them the calamities of a war, which had no definite object, and no probable termination, on our arrival at Sandy lake, I proposed to the Chippeway chiefs that a deputation should accompany us to the mouth of St. Peter's, with a view to establish a permanent peace between them and the Sioux. The Chippeways readily acceded to this proposition, and ten of their principal men descended the Mississippi with us.

"The computed distance from Sandy lake to the St. Peter's is six hundred miles; and a considerable proportion of the country has been the theatre of hostile enterprises. The Mississippi here traverses the immense plains which extend to the Missouri, and which present to the eye a spectacle at once interesting and fatiguing. Scarcely the slightest variation in the surface occurs, and they are entirely destitute of timber. In this debatable land, the game is very abundant. Buffaloes, elks and deer range unharmed and unconscious of harm. The mutual hostilities of the Chippeways and Sioux render it dangerous for either, unless in strong parties, to visit this portion of the country. The consequence has been a great increase of all the animals whose flesh is used for food, or whose fur is valuable for market. We found herds of buffaloes quietly feeding upon the plains. There is little difficulty in approaching sufficiently near to kill them. With an eagerness which is natural to all hunters, and with an improvidence which always attends these excursions, the animal is frequently killed without any necessity, and no other part is then preserved but the tongue.

"There is something extremely novel and interesting in this pursuit. The immense plain, extending as far as the eye can reach, is spotted here and there with droves of buffaloes. The distance and the absence of known objects render it difficult to estimate the size or the number of these animals. The hunters approach cautiously, keeping to the leeward, lest the buffaloes, whose scent is very acute, should observe them. The moment the gun is fired, the buffaloes scatter and scour the field in every direction. Unwieldy as they appear they move with celerity. It is difficult to divert them from their course, and the attempt is always hazardous. One of our party barely escaped with his life from this act of temerity. The hunters, who are stationed upon different parts of the plain, fire as the animals pass them. The repeated discharge of guns in every direction, the shouts of those who are engaged in the pursuit, and the sight of the buffaloes at full speed on every side, give an animation to the scene, which is rarely equalled.

"The droves which we saw were comparatively small. Some of the party, whom we found at St. Peter's, and who had arrived at that place by land from the Council Bluffs, estimated one of the droves which they saw to contain two thousand buffaloes.

"As we neared this part of the country, we found our Chippeway friends cautious and observing. The flag of the United States was flying upon all our canoes, and, thanks to the character which our country acquired by the events of the last war, I found, in our progress through the whole Indian country, after we had once left the great line of communication, that this flag was a passport, which rendered our journey safe. We consequently felt assured that no wandering party of the Sioux would attack even their enemies while under our protection. But the Chippeways could not appreciate the influence which the American flag would have upon other nations, nor is it probable that they estimated with much accuracy the motives which induced us to assume the character of an umpire.—

The Chippeways landed occasionally to examine whether any of the Sioux had recently visited that quarter. In one of these excursions, a Chippeway found in a conspicuous place a piece of birch bark, made flat by being fastened between two sticks at each end, and about eighteen inches long by fifteen broad. This bark contained the answer of the Sioux nation to the proposition which had been made by the Chippeways for a termination of hostilities. So sanguinary has been the contest between these tribes, that no personal communication could take place. Neither the sanctity of the office, nor the importance of the message, could protect the ambassadors of either party from the vengeance of the other. Some time preceding, the Chippeways, anxious for the restoration of peace, had sent a number of their young men into these plains with a similar piece of bark, upon which they had represented their desire.

"This bark had been left hanging to a tree, in an exposed situation, and had been found and taken away by a party of the Sioux.

"The propositions had been examined and discussed in the Sioux villages, and the bark which we found contained their answer. The Chippeway who had prepared the bark for his tribe was with us; and, on our arrival at St. Peter's, finding that it was lost, I requested him to make another. He did so, and produced what, I have no doubt, was a perfect *fac simile*. The Chippeways explained to us, with great facility, the intention of the Sioux, and apparently with as much readiness as if some common character had been established between them.

"The junction of the St. Peter's with the Mississippi, where a principal part of the Sioux reside, was represented, and also the American fort, with a sentinel on duty, and the flag flying. The principal Sioux chief is named the Six, alluding, I believe, to the bands or villages under his influence. To show that he was not present at the deliberation upon the subject of peace, he was represented upon a smaller piece of bark, which was attached to the other. To identify him, he was drawn with six heads and a large medal. Another Sioux chief stood in the foreground, holding the pipe of peace in his right hand, and his weapons in his left. Even we could not misunderstand that, like our own eagle with the olive branch and arrows, he was desirous of peace, but prepared for war.

"The Sioux party contained fifty-nine warriors, and this number was indicated by fifty-nine guns, which were drawn upon one corner of the bark.—The only subject which occasioned any difficulty in the interpretation of the Chippeways, was owing to an incident, of which they were ignorant.

"The encampment of our troops had been removed from the low grounds upon the St. Peter's to a high hill upon the Mississippi: two forts were therefore drawn upon the bark, and the solution of this enigma could not be discovered until our arrival at St. Peter's. The effect of the discovery of this bark upon the minds of the Chippeways was visible and immediate. Their doubts and apprehensions appeared to be removed, and during the residue of the journey, their conduct and feelings were completely changed.

"The Chippeway bark was drawn in the same general manner, and Sandy lake, the principle place of their residence, was represented with much accuracy. To remove any doubt respecting, a view was given of the old north west establishment, situated upon its shore, and now in the possession of the American Fur company. No proportion was preserved in their attempt at delineation. One mile of the Mississippi, including the mouth of the St. Peter's, occupied as much space as the whole distance to Sandy lake, nor was there any thing to show that one part was nearer to the spectator than another; yet the object of each party was completely obtained. Speaking languages radically different from each other—for the Sioux constitute one of three general divisions, into which the early French writers have arranged the aborigines of our country, while the Chippeways are a branch of what they call the Algonquins—and without any conventional character established between them, these savages had thus opened a communication upon the most important subject which could occupy their attention. Propositions leading to a peace were made and accepted, and the simplicity of the mode could only be equalled by the distinctness of the representations, and by the ease with which they were understood.

"An incident like this, of rare occurrence at this day, and throwing some light upon the mode of communication before the invention of letters, excited in us all, as may be expected, the greatest interest. It is only necessary to add, that on our arrival at St. Peter's, we found that colonel Leavenworth had been as attentive and indefatigable upon this sub-

ject, as upon every other which fell within the sphere of his command.

"During the preceding winter he had visited a tribe of the Chippeways upon this Pacific mission, and had, with the aid of the agent, Mr. Taliaferro, prepared the minds of both tribes for a permanent peace. The Sioux and Chippeways met in council, at which we all attended, and smoked the pipe of peace together. They then, as they say in their figurative language, buried the tomahawk, so deep that it could never be dug up again, and our Chippeway friends departed well satisfied with the result of their mission.

"We discovered a remarkable coincidence, as well in the sound as in the application, between a word in the Sioux language and one in our own. The circumstance is so singular, that I deem it worthy of notice. The Sioux call the falls of St. Anthony, Ha-ha, and the pronunciation is in every respect similar to the same word in the English language. I could not learn that this word was used for any other purpose; and I believe it is confined in its application to that place alone.

"The traveller, in ascending the Mississippi, turns a projecting point, and these falls suddenly appear before him at a short distance. Every man, savage or civilized, must be struck with the magnificent spectacle which immediately opens to his view. There is an assemblage of objects, which, added to the solitary grandeur of the scene, to the height of the cataract, and to the eternal roar of its waters, inspire the spectator with awe and admiration.

"In his anecdotes of painting, it is stated by Horace Walpole, that "on the invention of fosses for boundaries, the common people call them Ha! Ha! to express their surprise at finding a sudden and unperceived check to their walk." I believe the word is yet used in this manner in England.

"It is certainly not a little remarkable that the same word should be thus applied by one of the most civilized and by one of the most barbarous people, to objects which, although not the same, were yet calculated to excite the admiration of the observer.

"Nothing can show more clearly how fallacious are those deductions of comparative etymology which are founded upon a few words, carefully gleaned, here and there, from languages having no common origin, and which are used by people who have neither connexion nor intercourse. The common descent of two nations can never be traced by the accidental consonance of a few syllables or words, and the attempt must lead us into the regions of fancy.

"The Sioux language is probably one of the most barren which is spoken by any of our aboriginal tribes. Col. Leavenworth, who made considerable proficiency in it, calculated, I believe, that the number of words did not exceed one thousand. They use more gestures in their conversation than any Indians I have seen, and this is a necessary result of the poverty of their language."

POLITICS OF THE DAY—MR. FORWARD'S LETTER.

At a meeting of the democratic citizens of Alleghany county, held at the Washington Coffee House, in Pittsburgh, on Saturday evening the 16th instant, the following preamble and resolutions were unanimously adopted:

"Whereas it is at all times proper that the people should be fully apprised of the political sentiments of those whom they are called upon to elevate by their suffrages to places of high trust—that they should know whether, in the event of success crowning their efforts, they are to find in their candidates men faithful to those interests and willing to carry out those principles which they revere. And whereas, at the present crisis in the politics of this state, when corruption has taken possession of the government, it is most peculiarly incumbent upon the friends of liberty to be jealously awake on the opinions of those whom they support for office—to vote for no man who does not fearlessly and openly advocate the measures and sustain the principles and men of the democracy of the country. And whereas, since the nominations of our candidates for election to the state convention to amend the constitution, questions have arisen and are now agitating the public mind which were not at the time of those nominations thought of by the people, and upon which question it is right and proper that the sentiments of our candidates should be known—questions, among others, embracing how far that convention may have the power to protect the liberties of the people from the control of an irresponsible moneyed power—

Therefore resolved—1st That be a committee to address the gentlemen on the democratic

ticket for the convention with a view to ascertain their sentiments in reference to the men and leading measures of the democratic party.

2d. *Resolved*, That the several candidates be, in particular, requested to express their opinions upon the following questions—

First. Will you vote the electoral ticket pledged to support Martin Van Buren and Richard M. Johnson?

Second. Will the convention about to assemble to amend the constitution of the state, possess the power to annul the charter of the bank of the United States?

Third. If the convention have the power to annul the charter of the bank of the United States, will it be, in your opinion, expedient to annul it, and will you vote in favor of doing so?

3d. *Resolved*, That when this meeting adjourns, it will adjourn to meet in this place on Thursday evening the 20th instant, at which time the committee appointed under the provisions of the first resolution shall make report.

In pursuance of the above resolutions, the following correspondence took place between the committee appointed under the first resolution and Mr. Forward:

Pittsburgh, Oct. 18, 1836.

Waller Forward, esq. SIR: The undersigned, a committee appointed in compliance with the requisition of the first of the foregoing resolutions, respectfully request your views in answer to the questions embraced within the second resolution; and also your views in answer to the contemplated reform in the executive, judicial and legislative departments of the government, which last inquiry is suggested by the first resolution as pointing to the leading measures of the democratic party.

The committee hope to be in possession of your answer so as to be able to make report to the meeting to be held agreeably to the last of the foregoing resolutions. Respectfully, your fellow citizens,

JAMES PATTERSON,
CHARLES SHALER,
CHAMBERS MCKIBBIN,
LINTON ROGERS,
C. UPPERMAN,
THOS. LIVINGSTON,
W. W. FETTERMAN,
ABSALOM MORRIS,
HUGH DENNING,
LEONARD S. JOHNS,
L. CALLAGHAN,
ROBERT PORTER,
ROBT. GLASS,
JAMES ANDERSON, JR.
ANDREW McELWAIN.

Pittsburgh, October, 20, 1836.

GENTLEMEN: I received your note of the 18th inst. conveying the preamble and resolutions adopted by a meeting held on the Saturday preceding.—My constant engagements in the district court of the United States, during the last two days, have prevented my attention to the subject of those resolutions, except in the weary interval of its recess. My reply is therefore written in haste, and without the precision and method which further time would have enabled me to give to it.

The democratic delegates thought proper while I was absent in a neighboring county, to place me on their ticket as a candidate for the convention.—I had no previous notice of their kind intentions towards me—the nomination was unsolicited and unconditional. It had been dictated, as I supposed by a single reference to the subject of constitutional reform—the only subject that can rightfully occupy the deliberations of a convention. In accepting it, I had no idea that as soon as the October election should be over, I would be required to subscribe to opinions, and to give pledges in regard to questions which the preamble to the resolutions admits to have been indifferent at the time of my nomination.

I am very distinctly informed in said preamble, that at the date of the nomination, the questions propounded by you "were not thought of by the people," but that they "have arisen since that time, and are now agitating the public mind." This is assigned as the reason for the call made upon me at this late period. Professing the highest consideration for those who attended the meeting, and for each of you, gentlemen, personally, I must be allowed to say, that both they and you have fallen into a small mistake. The high claims of Messrs. Van Buren and Johnson to the presidency and vice presidency, are no new matters. The extraordinary merits of those gentlemen, and the necessity of their election to save the country from ruin, were quite as loudly and strenuously asserted before the nomination as afterwards; and you well know, gentlemen, that for several weeks prior to the Octo-

ber elections, this new question, as it is called, of annulling the bank by the convention, was not only "thought of by the people," but made a subject of vehement party declamation.

I am therefore constrained most respectfully to say to you that the reasons for changing the grounds of my nomination, and attaching new conditions to my continuance upon the ticket, are to my mind very unsatisfactory. I think it highly probable that the importance and the equity of these new conditions are not yet discovered by the delegates from the country, by whom I was nominated, and that they may yet be inclined to hesitate and ponder the matter very seriously, before they exclude a candidate from their favor, because he denies the power of the convention to annul charters, and destroy private property. I am confident that at the time I was nominated, the reform of the constitution was not considered a party matter. I have never regarded it in that light, and no consideration shall ever induce me to enter the convention as a party man.

Before the passage of the act of assembly for calling a convention, our public meetings upon that subject were attended by all parties—the committees were selected from all parties. At the several conferences held by the committee last appointed, and of which I was a member, the impropriety and danger of converting the reform of the constitution into a party question, were frequently mentioned and unanimously admitted. I have acted upon these principles ever since, and will continue to act upon them, until persuaded by better reasons than any I have yet heard, to take a different course.

Constitutions are designed to secure the rights and liberties of individuals by fundamental laws—by laws which shall curb the power of triumphant majorities. We all know, and are sometimes made to feel that dominant parties are generally willing to make the most of their power, and that one object to be gained by amending the constitution is to restrict their capacity and means of corruption and tyranny.

I have no doubt that these were the sentiments of the gentlemen by whom I was nominated, and that they will hear with surprise, that the reform of our constitution is to be made subservient to the fortunes of presidential candidates. Their surprise will increase, when they find party politics completely superceding and excluding every question of constitutional reform, from a large public meeting assembled with reference to that very matter; and that in the preamble and resolutions of that meeting, the subject of reform is not even mentioned.

The questions submitted to me by the meeting, refer to the vote which I intend to give at the election of electors in November, and to my opinions as to the power and duty of the convention to annul the charter of the bank of the United States.—The latter will be first attended to. Charters obtained by imposition and fraud, may be annulled upon proof of the fact. If the charter in question were thus obtained, it can and ought to be repealed, and were a general law passed constituting a tribunal for the trial of cases of this sort, the question of fraud might be heard and determined without delay. I will add that the charge of corruption having been made and reiterated, I think a rigorous inquiry should be had as early as possible; and if the fact be established, let the bank be crushed at once.

The act of assembly creating the bank has guarded against the abuse of its privileges by expressly reserving to the legislature and the supreme court, the power to cause examinations to be made of its books and papers, to put its officers under oath; and if it shall be found upon a trial by jury, that the charter has been violated, to declare it void. Thus far there is no need of the extraordinary powers of a convention. The agency of that body is only needed when charters have been honestly obtained, and are to be destroyed without a trial by the resistless force of its *own mere will*: and the question propounded to me is simply this, whether in virtue of this, its sovereign will, it can crush and annihilate the bank of the United States, although the charter may have been fairly procured, and the bank itself honestly administered.

I answer that it cannot: First, because the people who in October, 1835, voted for the calling of a convention, expressly limited its powers. The language of their votes were as follows:—"For a convention to submit its proceedings to a vote of the people." It is obvious that annulling a charter cannot be an amendment of the constitution; and if it were, it would be liable to be nullified by the people themselves.

Secondly, assuming that the convention will be clothed with all the authority, rights, powers and

privileges that the people can impart, still it cannot annul charters. Every body knows, and even partisans do not deny that a charter is a contract between the government and individuals, and has all the essential attributes of any other contract. It is also admitted that the state of Pennsylvania has full power to grant charters, and that in the absence of a reservation of a power for that purpose, neither the legislature nor the courts can repeal them, *unless obtained by fraud, or forfeited by mal-practice*.—No one will dispute that bank stock, canal stock and bridge stock are private property, in the same sense and for the same ends, namely, profit and income, as notes, bonds, mortgages, furniture, houses, or lands.

It is conceded that the annulling of charters is the destruction of contracts, and the annihilation of vested rights of property. The question, therefore, in its plain and naked terms, is just this, can a majority of the people invest a body of delegates with the power to annul contracts, and destroy vested private rights? I take the negative side of this question, for the following reasons:

Because there are just twenty-five states of the union pledged to the defence of every man, woman and child in Pennsylvania against the exercise of such a power; and though we may cut ourselves loose from them by a sweeping act of nullification, yet the government of the union, which for this purpose holds the power of those states, will take special care, as in the case of South Carolina, that our audacious usurpation and tyranny be seasonably put down. Be pleased, gentlemen, to read the following section of the ninth article of the constitution of the United States: "No state shall enter into any treaty, alliance or confederation, grant letters of marque or reprisal, coin money, emit bills of credit, make any thing but gold or silver coin a tender in payment of debts, pass any bills of attainder, ex post facto law, or law impairing the obligation of contracts." The prohibition contained in this clause of the federal constitution is explicit and direct, and admits of but one evasion, namely, that Pennsylvania, when represented in the convention, will cease to be a "state," a condition to which I admit she would be degraded by a body of delegates declared by the people themselves to be absolutely lawless.

The clause prohibiting state governments from passing laws impairing contracts has been enforced by the supreme court of the United States, in every instance where the validity of such laws has been brought in question; and unless the judges of that court shall become the profligate instruments of faction, the same rule will be observed in future. In a contest before that court, the question will be whether the obligation of a contract has been impaired, and the state of Pennsylvania can only succeed by shewing that her grant of the charter in consideration of several millions of dollars, either paid or to be paid by the stockholders of the bank, was not a contract with those stockholders. Her position may be readily conceived by those who are apprised that the supreme court has repeatedly decided that charters are contracts, and therefore secure against violation by state governments. Parties before that court are upon a footing of equality; and the fact that a state legislature which is supposed to represent the wisdom and intelligence of the people has made an imprudent bargain will furnish no ground of relief. The answer to such a plea would be that states, like individuals, must submit to the consequences of their own bargains, and, like individuals, content themselves with the resolution to look more sharply in future.

Violent parties, in their zeal for victory, are too apt to countenance false principles and false reasoning. It cannot be the interest of an American citizen, a freeman, that the exorbitant and savage power of breaking lawful contracts and destroying private rights, without compensation, should anywhere exist. It is his interest that such a power be sternly denied, and the attempt to exercise it universally repelled: For the fate of others to-day may be his fate to-morrow; and the property of the citizen can never be safe so long as party conflicts are permitted to involve the right to enjoy it. My opinion is that the stockholders of the bank gave too little for their charter, and that in the term of its duration it should have had no advantage over the other state banks. But I know that the act granting the charter is constitutional, and that, unless procured by fraud, the people, of whom I am one, are bound by it. Why should it be otherwise? Can any one give a reason why the force of a contract should depend upon the numbers that may constitute one of the parties to it—why the stronger party should be allowed to say one thing and mean another—should be permitted to keep or break its stipulations according as a majority may decide?—

An individual claiming this privilege would be set down as a knave. The obligation of a contract is a moral obligation, and therefore just as binding upon governments and communities, represented by governments, as upon individuals. A contrary doctrine substitutes force in the place of right, and, however disguised, is an attack upon liberty.

But is it not presumptuous to deny the right of a majority of the people to nullify their contract?—Is not their power sovereign and unlimited? These questions are answered by another—do you deny the competency of the people to make a contract? If you do not; then I ask, upon what reason of natural justice or common honesty they should be at liberty to break it, when made. A bond signed by five thousand or five millions would be no less binding than if executed by one. Payment might be withheld because no earthly tribunal could enforce it; but the perfidy and injustice would be none the less flagrant.

The legislature which granted the bank charter was clothed with limited powers; but to the extent of those powers, it represented the people and could bind them. It is for this reason, that the charter is constitutional. In other words, the power to grant it, was delegated by the people. It is therefore their own act—just as much so as if done by a convention or themselves. If a man were to come into court to annul the sale of his goods made under a power of attorney, given for that purpose, upon the ground that the power, although quite sufficient to transfer the goods, did not extend to lands—he would be treated as insane. But it seems that when the people confer an authority to bind them in one matter, they make void private rights acquired under it, for the strange reason, that their sovereign power in reference to other matters, had been withheld.

I should be pleased to hear some one define what is meant by the expression "sovereign power." Is it a power of confounding moral distinctions—of transmuting wrong into right—of annihilating truth and justice? I understand those who contend for the power of the convention to annul charters—to speak of its *rightful* power, and not of the mere sway of the strongest. True, it is said that the people may abolish their government; in this instance, however, they neither propose nor intend to do it. But if they did, and the government were actually abolished, the right of property would not be the mercy of the convention. The same declaration of rights, which proclaims that all power is inherent in the people, and that they may alter or abolish their government, asserts that "all men are born equally free and independent, and have certain inalienable rights, among which are those of acquiring, possessing and protecting property." These rights are antecedent to all political government, and are no more subject to the will of a convention, than the right of breathing the air or beholding the sun.

It is to be recollected that it is not the solitary power of destroying the bank of the United States, that is ascribed to the convention, but a power to destroy all charters annihilate all vested rights. If there be any exception, let the friends of absolute power point it out, and let them fix the limits that shall circumscribe the omnipotence of the convention. No such limit can be assigned. The power to annul charters, is the power to annul patents for lands; and if either the one or the other can be done by the convention, they may expel us from our houses and rob us of our goods. It happens that it is now made a party question whether the bank of the United States shall be allowed to exist. We may find it next year made a party question whether the people shall be prevented from crossing our bridges without paying toll, or whether public lands sold for a tenth part of their value, should not revert to the state. The attempt to distinguish between the *kinds* of property that may be seized, or to soothe us with the hope that ours may be spared by popular favor, will not have the effect of quieting our fears. I dare say the convention would be satisfied with the destruction of the bank, but if the rights of one class of citizens can be invaded with impunity, the rights of all others are in jeopardy.

In regard to this odious bank, I have not, and never had a particle of interest in it, other than that which belongs to every citizen, I never owned a dollar's worth of its stock, nor received or solicited its accommodation. If its charter was obtained by foul means, I shall be as willing as any one of you to see it annulled. But when I am called on to admit that innocent stockholders in that institution can be deprived of their vested rights by the mere will of a convention, my repugnance is invincible. I cannot be accessory to any such measure. I deny the right of any majority, however overwhelming, to touch their prop-

erty, without making them a just compensation. Even the threat of so great an outrage, appears to me, to be a ground for general alarm.

You request me to state whether I will vote for the electors nominated by the friends of Martin Van Buren and Richard M. Johnson. I do not see what bearing my opinion of those gentlemen can have upon the question of amending the constitution, but I have no desire that it should be concealed. There are circumstances which are obvious to you all, that would impel me to support Martin Van Buren, if such support could be consistently rendered. But finding his name connected with principles which appear to me to militate against the public good, and to weaken the security of private property, I shall vote against him.

My opinions upon the subject of constitutional reform mentioned in your letter, must be already known to the most of you. I would take from the governor, all power of appointment. Justices of the peace should be elected by the people and hold their offices for a term of years. The people should also elect their prothonotary, register, recorder and other county officers. State officers and the judges of the supreme court and inferior courts might be elected by a vote of both houses of the legislature. Whether the tenure of the office of the inferior judges, should be changed is a question of some difficulty, but I incline to the change, and as at present advised would vote for the term of ten years. I am for limiting the eligibility of the executive to the term of three years, so that no governor could be tempted from the strict line of his duty by the hope of re-election.

The evils of excessive banking, and improvident granting of charters, call for restrictions. Let the convention provide that no bank charters be granted, unless notice of the intended application be given six months prior to the session of the legislature, and not then unless a majority of two-thirds of both houses be in favor of the measure.

I am, with great respect, gentlemen, yours, &c.

WALTER FORWARD.

Messrs. Shaler, Livingston and others com. &c.

COL. DODGE'S EXPEDITION TO THE ROCKY MOUNTAINS.

From the Natchez (Miss.) Free Trader.

We have now lying on our table a report of the secretary of war, transmitting to the senate a detailed account of col. Dodge's expedition to the Rocky Mountains, during the summer of 1835; accompanying which are two elegant maps of the entire region of country occupied by the various tribes of Indians west of the Mississippi.

Col. Dodge, with his company of dragoons, departed from fort Leavenworth on the 29th of May, 1835, travelling a north westerly course till he struck the river Platte, and then following the course of that river to its source in the Rocky Mountains. From thence they pursued a south easterly direction in a line parallel with the mountains, until they arrived at Pike's Peak, with its snow-clad summit towering to the skies. Near the foot of this mountain they discovered a boiling spring of mineral water, possessing properties similar to those of Saratoga, New York. From this place it is but two days' ride to the waters of the Rio del Norte, but three to Taos, one of the Mexican provinces.

After a short encampment, they took their line of march for the Arkansas, and, arriving at which, they followed its course until they intersected the Great Wagon road from St. Louis to Santa Fe; pursuing this, they arrived at Fort Leavenworth on the 16th of September, after an absence of scarcely four months, having performed a journey of one thousand six hundred miles, through a wilderness heretofore unexplored, save by the savages who inhabit it. And what is most remarkable, the expedition, passing through the midst of warring tribes of Indians, was completed with the loss of only one man, who died of a severe sickness but two or three days before their return.

Col. Dodge has visited and held personal interviews with all the Indian tribes in the country through which they passed. He states that they all received him in the most friendly manner, expressed sentiments of the highest respect for the whites, and declared their determination to be at peace with their "great father," the president.

This is certainly an extraordinary expedition. A small party of 117 men have made the tour of an almost interminable wilderness, inhabited by an unknown number of savages, made overtures of peace with them all, and returned to their homes with the loss of a single man. Such success exceeds by far the most sanguine expectations.

Gen. Gaines, in a letter addressed to gen. Jones, of Washington city, advises the presentation of a sword to col. Dodge, a brace of pistols to each of his commissioned officers, and a month's extra pay

to each of the non-commissioned officers and soldiers. Such a mark of approbation will scarcely be withheld from the brave performers of such distinguished service.

One of the maps accompanying this report of the secretary of war shows the lands assigned to the emigrating Indians, with their boundaries and the numbers of each tribe, according to the following statistics:

Estimated quantity of land assigned to the tribes who have emigrated from the eastern to the western side of the Mississippi.

	Acre.
Choctaws,	15,000,000
Creeks and Seminoles,	13,140,000
Senecas and Shawanees,	100,000
Quapaws,	96,000
Piankeshaws and Weas,	160,000
Kaskaskias and Peorias,	96,000
Ottowas,	34,000
Shawanees,	1,600,000
Delawares,	2,208,000
Kickapoos,	768,000

Statement of the number of the Indians west of the Mississippi, who have emigrated.

Delawares,	826
Shawanees,	1,250
Kickapoos,	470
Ottowas,	200
Weas,	222
Piankeshaws,	162
Peorias and Kaskaskias,	132
Pottawatomies,	141
Senecas from Sandusky,	251
Senecas and Shawanees,	211
Creeks,	2,559
Cherokees,	5,000
Appalachicolas,	265
Choctaws,	15,000

Statement of the numbers of Indian tribes east of the Mississippi.

Indians in New York,	4,716
Indians from New York at Green Bay,	725
Wyandots in Ohio and Michigan,	623
Winnebagoes,*	4,591
Ottowas and Chippewas of Lake Michigan,	530
Chippewas,	6,798
Chippewas, Ottowas and Pottawatomies,	8,000
Miamies,	1,200
Weas,	60
Creeks,	22,668
Cherokees,	10,000
Chickasaws,	5,429
Choctaws,	8,500
Seminole,	2,420
Appalachicolas,	340
Menomonies,	4,200
Pottawatomies,	1,400

Statement of the number of Indian tribes resident west of the Mississippi.

Ioways,	1,200
Sacs of the Missouri,	500
Omahas,	1,400
Ottos and Missourias,	1,600
Pawnees,	10,000
Camanches,	7,000
Mandans,	15,000
Minetarees,	15,000
Assinabains,	2,000
Crees,	3,000
Gros Ventres,	3,000
Crow,	45,000
Sioux,	27,500
Quapaws,	450
Caddoes,	800
Koncas,	800
Osages,	5,420
Kansas,	1,491
Sacs,	4,800
Arickaras,	3,000
Chayennes,	2,000
Blackfeet,	30,000
Foxes,	1,600
Arapahs, Keawas, &c.	1,400

And there are yet remaining east of the river in the southern states a considerable number: the five principal tribes are the Seminoles, Creeks, Cherokees, Choctaws and Chickasaws.

Seminole, (yet remaining east),	2,420
Choctaws,	3,500
Chickasaws,	5,420
Cherokees,	10,000
Creeks,	22,668

Those stated as western tribes extend along the whole western frontier. And taking as the opinion of the department that the average number of an Indian family is four, it may be seen what number of warriors, by possibility, might be required to keep them in check.

*Part of these have gone west of the river, but their numbers are unknown.

FOREIGN CHRONICLE.

Doctor William Henry, who, as a chemist, has obtained so distinguished a name in the scientific world, recently committed suicide in the chapel of his own residence at Peindlebury, during a severe fit of nervous irritation.

Henry's chemistry is the most clear and satisfactory compend of that interesting science now used; and while his death is a great loss to his profession, its cause is a source of condolence to society.

Miss Martineau, the celebrated writer on political economy, is now on a visit to London. It is said she has a book in press in which she will attempt to discuss the question of slavery in the U. States.

The privilege of free export into England of the produce of the vine of Guernsey has been granted.—It is estimated that 60 pipes are annually produced of the flavor of good sherry.

The new steamer *Unicorn*, on the line between Liverpool and Glasgow, has two engines of 130 horse power each. Her interior arrangements are said to be very superior and her cost is estimated at £37,000.

Among the most interesting and unexpected items from Europe is the announcement by Richard Carlisle of his conversion to Christianity.

Steamers in the Mediterranean. A French company have ten splendid steamers prepared in the port of Marseilles, each 500 tons, and magnificently fitted up in the English mode, to ply regularly in two lines, one from Marseilles to Constantinople, and the other from Athens to Constantinople. They will intersect each other at the little island of Syra, and exchange passengers and despatches. Between Marseilles and Constantinople they will touch at Leghorn, Civita Vecchia, Naples, Messina, Malta, Syra and Smyrna.

The sale of liquors on Sabbath days at fairs in Ireland has been forbidden by the vice-regent of that country. Would it not be better to prevent the fairs on that day and cut off the evil at the root?

The dowry which the king of Naples is to receive on his marriage with Louis Philippe's daughter, Clementine, will amount, it is said, to six millions of francs.

Queen Christina of Spain, more anxious to provide against, than to suffer the consequences of her contingent dethronement, has prudently remitted to her bankers at Paris, 2,800,000 francs; this is independent of 800,000 francs invested at Amsterdam and a greater amount than both, placed in London.

One of the greatest curiosities near Paris is the royal tombs in the little abbey church of St. Denis.—There are already 51 tombs of kings and royal personages completely restored in the vaults; 25 are still wanting to complete the series from Clovis to Henry IV. From the latter king to Louis XVI., the tombs have still to be done. This restoration is confided to M. Blouet.

Among many ladies who have been balloted for and admitted as members of the London Horticultural society, was lady Cavendish. At the same meeting was exhibited a melon weighing 20 lbs.; a box of figs from a tree 40 years old; a dish of apples preserved in saw dust since last autumn; a new species of the *Mecuna* flower, producing more than 50 spikes over 20 inches long and extending over an area of 300 square feet of glass; a melon raised on the plan adopted in Cashmere.

Two Persians are said to have lately visited England to purchase a machine for spinning cotton, to be introduced into their country. Machinery is the very thing for those eastern climes where manual labor is considered such a punishment.

Mrs. Thompson, a lady of fortune residing at Cheltenham, has presented three clocks to the churches of that town. So liberal and well timed a gift it has seldom fallen to our lot to announce.

The altar piece of the Augustin Friary chapel in Limerick was painted by the father of the present lord Lyndhurst, late sir John Copley, and at present the great conservative aid of the duke of Wellington in the house of lords.

Patriarchal witnesses. Four south countrymen lately appeared as witnesses in a will case, at the Lancaster assizes. Their average ages were 338 years, and one of them had worn the same coat for his holiday suit 60 years.

Such is the rage for Egyptian antiquities in Paris, that it has been found necessary to place sentinels near the obelisk, in the Place Louis XV, that the amateurs of geology might not mutilate the ancient monument.

Accounts from Constantinople to the 17th August state that the French ambassador had insisted on being furnished with a firman, or order from the sultan to the pacha of Egypt, to forbid the imposition by the latter of heavy duties on exported silks. The sultan has pledged himself not to subject the exportation of silks and other articles to more than a certain duty; but the pacha has assumed the privileges of subjecting

foreign merchants to enormous charges, to which they have refused to submit.

A monument is to be erected at Saltsburgh to the memory of Mozart, who was born in that town.

Royal epicurean fraternity. William IV. drinks no other wine than of the few bottles that were left of the royal sherry presented by the Spanish government to the prince regent.

The farmers of Jersey have recently been robbed of their Alderney cows to a great extent. They are carried off to England, and their value in the American market has no doubt been one temptation to this practice.

A Neapolitan expressing his surprise to the great basso singer, Lablache, how he could remain so long in a climate like England, where he never saw the sun, replied, as he shook before his eyes a purse of gold, "caro amico ecco il vera sole in Inghilterra."—[Here, my dear friend, this is the true sun in England].

The only female that was at the battle of Trafalgar, more than thirty years since, is now living at No. 52, John street, Orinance place, Chatham. She was on board the *Euryalus*, now a convict-ship at Chatham, which was under a fire of four ships of the line.

A treaty for the abolition of the slave trade was ratified on the 31st May, at Paris, between the king of Sweden and Louis Philippe.

The superannuated ships of war, *Scarborough*, 74; the *Swallow*, the *Zephyr*, the *Greenwich* and the *San Margarita*, were recently sold by order of the lords of the admiralty, and brought a sum of £70,880.

Age of the world. At the meeting of the British association, the only fact elicited through the evening was the declaration of Dr. Buckland, that millions of years must henceforward be assigned to the age of the world, and that the best Hebrew scholars had lately given a new interpretation to the two first chapters of Genesis.

The entire skeleton of Raphael has been recently discovered, so that the rumor of the discovery of his skull alone is unfounded.

The *Barham*, one of the finest frigates in the British service, sent to convey colonel Considine to Constantinople, passed the Dardanelles prepared for action, determined to resist any attempt to impede her progress.

DOMESTIC CHRONICLE.

Mr. Hackett, our national comedian, having, at the persuasion of his friends, visited Dublin, (on his second professional trip to Europe) to ascertain the validity of his claim to a title and estate of which it was supposed he was possessed, applied to the garter king at arms and was apprised that the claims were undoubted, and that his progenitors, who were barons in their own right, emigrated to Holland nearly a century and a half since, to fight in the wars of the states general. After this interview, Mr. Hackett proceeded to the Hague and met with the individual he was in search of: this was baron Von Hackett, upon whose demise Mr. H. claims his succession. The baron has no family, and in all probability the representative of colonel Nimrod Wildfire will, in due course of time, be metamorphosed from a whipper of wild cats into a Dutch baron.

James S. Whitcomb, of Indiana, has been appointed by the president, commissioner of the general land office in place of Ethan Allen Brown, resigned.

The hon. Benjamin F. Butler has returned to Washington and assumed the duties of secretary of war until a successor be constitutionally appointed.

Appointment by the president. John Kennedy, esq. of Jonesborough, of Tennessee, to be one of the commissioners of claims under the late Cherokee treaty, vice general William Carroll, resigned.

Baron de Roenne was yesterday presented by the acting secretary of state to the president, to whom he delivered his credentials as minister resident of his Prussian majesty near the United States.

[Globe of Friday last.

The authorities of Mobile have, it appears, granted to James Caldwell the exclusive right of lighting that city with gas for thirty years, under the condition that the works be in operation within eighteen months. The gasometer, retorts, &c. have been already ordered.

A Mr. Echols has taken out a patent for a very valuable improvement calculated to facilitate the work and save the labor in the cordage and twine manufacture. The advantages attending this invention are said to be numerous and important, and its construction at once simple and scientific.

At the last term of the court of sessions in New York, twelve young men of respectable appearance and some of them respectably allied, were convicted of aggravated felonies and subjected to various terms of imprisonment from 2 to 12 years. Others of a similar description remain yet to be tried: a melancholy proof of the depravity of the youth of that city.

A comb factory has been recently established at Pittsburgh, by Mr. David Abby, which is no less indicative of the general improvement of the west than the various other mechanical establishments in that city. The store is represented as a perfect picture gallery, and the factory even now produces, annually, articles to the amount of from \$8,000 to \$10,000.

The gravity with which the accommodations attendant upon our future narrow habitations at the Laurel Hill cemetery, in Philadelphia, are spoken of in one of the papers of that city, is truly exemplary and consoling.

"The first interment took place at the Laurel Hill cemetery yesterday morning. It is but a year since the company was formed, for accommodating this community with a beautiful rural burying ground; and we understand that in two weeks from this time the subscribers will choose their lots and commence their improvements."

An election for a member of congress has been ordered by the governor of Pennsylvania, to supply the place of the hon. Jesse Miller who has been appointed first auditor of the treasury.

Rapid travelling. Some short time since, a gentleman breakfasted at Fall river, came to Providence, proceeded by rail road to Boston, there transacted his business; took the cars back to Providence, thence went by steamboat to New York, where he took breakfast and proceeded for Philadelphia, where he arrived in season to dine: thus, in the short space of 34 hours, travelling about 380 miles.

Another. A gentleman breakfasted and transacted business an hour in Worcester, went to Boston tarried three hours, passed over the rail road to Taunton, tarried an hour, and arrived in Providence the same evening. The distance is nearly one hundred and ten miles. [Providence Courier.

It is stated that a naval officer well known in the political and scientific world, has invented a new compound rocket which will set a ship on fire at the distance of two thousand feet.

In the early part of the last century, the rev. Mr. Truck was an ordained minister of Star island (one of the isle of shoals near Portsmouth, N. H.) with an annual salary of one quintal of dun fish from each of the fifty families on the island, but no money. From the sales of these fish the worthy minister received about five hundred dollars, upon which he brought up a numerous family, educating them his husband fitted one of his sons for Harvard college.

The town of Rochester, N. Y. is probably the greatest flour manufactory in the world. The flour mills are masses of stone edifices, some of them eight stories high and 300 feet in length; 20,000 bushels of wheat are required daily to keep them in operation; 5,000 barrels of flour can be daily put up for market, and it is calculated that during the year ending the 1st August last 600,000 barrels of flour have been sent to market, worth about four millions of dollars.

Since 1803 there have been built at Medford, Mass. about 100 ships, 70 brigs and 25 smaller craft. The town now stands probably at the head of the science of naval architecture in America.

The following is a description of the chandelier now being put up in the St. Charles theatre, New Orleans. Its weight is 2 tons, 1 qr. and 19 lbs.; and it is composed of 23 cwt. of brass, 9 cwt. of iron, and 9 cwt. of out glass—the last being in 23,600 pieces. It is emblematic of the United States, containing in the top border a compartment of 26 eagles and stars, surmounted by a gilded cornice of *fleur de lis*. In diameter below it is 12 feet; and from the topmost ornament to the bottom it is also 12. It will be lighted with gas by 176 burners; yet instead of a blaze, the effect will be that of a soft moonlight."

It was manufactured in London, and cost \$10,000.

We understand that the surgeon dentist, Aldis Brainard, who recently married a respectable young lady of this city, and was indicted for having as many wives as a sultan, has been found guilty at Anderson court house, S. C. and sentenced to a fine of \$1,000 and two years imprisonment in a dungeon.—We understand the history of this man's success with the ladies will be published, from which bachelors may take lessons and girls a caution.

[Augusta Courier.

Nashville newspaper mail. We have been told by a passenger in the stage that about three or four bushels of newspapers were picked up on the Nashville and Louisville mail route between Bowling green and Elizabethton, on that part held under contract by Dr. Edmonston; the gentleman who picked up the above papers, offered them next day to the driver of the stage, who refused to take them, alleging that he had mails enough. [Nashville Banner, Oct. 14.

Missouri. Mr. Dunklin has resigned the office of governor of Missouri, and lieut. gov. Boggs takes his place in the executive chair. Gov. Dunklin, it is probable, has accepted the appointment of surveyor general.

[Louisville Journal.

Apples are so plenty in the country around New York that it is impossible to gather them all.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED, BY WILLIAM OGDEN NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

WAR IN FLORIDA. We publish some interesting details of the progress of the fall campaign against the Florida Indians—from which it will be seen, that the operations of gen. Call have been checked by the want of provisions! at the moment when an opportunity presented itself of prosecuting the war successfully. We are not sufficiently advised of all the particulars relative to this omission to say on whom censure should rest—but there has evidently been criminal neglect somewhere, that must increase the public indignation against the "bungling" management that has caused the loss of so many valuable lives, and the wasteful expenditure of large sums of money. In the battles which have been fought, there has been exhibited as much personal bravery as ever characterized our officers and soldiers; but though personal bravery may overcome obstacles interposed by nature, it cannot always conquer the more formidable ones caused by neglect and inefficiency. The reputation of the army has not suffered, but the country is mortified and ashamed that, while boasting of our means to redress wrongs which may be committed by foreign nations, we do not chastise the ruthless savage who inflicts the most horrid barbarities within our territory. If the war had originated with a foreign nation on a question of boundary, would we not well merit the taunts of our opponents at the lack of zeal which has been manifested?—originating in private cruelty and vengeance, should we be surprised that the savage foe has met indifference with defiance?

Since the above was in type we learn from the Intelligencer of Thursday last, that an officer of general Call's army passed through Washington on Tuesday last, on his way to Philadelphia, for the purpose of obtaining supplies for the Florida army, of which it was nearly destitute! He stated that, amongst the other untoward circumstances attending general Call's advance to the Wythlacoochee, was the loss of six hundred horses!!!

TREASURY DEPARTMENT, November 3d, 1836.—In compliance with the resolution of the senate of the first of July last, directing that, "during the ensuing recess of congress, the secretary of the treasury cause to be published, at the commencement of each month, a statement of the amount of money in the treasury subject to draft, and also the amount standing to the credit of disbursing officers," the undersigned hereby gives public notice that "the amount of money in the treasury subject to draft," as shown by the running account of the treasurer, was, on the 31st ult. \$42,617,801.33-100; and "the amount standing to the credit of disbursing officers," as shown by the latest returns received, was \$4,823,119.94-00. Of the amount of money in the treasury subject to draft, the sum of \$601,400.78-100 belongs to special trusts, and is not applicable to the public service. **LEVI WOODBURY,** Secretary of the treasury.

Information has been received at the department of state, from the United States commercial agent at Port-au-Prince, of the passage of a law to close the ports of Miragoane, St. Marc, Port-au-Paix, Arquin and Anse d'Hainault, on the 31st of December next. [Washington Globe.

U. S. SENATOR—VERMONT. The legislature of Vermont, now in session at Montpelier, have elected **SAMUEL PRENTISS**, the present incumbent, U. S. senator for six years from the 4th March next. The vote in the senate stood, for Prentiss 16, Wm. C. Bradley 11, scattering 3. In the house, on the 2d ballot, for Prentiss 114, Bradley 83, scattering 21.

ARKANSAS. The resolutions of Mr. Tidwell, instructing our senators to vote for expunging Mr. Clay's resolutions of censure on gen. Jackson, passed the house of representatives yesterday without a count.

The yeas and nays were called this morning on the above resolutions, in the house of representatives, and passed—yeas 33, nays 15. They passed the senate likewise, by a vote of 14 against 3, (John Ringgold, John Clark and John McLain.) [Arkansas Gazette.

SOUTH CAROLINA. The returns have not all been received, but sufficient is known to render it certain that the following gentlemen have been elected to congress:

Hugh S. Legare, in place of Hy. L. Pinckney.
Waddy Thompson, re-elected.
Francis W. Pickens, re-elected.
John K. Griffin, re-elected.
Wm. K. Clowney, in place of Jas. Rogers.
Franklin H. Elmore, " " Js. H. Hammond.
R. B. Smith, " " W. G. Grayson.
John P. Richardson, " " R. B. Campbell.
Jno. Campbell, re-elected.

BOUNDARY LINE BETWEEN TENNESSEE AND MISSISSIPPI. The committee of the legislature, at present in session, to whom the message of the governor touching this subject was submitted, has reported the following resolutions:

Resolved by the general assembly of the state of Tennessee, That the executive of this state forthwith open a correspondence with the executive of the state of Mississippi, for the purpose of ascertaining officially whether the line run by the late commissioners on the part of the two states, has ever been ratified by any act or declaration of the constituted authorities of that state; and that the executive, if the same has not been ratified, be requested to bring the subject matter to the consideration of the legislature of that state, at the earliest date with a request, on the part of this state, that the line ascertained by the commissioners be ratified; and thereby put an end to all future doubt and controversy.

Resolved, further, That the executive of this state report to this legislature such information as he may acquire in relation thereto, if the same is procured before the adjournment of this body, and, if not, to the next session of the legislature.

Mr. Martin has introduced into the house of representatives a bill to appropriate a part of the surplus revenue to the survey of a central rail road through the state.

INDIANA IMPROVEMENTS. A grand festival took place at Brookville, Indiana, on the 18th ult. to mark the commencement of the White Water canal. Upwards of 4,000 persons, it is estimated, were present, among whom were some of the most distinguished citizens of the state. The work, or a great portion of it, was put under contract the next day at Lawrenceburg.

NEW YORK AMERICAN INSTITUTE. The recent fair of the New York American Institute offered one of the most triumphant evidences of the success of American industry and ingenuity, that has yet been witnessed, and called forth admiration and applause from many thousand spectators, who felt the true American feeling when gazing upon the countless variety of useful and beautiful articles manufactured by their countrymen. Our limits will not permit us to notice the articles in detail; but the following from the New York "Star" will afford our readers some idea of their variety and value, and the rich fruits of that system which was successfully built up by a few individuals, in despite of the most powerful opposition that was ever encountered. They have been forgotten in the general prosperity which has resulted from their labors—but the proud consciousness that they have consummated the independence of their country and advanced the comfort and happiness of the people, is too rich a reward to be marred by reflections upon the heartlessness of individuals, who were sycophantic in their adulations, when their interests were in jeopardy.

"Prolonged as our account of the abundant and extraordinary products of ingenuity this year exhibited by the institute is, we must be indulged in a few reflections which irresistibly press themselves upon our mind in wandering through the labyrinth of the saloon, where the articles were gorgeously spread out to the gaze of the thronging crowds who were daily and nightly attracted to this spot. There never has been before so great a display of elegant and useful objects, and of course never such pressing multitudes of people curious to behold them. These exhibitions may now be said to have attained a permanent foothold in the public estimation, as it is clearly perceived that the competi-

tion which has been excited by the opportunity it gives all kinds of trades to make their industry and genius known, and to have their reputation stamped with the premiums of approbation awarded, has extended throughout every part of our country. It is established now beyond a doubt that our population of some 15 millions possesses sufficient enterprise and mental capacity to do what any other nation has accomplished, if not much more, in all the useful arts, if not also in the ornamental. And that therefore we can supply ourselves with the products of our own domestic industry without servilely depending on foreign aid. It is true that many who enter into the lists in these exhibitions are foreigners who have settled in our country; but the very success they meet with, the liberality with which they are treated, and the encouragement given to them, alike in every respect to that bestowed on native born citizens, is proof positive that if much of the highly finished work presented is not literally by American hands, it is fostered by American protection, and ever finds a ready market for what it offers—which shows also that there is a fixed resolution in our countrymen always to give the preference to that which is of domestic production. This is an immense point gained, and we hope the beneficent and noble example of the New York institute will widely spread over our country, and that general fairs to last much longer than these exhibitions do, will be established in every important city and town—a plan in which we may wisely copy a custom for ages adopted throughout Europe.

"In cloth and cotton fabrics, especially the latter, in silk manufacture, hardware, cutlery, and instruments of every description, in harness, and especially in all kinds of beautiful and convenient carriages, in silver and plated ware, in many kinds of jewelry, (excluding watches which still come from abroad), and every thing pertaining to the hat manufacture, shoe making, book binding, not to say printing, (and excepting from this remark paper making), in pottery, machinery of every kind, so far as respects ingenuity of combination, but not finish of workmanship, in which latter we fall short of England, as we do also, in articles of finery, fall behind the French, and hope to do so for a time, such as ornamental lace work, clocks, confectionery, embroidery, perfumery, painting and sculpture, in every species of useful agricultural implement, and utensils employed in agriculture and in the ordinary arts and uses of life, the Americans, with the exceptions stated, may now console themselves with the reflection that they have attained a perfection which can never retrograde, but must go onward, until, in the nature of things, and under the impulse of the wholesale stimulus of free laws and the protection and encouragement ever ready to be bestowed on talent and genius, we arrive at a position far surpassing what any other people have achieved. It is unnecessary to point to our immense commerce and the superior style of our ship building, to our rail road engineering and canals, to show what gigantic steps we have accomplished beyond the old world. All these grand natural improvements have necessarily and properly absorbed our minds more than the minor ambition to excel in some particular mechanic art or manufacture; but the day is fast approaching when every gap or chasm in productive industry in each specific branch will also, as our population becomes more dense and settled, and less migratory, be filled up and expanded out to the full measure of the dimensions which we are so fully capable of giving it, and when nothing will be left to render us the most independent, enterprising and happy people on the earth."

PRESIDENTIAL ELECTION. The republication of the following exhibit of the days in the present month, &c. when the presidential election is held in the respective states will be useful to our readers. In all the states, with the exception of South Carolina, whose electors are chosen by the legislature, the election is by general ticket; and by law the electors must be chosen within thirty-four days of the first of December, on which day they must meet in the respective capitols and give their votes for president and vice president. In Ohio and Pennsylvania the election was held on Friday last. In thirteen other states it is held on the 10th inst. Michigan having rejected the terms upon

which it was agreed to admit her into the union, will not give her vote—and at the last dates Arkansas had not fixed upon a day for the election.

States.	No. of votes.	When held.
Maine,	10	November 7
New Hampshire,	7	do. 7
Massachusetts,	14	do. 14
Rhode Island,	4	do. 23
Connecticut,	8	do. 7
Vermont,	7	do. 15
New York,	42	do. 7
New Jersey,	8	do. 15
Pennsylvania,	30	do. 4
Delaware,	3	do. 7
Maryland,	10	do. 7
Virginia,	23	do. 7
North Carolina,	15	do. 10
South Carolina,	11	
Georgia,	11	do. 7
Kentucky,	15	do. 7
Tennessee,	15	do. 17
Ohio,	21	do. 4
Indiana,	9	do. 7
Mississippi,	4	do. 7
Illinois,	5	do. 7
Alabama,	7	do. 14
Missouri,	4	do. 7
Louisiana,	5	do. 8
Michigan,	3	
Arkansas,	3	

Total 294

The above is the total, supposing Michigan to come in, and choose her electors in time for their assembling to give the vote of the state on the first Wednesday of December, which is the 7th day. If she should not do so, then the whole number of electors will be 291—of which, 146 will be necessary to a choice of president and vice president, by the people. Failing in this, the decision is carried to the house of representatives of the United States, where, voting by states, the choice is made from the three highest candidates.

FRANCE. We learn by an arrival at New York, which brought London papers to 23d of September, that general Bernard, formerly in the service of the United States, has been placed at the head of the war department. The other vacancies were filled as follows: M. Martin (du Nord), minister of agriculture, commerce and public works. M. Franck Carre, procureur general, in lieu of M. Martin. M. Herbert, deputy advocate general to the court of Cassation, in lieu of M. Carre; and a series of consequential minor removes. The division of the war department into two distinct branches, which has been effectively acted upon for some time, is confirmed. Lieutenant general Schramm has charge of the personnel and the military operations, with a seat at the board of council. M. Martineau de Chesnes has charge of the accounts and administration of the funds appropriated to the war department.

The *projets de loi* relative to customs duties are in future separated from the commercial department, and the financial minister is to bring them before the chamber. The minister of finances (M. Duchatel) is directed to take charge of the commercial portfolio until M. Martin's (du Nord) convalescence.

FROM TEXAS. *New Orleans, Oct. 20.* Through the politeness of a friend just arrived from Texas, we have been furnished with the Telegraph of the 8th instant, containing the proceedings of the first congress, and the message of president Burnet. The proceedings of congress are not as yet of much importance. The army at present consists of about 1,500 strong. The planters have returned to their plantations, and are actively engaged in the duties of the cultivation of the soil. The fiscal affairs of the nation are looking up; money is said to be plenty in the country, though the public treasury has been nearly empty for some time.

GREECE. It affords us great pleasure to learn that the schools at Athens have continued to flourish free from any molestation, and maintain the confidence and regard of the people, as well as of the government. While we rejoice also, at the restoration of those at the island of Syra from their temporary derangement, of which we have published Mrs. Robertson's interesting account, we trust that the first cause for the tumult, which had been directed against them, assigned in the following article which we transcribe from one of our morning papers, is without foundation.

"It appears that some troubles have taken place at Syra, in Greece, where an American school is established. We translate the following:—The circumstances which have occurred proceeded from

two causes. On the one hand the teachers of the school had ventured to make some improper allusion to the religious opinions of their pupils; and on the other hand, some zealous fanatics have for a long time past in secret endeavored to irritate the public mind against the American schools. This is what has produced at Syra one of the most enlightened cities of Greece, such deplorable scenes. Judicial investigations are on foot."

[N. Y. Com.]

RIOT AT THE INDIAN PAYMENT. We learn from the Logansport Telegraph that something very much like a riot happened at the Indian payment, near Logansport, on the 25th September. Some individuals, not exactly relishing the manner in which the commissioners (Messrs. G. W. Ewing and Cyrus Taber) appropriated about \$4,000 dollars to satisfy their own claims, laid hands on the cash, and forbid the further "distribution of the surplus revenue," under the pains and penalties of the Lynch code. To use the language of the Telegraph, "a general rush was made towards the council house—some were for taking the money and distributing it among the Indians, saying that they would pay their own debts—others wished to have new commissioners appointed, as those appointed were too much interested; whilst others were for appointing commissioners to investigate the claims, with instructions to pay none but those that were proven to be just." From the last clause, it would appear that "instructions" were necessary to preserve the rights of the Indians—to prevent the payment of unjust claims! Messengers were despatched to Logansport and Peru for troops, and, in less than 24 hours, martial music, and all the "pomp and circumstance of war," was heard and seen in the vicinity of the treaty ground. The troops, on learning the true nature of the difficulty, refused to take any part, unless under the direct command of colonel Pepper, the Indian agent. This being done, the money was turned to a new commission, consisting of the venerable judge Polke and Messrs. E. V. Chicot, R. B. Stevenson and D. D. Pratt, who are to investigate the claims against the Indians, and pay out accordingly. This commission was in session at the last accounts from the "seat of war," but hopes were entertained that the new commissioners would put every thing straight between the unfortunate Indians and the honest speculators who deal so mercifully by them!

[Wabash (Ind.) Courier of Oct. 20.]

JOURNAL OF THE FRANKLIN INSTITUTE, AND MECHANIC'S REGISTER, FOR SEPTEMBER. We have more than once recorded our high opinion of the merits of this excellent magazine. The present number fully sustains the character of the work. A most amusing part of this publication is the space devoted to notices of new patents. It appears that the number issued in February was fifty-eight.—We extract the following interesting comparative table of speed, originally taken from the Physical and Chemical Journal of Science and the Arts of Husbandry in France.

[Albany Journal.]

	Feet per second.
The ordinary rate of a man walking,	4
Of a good horse in harness,,	12
(Or 2,000 toises (yards) in 8 minutes.)	
Of a reindeer in a sledge, on the ice,	26
Of an English race-horse,	43
Of a hare,	88
Of a man casting a stone with all his force,	66
Of a good sailing ship.	19
Of the wind,	82
Of sound,	1,038
Of a cannon shot, (24-pounder),	1,300
Of the air which returns into space so divided,	1,300

[Another error is in estimating a French toise at 1 yard. It is 6 French feet—more than 2 English yards.]

TWENTY-FIVE LIVES LOST IN THE ST. LAWRENCE. During the late gale there was a great deal of damage done to the rafts that were passing down the St. Lawrence to Quebec. Lake St. Peter's is some fifty miles below Montreal, and its navigation very dangerous in bad weather. In addition to the loss of property, twenty-five persons have been drowned.

One raft of red and white pine, belonging to Messrs. Poupard and Raymond, totally wrecked, from which twelve men were lost, among whom were two brothers of Mr. Raymond. Another raft, the property of Messrs. Rogers & Thompson, of Perth, was found scattered upon the beach, and all

*We believe this calculation to be incorrect. A stone cast with the strength of a man's arm will outstrip a hare.

of the crew, thirteen in number, have perished.—Eight of the latter crew were found upon the shore in an awful state of mutilation, amongst whom was the pilot Jeremiah Campbell, one of the oldest and most experienced pilots on the river.

GREAT FIRE IN NEWARK. It is with extreme regret that we have to announce a very destructive fire in Newark, New Jersey, which has destroyed property estimated at two hundred thousand dollars, about one-half of which, we understand, was insured. Of this sum, \$25,000 is insured in the Mutual; \$10,000 in the New Jersey, and \$2,000 in the Mechanics' company of Newark; about \$10,000 in the Hartford company, and about 30,000 dollars in the N. York and Philadelphia companies.

The fire commenced about 20 minutes past 8 on Friday afternoon, the 28th ult. in Ward's chandlery store, on the south side of Market street near the corner of Broad street, and owing to the difficulty of procuring a sufficient supply of water, it spread with fearful rapidity, east and west of Ward's premises, and by 8 o'clock in the evening two-thirds of the block, including all the buildings in Broad street, between Market and Mechanic street, about twenty buildings on Market street, and nearly as many more on the north side of Mechanic street, were razed to the ground—as were also about a dozen small wooden buildings, principally occupied by poor families, on the south side of the last mentioned street.

A gentleman named Morehouse, it is said, had suffered his policies of insurance to a large amount to expire without renewing them, two days before the catastrophe. Another warning, but which, like the many that have preceded it, it will be too frequently disregarded.

Lieut. Gedney of the U. S. surveying schooner New Jersey, and lieut. Dayton Williamson, who both went from Elizabethtown, to render all the aid in their power, were very instrumental, by blowing up buildings, in checking the flames. Want of water was the great complaint at this fire.

THE WILLIAM GIBBONS. According to a statement given to the editor of the Elizabeth City Herald, and published in that paper, the conduct of the crew of the Wm. Gibbons to the passengers was worse than that which might have been expected of highway robbers. The passengers were not, it seems, permitted to take their baggage on shore when they left the boat; but "some of the crew, the fireman particularly, got drunk, armed themselves with knives, and went to work, cutting open the trunks and other baggage, which they robbed of money, jewelry, clothing, and every thing else valuable, and then sank the trunks in the bottom of the boat. Even the dressing and other boxes belonging to the ladies did not escape them; which were also broken open and rifled of their contents. Such was the destitute condition of some of the passengers (says the Herald) on their arrival here, that they were obliged to make a loan to defray their expenses to Charleston; while these pirates (for they are no better) are gone off with their plunder."

One of the lady passengers begged these ruffians to let her have even a cloak bag, which contained some clothing for her infant, but it was refused! It is supposed that their plunder in money, jewelry and clothing amounted to at least 4,000 or \$5,000.

STEAMBOAT INCIDENT. While the steamboat Providence was on her passage from Providence to New York, on Wednesday last, during a most violent storm, and with upwards of two hundred passengers on board, an incident of thrilling interest occurred, which is thus related in the Boston Gazette:

One of the upper state rooms was occupied by Miss Clifton, the actress, and her servant; the next one, by Mr. Coster, of New York; and another gentleman; and the farther one, at the stern of the boat, by two respectable young ladies belonging to Abington, in this state. Whilst the gale was at its highest pitch, the chamber-maid was sent by Mr. Coster to the room of Miss Clifton on some errand, but, mistaking her room, she knocked at the door of the one occupied by the ladies just referred to, one of whom, Miss Hobart, laboring under the severe effects of sea sickness, and frightened by the roaring of the elements, and still more alarmed by being saluted at such a time by an unknown voice, sprang from her berth in her night clothes, and instead of flying to the door, which opened into the saloon, attempted to escape from the window, which is only one foot square! On getting out, she found a projection of about two inches only to stand on—beneath and around her were the raging billows of the sound. If she had released her hold, the billows

would have forned her winding sheet; but, fortunately, she became sensible of the danger of her situation, and cried piteously for help, when one of the gentlemen in the next room fled to the rescue of the sufferer, while the other held her by the hand from his berth, and fortunately she was rescued from her perilous situation, taken over the railing, and again conducted to her room. An incident better calculated to call all the sympathies and anxieties of human nature into action could not have occurred.

WONDERFUL ESCAPE FROM DEATH. The story that I am about to relate, is one which has excited a great deal of feeling in the vicinity where it happened, and is well worth a conspicuous place in your paper. The facts as handed to me are these: On Friday the 30th day of September last, near the close of the day, a little lad about eight years old, by the name of George Parks, started in pursuit of the cows. He made his way along the path through a piece of woods of about half a mile in length. On reaching the opposite side of the woods, he found his cattle and started towards home. The drove consisted of a very gentle old cow and a number of young cattle. His mother told him previous to his starting, to keep near to the old cow, as she would conduct him on a straight course home. This he was careful to obey; but shortly after he had entered the woods on his way home, walking by the side of the old cow, he heard a crackling in the bushes, and on looking round what should he see but a large bear making towards him with all the speed and fury that those ferocious animals are possessed of. At this critical period, strange as it may seem, the boy possessed presence of mind enough to make use of his alternative—which was to jump astride of the cow's back, and leaning forward he caught her by the horns, and in this perilous situation rode through the woods. The bear seemed to envy him his elevated situation, and vain would have pulled him down. The cattle ran and roared—the boy screamed—but all did not terrify the bear; ever and anon she would come along side of our gallant rider, growling and snarling and striking with her paws—and would have torn him in pieces, but for the other cattle, who would as often attack her in the rear, and as she would turn to give them battle, the cow would gain on her some rods. She would then leave the young cattle, and come with all speed after the boy, which seemed to be her whole aim. Several times she rose upon her hind legs to take him, and as often the cattle would give her battle; and thus they followed through the woods, until the bear's cubs came up, and the young cattle turned upon them. The old bear took their part, and the cow and her rider had arrived at the door of the farm house, ere the old bear could again renew the attack. The boy was almost senseless with fright, and it was not until some time after he had alighted from the cow, that he was enabled to report to his mother the why and wherefore. It is thought the boy will hereafter prefer that some one else should drive the cows to yard.

Bedford, (Ms.) October 2d, 1836.

HYPERBOREAN COLD. Captain Back, in his narrative of the arctic expedition in search of captain Ross, gives some very curious illustrations of the severity of cold endured by himself and his companions. Sulphuric ether, in a tightly stopped bottle, became opaque in fifteen minutes, and deposited a thick sediment, and the upper surface of the sides of the bottle was coated with ice. Mercury 62 degrees below zero. Being removed to the house and placed within four and a half feet of a brisk fire, the ether was forty-two minutes in recovering its transparency. Temperature of the room 32 degrees above zero.

Nitric ether lost its transparency in two hours.

A drachm and a half of sulphuric ether being placed in a bottle, and exposed to the cold out of the house until it became thick, the stopper was withdrawn and a match applied, when the ether ignited with a sharp explosion.

Pyroligneous acid froze in less than half an hour. Mercury 57 degrees below zero. Rectified spirit, diluted with an equal quantity of water, froze in the same time. Rum became thick in a few minutes. Two parts of pure spirit, diluted with one of water, froze solid in three hours; mercury 63 degrees below zero. A surface of mercury, in a saucer, became solid in two hours.

In a small room, a fire of eight large sticks of dry wood could only raise the temperature to 12 degrees below zero, and ink and paint froze in this room. Captain Back placed his table as near the fire as he could bear the heat, yet his camel's hair pencil was frozen to a stiff point, and he had to give up his drawing. Cases and boxes of seasoned

fir split so as to be useless. The skin of the hands and face cracked into unsightly and painful gashes, which then were obliged to be filled with grease.—On one occasion captain B. washed his face and head, standing within three feet of the fire, and his hair actually became stiff with ice before he could dry it.

NEW AND ORIGINAL MODE OF VENTILATION. Dr. Reid, of Edinburgh, was lately examined before the British house of commons as to a certain plan of ventilation which he had suggested for the new house of parliament. He first astonished the new committee by telling them "I must make all your windows and doors air tight." "What," said they, "do you mean to destroy us, in the mode of the Black Hole at Calcutta?" "No," said the doctor, "I'll place you upon a seive, your floor shall be a seive; and I'll make for you an exact temperance of air in an apartment below, and attract it upwards through the seive." "Then you will give us all our deaths by colds in the feet." "No; the air shall warm you if you are cold, and cool you if you are hot; it shall come up warm in winter, and cold in summer." "Well, but how will you do this? How is the air to get out?" "I will erect a tall chimney." They started at the idea of a chimney, and seemed to think it a great nuisance. "Oh, but I'll ornament it, it shall be a tower, if you please; and in that tower or chimney I will place a furnace, which, by its rarifying power, will attract the air upwards, so that all the air which comes from the lungs of our legislators shall go up the chimney."—(laughter.) "But we shall have drafts." "No; it shall go so insensibly and regularly that no draft will be created; and the air your neighbor has breathed, however much you love him, shall never be breathed by yourself." Well, the committee recommended this plan of ventilation to the consideration of the architect, Mr. Barry, who gave it as one part of his plan that the new houses should be ventilated as recommended by Dr. Reid.

QUICK WORK. We were yesterday an eye witness to a specimen of despatch, which, had it not fallen under our own inspection, we should have been sceptical in believing. It was the operation, at the fair of the American institute, of reducing wheat, in straw, to baked bread, in ten minutes.—The process was as follows:—Twelve bundles of straw were placed in a machine in the garden, which came out threshed in a minute and a half; the winnowing was effected in a minute, the grinding and bolting occupied a minute and a half; the dough was kneaded and the cakes formed in two minutes. The whole contents of the twelve bundles were placed in a kitchen range, and came out thoroughly baked in four minutes—making, in the whole, ten minutes. The cakes were distributed around, and they only wanted the aid of a cooler, and a few pounds of Goshen butter to have been swallowed in another minute, without the aid of mastication.

[N. Y. Gaz.]

MEXICAN MISSION TO SPAIN. By a letter from Tampico received by a commercial house in this city, and which has been politely communicated to us, it appears that Messrs. Mora, Parres and Villa Urtia, were to embark by the packet of September for Havana; the object of their voyage is attributed solely to diplomatic relations on the part of their government with Spain. They are to proceed to Madrid to terminate the negotiations of a reciprocal commerce, according to the basis established by the decree of the 27th of August last, which declares a suspension of hostilities with the mother country, and the opening of the Mexican ports to her merchantmen.

[N. O. Bee.]

A NAVAL MEDICAL BOARD OF EXAMINATION is now in session at Gadsby's hotel, Washington, composed of Drs. Thomas Harris, president, Samuel Jackson, Thos. Williamson, M. Morgan and A. Adee. Such assistant surgeons of the navy as have commissions dated before January 1st, 1833, and who have served two years at sea, have permission to be examined before the present board.

NEW PROCESS IN SMELTING IRON. At the late meeting of the British association in Bristol, Mr. Mushat exhibited some specimens of malleable iron, which he prepared by a peculiar process, and gave an exposition of his views in relation to the theory of smelting as usually conducted. The iron, when first reduced in the upper part of the furnace, is in the malleable state, but in its progress downwards is, in virtue of exposure to a higher temperature, and the redundancy of charcoal it encounters, converted first into steel, and finally into pig iron. This new process consists in submitting the ore to the action alone which it experiences in the

upper part of the furnace—that is, in restraining the heat and furnishing but a limited supply of the carbon; and, operating by such method, and without the use of lime, he stated that he was able to obtain at once, and by a single progress, iron soft enough to be forged into nails.

NAPOLEON. "When Napoleon for the second time quitted France, it was asserted that he ought to have buried himself under the ruins of his last battle. Lord Byron in his satirical ode against Napoleon, says:

"To die a prince—or live a slave

Thy choice is most ignobly brave."

This was an incorrect estimate of the hope still kindling in a soul accustomed to dominion and thirsting after the future. Lord Byron imagined that the dictator of kings had abdicated his fame with his sword, that he was about to die away in utter oblivion: lord Byron should have known that the destiny of Napoleon was a muse, like all other great destinies; this muse knew how to change an abortive catastrophe into a sudden turn of fortune, which would have revived and imparted fresh youth to its hero. The solitude of Napoleon in his exile and in his tomb, has thrown another kind of spell over a brilliant memory. Alexander did not die in sight of Greece; he disappeared amid the pomp of distant Babylon; Bonaparte did not close his eyes in the presence of France; he passed away in the gorgeous horizons of the torrid zone. The man who had shown himself in such powerful reality vanished like a dream; his life which belonged to history, co-operated in the poetry of his death.—He now sleeps forever, like a hermit or a paria, beneath a willow, in a narrow valley surrounded by steep rocks, at the extremity of a lonely path.—The depth of the silence which presses upon him can only be compared to the vastness of the tumult which had surrounded him. Nations are absent, their throng has retired. The bird of the tropics, harnessed to the car of the sun, as Buffon magnificently expresses it, speeding his flight downwards from the planet of light, rests alone for a moment over ashes, the weight of which has shaken the equilibrium of the globe. Bonaparte crossed the ocean to repair to his final exile, regardless of that beautiful sky which delighted Columbus, Vasco de Gama and Camoens, stretched upon the ship's stern, he perceived not that unknown constellations were sparkling over his head; his powerful glance for the first time encountered their rays. What to him were stars which he had never seen from his bivouacs, and which had never shone over his empire? Nevertheless, not one of them has failed to fulfil his destiny; one half of the firmament spread its light over the cradle: the other half was reserved to illuminate his tomb." [Chateaubriand.]

ARTIFICIAL CRYSTALS. Dr. Buckland, the naturalist, holding in his hand a blacking pot, value one penny, in which was a little water, clay, zinc and copper, lately presented himself to the British association at Bristol, England, and informed them that by these humble means his friend, Mr. Fox, had succeeded in imitating one of the most recalcitrant and wonderful processes of nature—her mode of making metallic veins. He observed, also, that there was a gentleman now at his right hand, whose name he had never heard till the day previous—a man unconnected with any society, but possessing the true spirit of a philosopher—who made no less than twenty-four minerals, and even crystalline quartz. Dr. Buckland said he knew not how he had made them, but pronounced them to be discoveries of the highest order; they were not made with a blacking-pot and clay, but the apparatus was equally humble; a bucket of water and a brickbat had sufficed to produce the wonderful effects which he would detail to them. Mr. Cross, of Broomfield, Somerset, then came forward and said that, though no geologist, and little of a mineralogist, he had devoted much of his time to electricity, and had lately been occupied in improvements in the voltaic power, by which he had succeeded in keeping it in full force for twelve months by water alone, rejecting acids entirely. He then proceeded to state that he had obtained water from a finely crystallized cave at Holway, and, by the action of the voltaic battery, had succeeded in producing from that water, in the course of ten days, numerous rhomboidal crystals, resembling those of the cave. In order to ascertain if light had any influence in the process, he tried it again in a dark cellar, and produced similar crystals in six days, with one-fourth of the voltaic power. He had repeated the experiments a hundred times, and always with the same results. He was fully convinced that it was even possible to make diamonds, and that at no distant period every kind of mineral would be formed by the ingenuity of man. By a variation of his expe-

riments, he had obtained gray and blue carbonate of copper, phosphorus of soda, and twenty or thirty other specimens. He added, that, if any members of the association would favor him with a visit at his house, they would be received with hospitality, though in a wild and savage region on the Quantock hills, and he should be proud to repeat his experiments in their presence. *N. Y. E. Post.*

ECONOMY IN EXPENDITURE. The following remarks of Mr. Dewey, need to be often reflected upon by those inhabitants of our towns and cities who are straining every nerve, and sacrificing all that makes existence desirable, for the sake of money to lavish on the pitiful vanity of display. These reflections occur to the traveller on his passage in a steamboat from Paris to London.

"I observed that a considerable number of passengers carried a comfortable picnic box or basket with them, and spread their own table. With some, doubtless this provision proceeded from a fastidious taste that feared some poisonous dirt would be found in the common fare of a steamboat. But with many, I presume it arose from a habit, which presents a marked difference between the people of England and of America.—I mean the habit of economy. In America we are ashamed of economy. It is this feeling which would forbid among us such a practice as that referred to, and not only this, but a great many more and better practices. In England, economy stands out prominently; it presides over the arrangements of a family; it is openly professed, and fears no reproach. A man is not ashamed to say of a certain indulgence, that he cannot afford it. A gentleman says to you, 'I drive a pony chaise this year; I have put down my horse and gig, because I cannot pay the tax.' A man whose income and expenses, and style of living far exceed almost any thing to be found among us, still says of something quite beyond him, which his wealthier neighbor does, 'We are not rich enough for that.' One of the most distinguished men in England said to me, when speaking of wines at his table—'The wine I should prefer is claret, but I cannot afford it, and so I drink my own gooseberry.' I have heard that many families carry the principles so far, that they determine exactly how many dinners they can give in a year, and to how many guests—nay more, and how many dishes they can put upon the table, when they do entertain.

This frankness on the subject of economy is among us a thing almost unheard of. Not that we are more wealthy, but, as I conceive, less wise. The competition of domestic life among us is too keen to admit of any such confessions of internal weakness. We practise economy by stealth. Nor is that the worst of it: for one consequence of this habit of feeling is, that we practise too little. When a stranger looks upon the strife of business in our villages and cities, he imagines that he sees a very covetous people, but a nearer observation would show him that much of this eager, and absorbing, and almost slavish occupation, is necessary to sustain the heavy drains of domestic expenditure. This extravagance at home, chains many a man to the counter and countingroom. And this extravagance is of his own choosing, because he knows no other way of distinguishing himself, but by the style of living. Would he but conceive that he might better elevate himself in society, by having a well read library, by improving his mind and conversation, by cultivating some graceful and comparatively cheap accomplishment, he might live a wiser man, and die richer. Who would hesitate to choose between such a family, and one whose house was filled with gorgeous furniture, where the wife and daughters are dressed in the gayest of the fashion, and the husband and father banishes himself the livelong day, and half the night, from that pleasant mansion, to toil and drudge in the dusty warehouse? He sleeps in a very grand house, he lives in a countingroom!"

DREADFUL FIRE AND EXPLOSION AT SEA.—By an arrival at New York, we learn that the brig Ariel from that port, bound to Carthage, with 600 barrels of flour and half a ton of gunpowder on board, took fire at midnight on the 31st of August. The captain, crew and nine passengers were aroused from their sleep by the dreadful cry of "ship on fire!" They escaped, mostly in their night clothes, by means of the longboat. In about twenty minutes, and when they were not more than half a mile from the brig, she blew up with a terrific explosion, which seemed to shake and rend the very elements. They landed on the island of St. Domingo, on the 4th of September, and arrived in New York on Thursday the 27th ult. The Ariel and her cargo were insured in the sum of \$30,000.

SPANISH CONSTITUTION OF 1812.

The following are extracts of the most interesting parts of the Spanish constitution of 1812:—
OF THE CORTES.

"1. The cortes shall be assembled every year in the capital of the kingdom, in the building appointed for their use.

"2. When they shall judge it convenient to transfer their sittings to another place they can do so, provided the place is not distant from the capital more than a dozen leagues, and that two-thirds of the deputies present approve of that change.

"3. The session of the cortes every year shall continue at least three months consecutively, to commence the 1st of March.

"4. The cortes may prolong their session at most for one month further, in two cases only. First, upon the demand of the king; second, if the prolongation be deemed necessary by two-thirds of the deputies.

"5. The deputies shall be wholly renewed every two years.

"6. If war, or occupation of any part of the territory of the monarchy by the enemy, shall prevent all, or several, of the deputies of one or many provinces presenting themselves at the proper time, those absent shall be replaced by the deputies coming from the respective provinces who shall draw lots among each other until the whole number be completed.

"7. When the deputies arrive in the capital they will present themselves to the permanent deputation of the cortes, who will place their names and the places for which they are elected in a registry kept for the purpose.

"8. Preparatory juntas will be formed on the 1st and 20th of February, for regulating the admission of deputies.

"9. On the 25th of February in each year, the last preparatory junta shall be held, in which all the deputies shall take, with their hands on the book of the gospel, the following oath:—"Do you swear to defend and preserve the Catholic, Apostolic and Roman religion, and not to admit any other into the kingdom?"—"I do." "Do you swear to regard religiously the constitution of the Spanish monarchy sanctioned by the general and extraordinary cortes of the kingdom in 1812?"—"I swear." "Do you swear that you will well and faithfully acquit yourself of the charge which the nation has confided in you, having always in view the good of the nation?"—"I do."

"10. After which, a president and vice president shall be chosen by ballot.

"11. The same day a deputation of 22 members shall be elected to communicate to the king that the cortes have constituted, and the king will declare if he will assist at the opening, which is to take place on the 1st of March.

"12. If the king be absent from the capital, the communication shall be made to him by writing.

"13. When the king assists in person at the opening of the cortes, the president will inform him of the day appointed, which shall not on any account be changed.

"14. The king shall enter without guards into the hall of the cortes. He shall only be accompanied by two persons, appointed for the purpose, at his entrance and exit.

"15. The king will pronounce a discourse, in which he will propose to the cortes what he thinks necessary, to which the president will reply. In case the king cannot attend in person he may send his speech in writing.

"16. The cortes cannot deliberate in presence of the king.

"17. The cortes cannot deliberate when the minister comes to make propositions on behalf of the crown.

"18. The sittings of the cortes shall be public, except in particular cases.

"19. The deputies shall be inviolable for their opinions; and they cannot be taken nor summoned in any case, at any time, or by any authority. In criminal cases they cannot be tried by any other tribunal but that of the cortes. During the sitting of the cortes, and a month after the dissolution, they cannot be taken nor summoned for debt.

"20. The deputies cannot, during the time of their election, accept for themselves, or solicit for others, any place under the crown; nor can they, for a year after their term of election expires, accept any decoration by order of the king."

[French paper.]

WAR IN FLORIDA.

From the Florida Herald—extra, Oct. 21.

We are pleased to learn that gov. Call has conferred upon major Pierce the appointment of quartermaster general. We feel satisfied that the office

could not be in better hands. He proceeds immediately in the Dolphin, to Savannah and Charleston with discretionary powers to procure every requisite for the army.

From the same.

To the editor of the Florida Herald:

SIR: As it is desirable to your readers and to the public generally, to learn the operations of the army commanded by gov. Call, you will be pleased to publish the following short, but correct statement furnished by one who was with him.

On the 28th, the governor passed the Suwannee at the Old Town, with 1,250 volunteer Tennesseans and 125 Floridians, all mounted. He had ordered an abundant supply of rations and forage, which was then afloat at the mouth of that river, but owing to the sickness of the crew of three steamboats lying in that river, had not been brought to the depot. Such was the impatience of the volunteers to find the enemy that they prepared to make a sudden rush on the foe, presuming that they might be surprised—and although an express from gen. Read, then at the Old Town, overtook the governor within ten miles from that post to inform him of the reception of a full supply of every thing wanted by the army, both officers and men expressed a decided unwillingness to delay their march. On their route to Camp Drane, seven Indians were killed, and few, if any, discovered by the spy guard in advance, escaped the unerring shot of the volunteers.

On the 1st of October, the governor reached Fort Drane and found the fires of the enemy still burning. They had escaped with their women and children by a few hours only, and but for the accidental escape of a spy found about Wacahouta, who was hotly pursued, but in vain, we should have surprised and perhaps destroyed this whole gang of Micasuckies, with Powell at the head. As it was, 4 of their number was run down and killed.

The army remained encamped at Fort Drane until a junction could be effected with major Pierce then at Black Creek, on whose zeal and ability the governor relied to supply his army with rations. Nor did he rely in vain. On the night of the 4th at ten o'clock, an express reached the major from San Teffe, giving information that 100 Floridians had reached the latter place, to aid in escorting provisions to Camp Drane—at 12 o'clock, 2 hours after the express, the major was in the saddle, and his whole command on the move. It is zeal and energy like this that the times require; it is this that gains the confidence of the general-in-chief, and saves an army from want. On the morning of the 5th the movement was made from Black Creek, and on the evening of the next day major Pierce with his detachment, reached Fort Drane and furnished to gov. Call, 7 or 8 days rations for his whole command, a distance of 66 miles.

With this supply it was deemed advisable to press on to the Wythlacoochee, pass it at the cove, if found fordable, and capture their women and children if the warriors should elude us; or should the waters of the river be beyond the banks, fall down the river, to the depot directed to be established at Graham's old camp, and unite with gen. Read, and col. Lane, at the head of the friendly Creeks. On the way the advanced guard fell in with a small encampment of Micasuckies, the most warlike and hostile of the tribes, killed 13 men who did not fire a shot, and took prisoners 4 women and 8 children. After an examination of the squaws it was found that we had reached the river at the point most desirable; that the body of the Indian families were on the opposite side, and the negro town, so called, was 3 miles above us, protected by a deep creek, running through a thick swamp hammock, and fordable only at very dry seasons. To this last place a detachment of 300 Tennessee volunteers under col. Gill proceeded, who returned in the evening with 3 killed and 7 wounded, by a shot from an unseen foe, unable to cross the creek from the depth of water.

The main body continued their march to the river, and on reaching the banks, after passing the most villainous swamp ever passed on horseback, found the river flooded greatly above its banks, and 250 yards over whilst standing on the edge of the water and mortified that a barrier so unlooked for was thrown in our way, a few shots were fired from the other side, and it was with much difficulty that the impetuosity of our men could be restrained—the firing was continued on both sides without our seeing the Indians. When the volunteers had been recalled, major Gordon gallantly volunteered with 200 of his men to silence the firing on the opposite side.

To this the commander-in-chief was reluctantly induced to give his assent, and the gallant band marched to the banks, two feet deep in water, and after much ineffectual firing, which our officers ob-

served, was only useful in getting rid of ammunition of which we had not too much, were recalled at the sound of the bugle, maj. Gordon being wounded in the breast by a spent ball.

The army thus foiled by the high water in their attempts to cross the river, and end the war at a blow, and almost without rations, had but one of two courses to pursue. The first was to fall back to Black creek or Volusia for supplies—or to advance onward to the mouth of the river to communicate with general Reed or colonel Lane, to obtain provisions there. The last course was preferred by the general and by a council of war, and the march was commenced—greatly to our disappointment, no depot was established, at the point so peremptorily ordered, and the army was directed to Fort Drane and Gray's ferry. Luckily the main object of the expedition was effected, and a junction was formed with colonel Lane, who crossed the Wythlacoochee at Ganines' battle ground on the 3 miles above our encampment, having been governed in his march by the sound of our artillery as we daily fired a signal gun.

Thus has ended for a time our operations. Many horses have been lost, and must be replaced. Depots must be established, we have discovered the proper locations. We have found the enemy's strong hold and the means to assail it. We have found willing and able guides in the prisoner squaws, and derived much valuable information from them. They tell us that there is a large peace party in the nation who would have sent in an envoy, but from dread that we should shoot him. They tell us that their powder is nearly exhausted, and above all that the two head chiefs, the most warlike and the most hostile, next to Powell, the one of the Micasukies, the other of the Long Swamp tribe, were killed by major Pearce at Fort Drane—from that or some other cause, perhaps the defection of the Creeks. We believe that there is dissension amongst them, that their war spirit is broken, and that they will be whipped, humbled and perhaps shipped before Christmas. A high spirit prevails in our army, harmony between the regulars and volunteer militia, and zeal, courage and ardour throughout all.

In addition to the above the Herald has the following:

Major Pierce marched on the 5th in the morning at 2 o'clock, and arrived at Fort Drane on Saturday the 6th, with ten days provision for the Tennessee brigade. Governor Call, marched on Monday, the 8th for the Wythlacoochee, taking a new direction with a view to surprise the Indians; to do this it was necessary to cut a new road for the artillery and wagon train, for more than 50 miles which was performed by the battalion of 200 artillery under major Pierce in 5 days, and although attended with considerable fatigue, and on the morning of the 12th, the advanced guard surprised and attacked a large party of Indians, routing and taking 12 female prisoners.

The following letter from a gentleman of high character, gives the latest intelligence of the Florida campaign: [Globe.

Steamboat Black Creek, Oct. 20, 1836.

MY DEAR SIR: When I last wrote you I was about setting out for governor Call's camp. I left home on the 1st instant, with col. Downing, one of the governor's aids, and a small volunteer party from St. Augustine, and met the governor with about 1,700 men, (Tennesseans and Floridians), at Camp Drane about the 9th. At Black creek we joined major Pierce with about 200 regulars, who took a field piece and an 18 pound howitzer, and a train of wagons with provisions, intended as a temporary supply for the general army, until it should reach the head waters of the Wythlacoochee, where a large stock had been ordered under gen. Read.

On the 12th, as we were pursuing our course toward the Wythlacoochee, and when within about two miles of it, the advanced guard or spies suddenly came upon an encampment of several families of Indians, and so unexpectedly, that those situated nearest had not time to escape. The volunteers dashed among them, and killed eleven, and took four squaws and eight children prisoners.—The squaws were interrogated in the evening as to the situation of the Indians, and readily gave, as they said, all the information in their power. They stated that we were opposite Powell's (Oseola) strong hold—the cove of the Wythlacoochee; that Oseola was sick, and had with him but few warriors—three or four hundred—the remainder being scattered over the country in small parties; that they would pilot the army across, according to the desire of the governor, the next day, &c.

We had with us Billy (brother-in law of the late chief, Charley O'Martha) and an Indian negro, named Cudjo, as interpreter and guide.

On the morning of the 13th, the army proceeded to the river, which was skirted with a thickly wooded swamp, about one hundred yards in width. The spy guard were ordered into the swamp in advance, followed by the regulars and our St. Augustine volunteer dragoons, in order to cross over. We proceeded to the margin of the stream, when Cudjo and one of the squaws, as guides, advanced, and the troops following; but the moment we were discovered by the Indians, who were prepared for us, a brisk fire was opened upon us, and kept up for about half an hour, and returned with equal spirit by the volunteers. The river being unusually high, and our army out of provisions, it was deemed expedient by the commander-in-chief to withdraw the troops, and proceed on in search of the provisions. We had two men wounded, but none killed.

400 men had been despatched in the morning, with Billy and one squaw, four miles up the river, to a place called Negrotown, where many of the Indians and negroes resorted, and where there was another crossing place. Here they were met in the same manner as at the other crossing, and, after a sharp skirmish, returned, having lost two Tennessee volunteers killed, and seven wounded, together with poor Billy, who was shot at the first fire, and died in a few seconds. He was a kind hearted man, and universally respected by the officers of the army.

The next morning we proceeded down the river, toward the celebrated blockhouse, to which governor Call despatched 200 men. They returned on the 16th, with the intelligence that no provisions or force had arrived. The bread was entirely exhausted, and we had nothing but fresh beef. Our horses were starving for want of corn, whereupon the army were ordered to face about, and fall back to Camp Drane, and obtain a supply from Black creek.

On the 17th, before we arrived at the latter place, an express overtook us with information that col. Lane was on the bank of the Wythlacoochee, with 700 friendly Creeks and 100 regulars, nearly out of provisions. He was desired to come on to Fort Drane, and on the 13th, when I left, he was only five miles from it.

The commander-in-chief intends to obtain fresh horses, and recruit up those that will answer, get on a supply of forage and provisions, and make another push as soon as possible to the same point.

Had gen. Read, who was specially charged with obtaining supplies, and seeing them forwarded to the head waters of the Wythlacoochee, been punctual, as the governor had anticipated, I believe the war would have been terminated this month. We had found Oseola and his women and children, and nothing but bread and corn prevented us from taking him.

Gen. Call has been sick of bilious fever, and is now unfit for the duties and fatigues of the field.

I have thus been particular in narrating the facts, however uninteresting, as already a false report has gone abroad.

From the New York Evening Post.

The following particulars are extracted from recent letters received in this city from Florida.

News from Fort Brook, Tampa Bay. Sometime since I heard that the head of the friendly Indians died when within twenty miles of his place of final destination in Arkansas. Poor fellow—he was a noble Indian, of whom I will write more hereafter. There have in truth been few such red men as "Holachte Emathla" or Blue Warrior. I would tell you that the *ch.* in Holachte is pronounced like the German *ich*. His death excited a feeling of very general regret. But for the aid of his friendly dispositions and remarkable energy, there would not now be a single friendly Indian in Florida. Having brought over to our side 499 Indians, he migrated in April last for the west. At Fort Brook, in July, we had a small break in upon the general monotony. On the 18th of that month six or seven men, whilst cutting wood at the distance of a mile, were attacked by thirty or forty Indians. The savages rose up within ten yards of them and fired—missing all but one who was slightly wounded in the side. Our men of course took to their heels, and one poor fellow, named Patrick Quin was overtaken. He discharged his musket at them, and as they approached him, he knocked one of them down with the butt end of it; but he was soon overpowered by numbers. One Indian actually fired at him at a distance of twelve feet and missed him; and six or seven fired at a very short distance. Their rifles having failed, they attacked him with knives, stabbed him in the back, through the lungs, knocked him down and scalped him, and yet he is still in the hospital and is absolutely recovering. He received two large stabs in the back and two in the neck—a scalp about the size of the palm of

the hand was taken off. He says that he distinctly recollects every stage of the process; and that two men were upon him—stabbed him in the back of his neck—seized him by the hair, and in a trice striped him of his scalp. The Indian then sprung up into the air with a shrill and long yell, when they all scampered off. Undoubtedly they thought him dead, and were hurried off by seeing our men hastening to the rescue. At the fort we heard the rifles and the warwhoop, and in one minute the men were paraded under arms and a strong detachment hurried to the spot. Half a dozen of our men were mounted. We chased them above three miles, the horsemen overtook them, and exchanged shots, but of course, could not close with such superior numbers. These incidents will show you how much the aim of the Indian rifle has been exaggerated. To be shot at by half a dozen Indians, at a distance of twenty yards is, of course to be a danger, but that is all. Their miserable shooting is hardly credible, and during the last campaign, I am persuaded that not more than one of a thousand balls, at a reasonable distance, took effect—and when they do hit, their balls are so small that if a bone is not broken they make but a slight flesh wound. Numbers of the Seminoles will starve, or commit suicide rather than yield. The king—"Micco-Nopa," commonly called Micanopy, remains in the glades. His majesty is a huge lump of fat—kept in the glades for safety—far too unwieldy to run, and too sacred to be left for us to pick up. Those who know him say that, in the last extremity, he will cut his own throat or hang himself.

In addition to the above particulars, we learn that lieutenant colonel Lane committed suicide, at Fort Drane, on the 20th ult. by placing the hilt of his sword on the ground, and falling on it in such a way that the point passed through the corner of the eye into the brain. No conjecture is offered as to the cause. He was in command of the friendly Indians and a hundred regulars. With this force he had gallantly fought his way from Tampa Bay to Fort Drane, where he effected a junction with gov. Call. Two hours after succeeding in this difficult undertaking, he deprived himself of life. The Globe, in speaking of the melancholy occurrence, adds:

"Col. Lane was a young man of high attainments and promise—was indefatigable in his pursuits, and full of mental and personal energy. He had the entire confidence of his commander, gen. Jesup, who entrusted him with the delicate and highly responsible separate command which he led into Florida. This dreadful termination of his career is still a heavier blow to his unhappy father, the hon. Amos Lane, who had received intelligence of the death of an accomplished daughter just before the close of the last session of congress."

The Pensacola Gazette of the 15th ult. relates the following noble instance of hospitality: "The sick of the army operating against the Seminoles were sent from Suwanee Old Town, in the United States steamboat American, to the number of one hundred and ten. Their destination was this place, but, when near St. Joseph, the steamboat met with an accident which compelled her to put into that port for repairs. At the moment of her arrival, the ladies of St. Joseph were about to set out on a party of pleasure. They no sooner became acquainted, however, with the situation of the gallant defenders of their country on board the American, than, with one accord, they postponed their pleasure party, and devoted themselves to the duty of alleviating the sufferings of the sick. The entire building lately erected for a hotel by col. Beveridge was given up to them, and the general strife was who should do the most for the sufferers. Every family contributed something. We are gratified to add that, when we last heard from them, the sick were all doing well.

THE ARMY—OFFICIAL.

GENERAL ORDER, NO. 73.

Adjutant general's office, Washington, Oct. 31, 1836.

The resignations of the following named officers have been accepted by the president of the United States, to take effect at the dates set opposite to each respectively, to wit:

Captain H. A. Thompson, 4th artillery, October 15, 1836.

1st lieutenant A. Beckley, 4th artillery, October 24, 1836.

1st lieutenant T. S. Brown, corps of engineers, October 31, 1836.

1st lieutenant G. W. Cass, 7th infantry, October 26, 1836.

2d lieutenant J. H. Leavenworth, 2d infantry, October 31, 1836.

3d lieutenant G. G. Meade, 3d artillery, October 26, 1836.

2d lieutenant D. P. Dewitt, 2d artillery, October 31, 1836.

Bvt. 3d lieutenant R. S. Smith, 2d infantry, October 19, 1836.

Bvt. 3d lieutenant T. P. Chiffelle, 7th infantry, September 30, 1836.

Paymaster Neville, October 24, 1836.

Paymaster Hayne, October 25, 1836.

By order of major general MACOMBS:

R. JONES, *adjutant general*.

MR. CLAY AND THE CHEROKEES.

The following letter was addressed to the Cherokee nation of Indians, through one of their people, by Mr. Clay, in 1831—the time of their great distress and excitement—and has lately appeared in the newspapers. We have seldom seen so brief an address so full of interest. How statesmanlike, how full of good sense, of wise counsel, of humane feeling and honorable sympathy! No one can read it, we are sure, without experiencing an increased degree of respect both for the head and the heart of the eminent citizen who penned it. [*Nat. Int.*]

Ashland, 6th June, 1831.

DEAR SIR: I received your letter of the 14th ult. describing the wrongs and sufferings of the Cherokee nation. Of these I had been previously well informed. In common with a large portion of the citizens of the United States, I regretted them, and felt the sincerest sympathy with you on account of them. I regretted them, not only because of their injustice, but because they inflicted a deep wound on the character of the American republic.

I had supposed that the principles which had uniformly governed our relations with the Cherokee and other Indian nations had been too long and too firmly established to be disturbed at this day.—They were proclaimed in the negotiation with Great Britain at Ghent, by the American commissioners who concluded the treaty of peace; and having been one of those commissioners, I feel with more sensibility than most of my fellow citizens, any violation of those principles; for if we stated them incorrectly, we deceived Great Britain; and if our government acts in opposition to them, we deceived the world.

According to those principles, the Cherokee nation has the right to establish its own form of government, and to alter and amend it from time to time, according to its own sense of its own wants; to live under its own laws; to be exempt from the operation of the laws of the United States, or of any individual state; to claim the protection of the United States; and quietly to possess and enjoy its lands, subject to no other limitation than that, when sold, they can only be sold to the U. States. I consider the present administration of the government of the United States as having announced a system of policy in direct hostility with those principles, and thereby encouraging Georgia to usurp powers of legislation over the Cherokee nation which she does not of right possess.

Such are my opinions, which are expressed at your request; but they are the opinions of a private individual, which can avail you nothing.

What ought the Cherokees to do in their present critical situation? is a most important question for their consideration. Without being able to advise them, I see very clearly what they ought not to do. They ought not to make war. They ought to bear every oppression, rather than fly to arms. The people of the United States are alone competent now to redress these wrongs; and it is to be hoped that they will, sooner or later, apply the competent remedy.

In communicating these opinions at your instance, I have done it with no intention that they should be published. A publication of them might do injury, and I therefore request that it be not made.

I feel very thankful for the friendly sentiments towards myself, which you have expressed, and offer my sincere wishes that your nation finally may obtain justice at the hands of the United States, and may become a civilized, Christian and prosperous community.

I am, with high respect, your obedient servant,
H. CLAY.

Mr. John Gunter.

POLITICS OF THE DAY.

On Monday, the 24th inst. the "democracy of the 1st congressional district of Pennsylvania assembled at the Commissioners' Hall, in Southwark, and held a great festival in honor of the victory gloriously achieved by the democracy of the first

district over the combined forces of anti-masons—traitors, apostates and mis-called whigs."

When the cloth was removed, answers from the president of the United States, the secretary of the treasury and the navy and the post master general, to invitations to join the festival, were read. The following are the letters of the president and post master general:

Washington, Oct. 22, 1836.

GENTLEMEN: I have the pleasure to acknowledge the receipt of your letter of the 19th inst. inviting me to unite with the democratic citizens of the 1st congressional district of Pennsylvania, in celebrating, on Monday next, the triumph of their principles in the recent election of col. Lemuel Paynter.

My public duties, at this time, not admitting of my absence from this place, it is out of my power to accept this kind invitation. Be pleased, however, to convey to the citizens of the district the assurance of the high satisfaction which it always affords me to learn that the schemes of those who seek to obtain power against the will of the people have been disappointed.

I feel thankful for the evidence which your letter contains of the approbation of my public conduct, by the large and respectable portion of my fellow citizens composing the first congressional district of your state, who are represented by you on this occasion. I am, very respectfully, your obedient servant,
ANDREW JACKSON.

Messrs. Wm. W. Chew, John Thompson and others, committee, &c.

Washington, Oct. 22d, 1836.

GENTLEMEN: I have received your letter of the 19th inst. inviting me to a celebration of the late triumph of democracy, &c. to be held on the 24th inst. in the first congressional district.

Did public duties permit an acceptance of your kind invitation, no occasion has presented itself since the late war with Great Britain, on which it would have given me more gratification to indulge in festivity, gratulation and triumph. A direct attempt has been made to govern your state by corruption, and it has been rebuked and repelled in a spirit worthy of '76. It is not a triumph of one man over another; it is a victory of principle over profligacy—the triumph of a virtuous people over concentrated wealth, mercenary talent and licensed corruption. It affords a brilliant illustration of the purity of our people, and is a presage of the necessary reform and enduring stability of our republican institutions.

But the conquest is not complete. The enemy you have vanquished will not cease to be dangerous until he ceases to exist. Follow him up with blow after blow in November and May, until he shall be exterminated without hope of resurrection.

This is not all. Since corruption has found wings in bank notes, liberty needs new safeguards. The principle must be settled, that no legislative body can grant a charter or a privilege which any subsequent legislature or the people in convention may not abrogate or recal. The idea that a corrupt legislature may sell the rights of the people, without redress, is monstrous. If the people tolerate such rules by establishing the inviolability of charters, the time will soon come when they will have no rights to sell. A charter confers on men the privilege of using their property in a particular way; the repeal of a charter does not destroy their property, but only prevents their using it longer in that particular way. The repeal of a bank charter destroys no man's property: if it have been honestly and prudently conducted, each stockholder will receive back the money he vested in it, and may use it in any other lawful business. When banks become corrupt and abuse their powers, they become a public nuisance, and may be abated by the same power which prevents private citizens from so using their own as to inflict injury on their neighbors.

Whom will the establishment of this principle injure? Not the farmers, nor the mechanics, nor the laborers, nor any other man, who, content with protection from his government, relies upon himself alone for wealth and advancement. It would only obstruct those who seek by combinations and exclusive privileges to make others subservient to their will and auxiliary to their aggrandizement. And have any set of men a right to complain when deprived of this power? The maxim of a republican government should be, *protection for all—favors for none.*

But I have not time to pursue this glowing theme. In conclusion, please accept my thanks for your kindness, and if not in your opinion inexpedient, present to the company the annexed sentiment.

With high regard, your ob't servant,

AMOS KENDALL.

Messrs. Wm. W. Chew, John Thompson, Geo. C. Stevenson, Jos. M. Doran, Pierce Butler.

Pennsylvania—Honest, firm and incorruptible—she will gloriously close the war with corruption which president Jackson so fearlessly began.

By the company. Hon. Amos Kendall, postmaster general—Distinguished alike for his eminent talents and the soundness of his political principles.

Knoxville, (Tenn.) Sept 30th, 1836.

The undersigned citizens of, and, for many years past, residents in Knoxville, have noticed an editorial paragraph in the "Standard of Union" charging judge White with being favorable to free negro suffrage and asserting, that upon one occasion, viz: in 1825, he actually "locked arms with a free negro and walked with him to the ballot box." The same charge substantially, has appeared in other quarters and met such rebuke as its falsehood and baseness merited. Had it not been so repeatedly and gravely urged, in portions of the country where judge White is personally unknown, the undersigned would not have deemed it necessary or proper to bestow any notice upon a charge which is here universally known and pronounced to be false and unfounded in every respect. No man in this community, however credulous he may be, or however much he may be prejudiced against judge White, pretends to believe or countenance the aforesaid charge. So far from judge White taking an active part in the canvass of 1825 it is known to all here, that he was so indifferent as to the result, that he merely voted without exercising any exertion or influence whatever. The time never was when he would have condescended to act in the manner represented, and more especially would he not have done so on the occasion specified. The individual who gave the information to the editor of the "Standard of Union," has either been imposed upon himself by some malignant slanderer, or he has wilfully and wickedly given currency to a base falsehood. The charge, in all its features, is a fabrication. We make this assertion confidently and challenge contradiction from any respectable source. Judge White's opinions and principles on the subject of slavery and various questions connected therewith, have so recently been expressed by himself in his public capacity that it is superfluous to repeat them.

We have made the foregoing statement without the knowledge of judge White, and in his absence from home, deeming it but a simple act of justice due from his neighbors and friends.

JAMES PARK,	WM. G. HOWELL,
S. D. JACOBS,	MOSES LINDSAY,
W. C. MYNATT,	NICHOLAS NELSON,
W. B. REESE,	M. D. BEARDEN,
LUKE LEA,	ROBT TITUS,
PRYOR LEA,	SMP. BELL,
R. KING,	PLEASANT CIEW.

Knoxville, 29th Sept. 1836.

In the Standard of Union, a newspaper published at Milledgeville, Georgia, I have seen an article asserting that in 1825, in a warmly contested election at Knoxville, in which col. Williams was one of the candidates, judge White, who took an active part for his brother-in-law, locked arms with a free negro and walked with him to the ballot box.—This charge is said to rest on the testimony of a respectable citizen of Georgia. I was myself the opponent of col. Williams in 1825 and it was a closely contested election. If such conduct had taken place with judge White and a free negro, I have no doubt that it would have been noticed by myself or my friends. I never heard the charge against the judge until I saw it in the paper above alluded to. I am therefore inclined to believe that the story is without foundation. It is so foreign from judge White's character and principles to have acted in the way represented that, a contradiction of the charge where he is known, would seem to be entirely useless.

JAMES ANDERSON.

The following letter was addressed by general Harrison to a committee of the citizens of York, Pa. in reply to a letter requesting information in relation to a charge of his political opponents that he had "wantonly burned a Moravian town in Canada, with all their provisions, and that but for the humanity of com. Perry, in furnishing them with flour, they must have perished with hunger."

York, Oct. 8, 1836.

GENTLEMEN: In answer to your inquiry in relation to the burning of the town occupied by the Moravian Indians, near to the scene of the action of the river Thames, in the year 1813, I state, that it was not burned by my order, but by order of a major general of the Kentucky militia, after I had left the army on my return to Detroit. This gentleman has always been opposed to me in politics.

but although he was blamed by others, I thought he was perfectly justifiable in doing so, because the Indians to whom it belonged, had fought against us in the action, and if the town had been left, it would have afforded a place of rendezvous for the hostile Indians during the winter, which would have enabled them greatly to annoy our outposts and the settlements of Detroit. In war, nothing is more common than the destruction of the houses, even of our friends, where they can be used to advantage by the enemy. Thus general Jackson very properly destroyed all the houses of American citizens in front of his lines near New Orleans. No general, who does not do so, where the necessity occurs, would deserve to have an army entrusted to him.

I will add, that there were no provisions or stores of any kind in the town, as they had all been consumed by the British troops and Indians, nor was there a barrel of flour, belonging to our army, within fifty miles. The story, therefore, of the Moravians being supplied by commodore Perry, is a wilful fabrication. I am, respectfully, &c.

WM. H. HARRISON.

Letter from col. R. M. Johnson.

Oak Woods, Oct. 10th, 1836.

MY DEAR SIR: It is my intention to visit my district before the presidential election in November. But in this I may be disappointed; and, at all events, I cannot gratify my wishes in this respect till late in October. In the mean time, I take the liberty to express to my constituents, through you, as far as practicable, and as far as your friendship may induce you to make known my gratitude to them for past favors, and as I have never done any thing to forfeit their confidence, to appeal to them for their support, in the coming election in November, as it may be the last time they will ever have the opportunity of giving evidence to the world that I have never lost their friendship and approbation.

I do not consider the principles of party politics involved in this election; but, even in such a case, my friends and fellow citizens will remember that, in serving them, I have never yielded to party feelings or party considerations, but I have served them faithfully, without respect to persons or politics. Whether I shall get the vote of Kentucky, my native state, or not, you must know that it is natural that I should feel great anxiety to get a large vote in a district which I have served for 30 years. I appeal, therefore, to that kind feeling which has ever existed between my constituents and myself. Excuse this trouble, and believe me, truly and sincerely, yours,

RH. M. JOHNSON.

N. B. Please read this, when convenient, to the citizens of your neighborhood.

Mr. Adams has addressed the following letter to the committee of an anti-masonic convention lately held at Hanover.

Quincy, 21st October, 1836.

Messrs. Benjamin V. French and Harvey Field, committee of the anti-masonic convention, held at Hanover, on the 18th October, 1836.

GENTLEMEN: I have received with sentiments of grateful sensibility, the copy of the resolutions of the convention held at Hanover on the 18th instant, relating to myself, and communicated to me by you. Conscious of the favorable indulgence with which the convention has been pleased to estimate my services as the representative of the 12th congressional district of the commonwealth, in the congress of the United States, I am sensible that the only portion of that approbation which they have bestowed, to which I can have a just claim, is that which regards the honesty of intention, and the assiduity of industry. I receive it as the testimonial of the kindness which has been extended to me by the convention and their constituents, and with a confirmed resolution to adhere, as long as I shall remain in public life, to those principles upon which I have hitherto discharged the trust committed to me by them. With regard to the resolutions referring to the election of a president of the United States, it may be proper for me to say, that the only contingency upon which I may be required to take a part in it, would be the failure of a choice by the electoral colleges, thereby devolving it upon the house of representatives, in which event, entertaining a respectful opinion of all the candidates whose names may be returned to the house, my vote would be given in favor of him whom I shall have reason to believe most acceptable to a majority of my constituents, the people of the 12th congressional district of Massachusetts.

I am with great respect, gentlemen, your friend and fellow citizen,

JOHN QUINCY ADAMS.

From the Lexington Observer and Reporter.

Lexington, Oct. 12th, 1836.

Messrs. Henry Clay and Chilton Allan.

GENTLEMEN: We have just learned, with much surprise, that col. R. M. Johnson, in his electioneering stump speeches, for the office of vice president of the United States, asserts, as of his own knowledge, that his competitor, Francis Granger, esq. of New York, the whig candidate, is an abolitionist, that he was one of the organs of that party, and maintained abolition opinions and principles on the floor of congress last winter. As we know you had every opportunity, from private intercourse as well as public, to become possessed of the opinions of Mr. Granger on this subject, we beg you will give them to us, with authority to present them to the public. Very respectfully, yours, &c.

B. W. DUDLEY,

JAMES E. DAVIS,

CHARLTON HUNT,

GEO. C. THOMPSON,

GEO. W. ANDERSON,

LESLIE COMBS,

R. WICKLIFFE, JR.

A. K. WOOLLEY.

Ashland, 13th Oct. 1836.

GENTLEMEN: I have received your note of yesterday, stating that the honorable R. M. Johnson asserts, as of his own knowledge, that his competitor for the vice presidency, Francis Granger, esq. is an abolitionist, that he was the organ of that party, and that he maintained abolition principles and opinions on the floor of congress last winter; and you requested me to communicate his opinions on that subject, under the supposition that I had every opportunity of becoming possessed of them.

I regret that the short interval between the present time and the period of the election does not admit of your obtaining from Mr. Granger himself a statement, under his own signature, of his real sentiments, and laying them before the people.—This consideration reconciles me in giving an answer, in compliance with your request.

I cannot but persuade myself that you must have been misinformed as to the assertions attributed to col. Johnson. I think he could hardly have made such a great mistake in imputing opinions to a distant and absent competitor, who had no opportunity of answering him.

Abolition was an engrossing topic of private conversation and public debate during the last session of congress. I had frequent opportunities in social intercourse with Mr. Granger, and in his public discussions, of learning his opinions. I understood him clearly and distinctly to disapprove of all interference with slavery, as it exists in the states tolerating that institution, either on the part of congress or the northern states. And I am perfectly sure that it is altogether inaccurate to say that he is either an abolitionist or the organ of the abolitionists.

Numerous petitions were presented to both houses of congress, praying for the abolition of slavery within the District of Columbia, over which congress has a right, by the constitution, to legislate in all cases whatever. Mr. Granger and many other members were charged with presenting some of these petitions. Some of them were sent to me, and I felt it a duty, as probably others did, to present them, when couched in respectful language. It was the subsequent duty of congress to dispose of them as might seem to it to be right. A question having been made as to the reception of these petitions, it was decided by a very large majority in the senate that the petitioners had a constitutional right to offer them. The same opinion prevailed in the house.

I was well acquainted with Mr. Gideon Granger, the late postmaster general, appointed by Mr. Jefferson. He was the father of Mr. Francis Granger. During part of the years 1818 and 1814 my family and that of Mr. Gideon Granger resided in Washington near to each other. We were very intimate, and I then became acquainted with Mr. Francis Granger, whom I have known ever since. And I should not do justice in concluding this note, without bearing testimony to his high character, his great abilities, his manly and uniform correct deportment. I have found him, whether in the senate of New York or the house of representatives, with unflinching firmness, supporting those great measures of national policy which appeared to me best adapted to strengthen the union and advance the common prosperity. I am, gentlemen, with great respect, your obedient servant.

HENRY CLAY.

Messrs. Dudley, Davis, Anderson, Wickliffe, Hunt, Woolley, Combs and Thomson.

Winchester, Oct. 14, 1836.

GENTLEMEN: Your letter of the 12th inst. is before me; in reply I have to say that during the last session of congress, I learned from his public speeches, as well as from numerous conversations, that the hon. Francis Granger, of New York, was opposed to abolition.

He maintained the opinion in public and private, that congress had no constitutional power to interfere in any manner whatever, with the slave property of the people of the United States. With great respect, I am your obedient humble servant,

CHILTON ALLAN.

To Messrs. B. W. Dudley, James E. Davis, &c. &c.

"REFORM OR REVOLUTION" IN MARYLAND.

Public meeting in Montgomery.

Pursuant to public notice, inviting the voters of the 2d election district of Montgomery county, to assemble at Mrs. Cumming's tavern in Clarksburg, on Saturday the 22d instant, "to consider the propriety of instructing our senatorial elector to return to Annapolis and unite in making a senate."

A large and respectable number of the citizens of said district assembled. For greater convenience, the meeting adjourned to the large room of Mr. Stephen Lewis, where the meeting was organized by calling Lot Lenthicum, esq. to the chair and appointing Leonidas Willson, esq. secretary. Upon motion of Robert M. Beam, esq. a committee of seven was appointed by the chair to propose and submit to the meeting resolutions for their consideration. Whereupon the chair appointed Robert M. Beam, Wm. L. Wilson, Zachariah Waters, Zachariah Magruder, Samuel Blount, Charles H. Murphy, Zadock Summers, said committee, who retired and, after some deliberation, reported the following resolutions, which were unanimously adopted.

Resolved, That the nineteen electors, by refusing to unite in electing a senate, have violated an express command of the constitution; have wilfully abandoned a high public duty; have disregarded their engagements with their constituents; and have arrogated to themselves a power destructive to the right of the people, and fatal to the existence of all good government.

Resolved further, That, in the attempt to call a convention, as the only means by which we can be preserved from a state of anarchy, the consequence of their own wilful and deliberate acts, they have usurped the sovereignty of the people, and have added insult to the injury which their own criminal violation of duty may occasion.

Resolved further, That we are decidedly opposed to such a convention and will not aid in its formation.

Resolved further, That the twenty-one electors, by their steadfast perseverance in holding themselves prepared to execute the high trust for which they had been appointed, and to rescue the government from the revolutionizing attempts of others, have exemplified the true spirit of patriotism, and have endeared themselves to all the friends of law, and all true lovers of their country.

Resolved further, That we view the conduct of Mr. John S. Sellman, in retracing a step which he discovered to be at variance with the wishes of his constituents, as an evidence of consistency of principle in the man who professed to be governed by the will of the people—and of a noble independence of character in him, who could thus dare to be the foremost in retracing an error and thus sacrificing personal feeling at the shrine of duty.

Resolved further, That the perseverance of Dr. Duvall in a course, which the result of the late election, as well as his own personal observation, must have convinced him was in direct opposition to the wishes of a large majority of his constituents, indicates a total disregard for the rights of the people, and a determination to sacrifice duty and principle to the attainments of political ends.

Resolved further, That his attempt through the medium of the press, to impress the public mind with the belief wholly unwarranted and unfounded, that the "people of Montgomery" have yielded "a generous and prompt approbation to his course," we can view with no other feelings than those of regret and indignation.

Resolved further, That as it is the wish not only of this meeting, but we believe of a large majority of the people of this county, that Dr. Duvall should return to Annapolis and unite in electing a senate, this duty he is earnestly requested to perform.

After the above proceedings were had, the meeting was addressed by Anthony Kimmel and Richard I. Bowie, esqs. On motion,

Resolved, That the proceedings of this meeting be signed by the chairman and secretary, and published in the Maryland Journal, National Intelligencer, Baltimore Patriot and Chronicle.

LOT LINTHICUM, chairman.

LEONIDAS WILLSON, secretary.

GREAT FRAUD.

The fraud described in the annexed article has excited more than ordinary attention in New York: From the *Journal of Commerce*.

POLICE OFFICE, OCT. 29.

Extensive frauds. An investigation is going on at the police, from which it appears that some of the imposing merchants of the city have been defrauded to a very large amount by two store keepers in Broadway. The accused parties are Richard Venables of 255 Broadway, and his brother-in-law John Pemberton late of 575 Broadway. Venables and Pemberton are Englishmen, and but a short time in this country. Some months back they opened silk mercery and dry goods stores in Broadway, on an extensive scale, and at first purchased goods for cash, and then on short credits, until they formed a character for stability, and having done so, they obtained goods to the amount of about \$20,000 from different merchants in the city. About a fortnight back, Pemberton shut up his store and started for England, having first disposed of his stock, amounting to more than \$100,000, which he got secretly conveyed away from his premises. When his flight became known to his creditors they made enquiries about the matter, and learned that a large and valuable portion of Pemberton's stock was conveyed from his store by a carman at a late hour of the night previous to his absconding. His creditors, consequently offered a reward of \$500 for the discovery of the carman, and Mr. A. M. Smith, of the police office, was fortunate enough to find him, and learned from him that on the night in question he brought the goods from Pemberton's store to that of Venables, and had carried them into his store through a private passage leading into it from Peale's museum, and also that a clerk of Pemberton's named Potts, had assisted him in conveying away the goods. Mr. Smith intimated the information he had thus obtained to Pemberton's creditors, and on last Wednesday night Venables was requested to call at the house of Mr. A. J. Brown, of the firm of Ramsdell & Brown, corner of Cedar and William streets, where he accordingly went, and was asked for an explanation relative to the information which was obtained from the carman. Venables denied positively having received any property from Pemberton, but acknowledged that a carman brought some articles to his store in the manner above mentioned, but stated that they consisted only of some trunks belonging to his sister. As nothing satisfactory could be elicited from Venables, the ensuing day some of Pemberton's creditors took out writs of replevin, and searched Venables' premises, where they found large quantities of goods, which had been sold to Pemberton by Ramsdell & Brown, and Mr. A. Lawrence, of Cedar street. There were also other goods found, which Pemberton had purchased from different merchants in this city, and amongst them a quantity of linen, which he bought from Mr. William Redmond. The latter article Venables asserted he bought from some person who brought it from England, and in support of his assertion he produced a bill of it, dated the 4th of September, but Mr. Redmond is positive they were in his store the 12th of September. According to the carman's account, he must have carried more than \$100,000 worth of goods from Pemberton's store to that of Venables. As all these circumstances made it pretty clear that Venables and Pemberton had conspired to defraud the merchants, Venables was taken into custody on Friday, and ordered to find bail in \$10,000, and in default thereof was committed to prison. He has since, it is said, offered to assign over all his property for the benefit of Pemberton's and his own creditors, but it is thought his offer will not be accepted. Besides the goods from Pemberton's, which were found at Venables', upwards of ten thousand dollars worth have been found at a house in Chatham street.

LAW CASE.

SUPERIOR COURT OF NEW YORK—JUDGE JONES PRESIDING.

Peter F. Even vs. John Wood. This was an action to recover damages for breach of an agreement relative to the sale of a house.

On the 28th of January, 1835, the plaintiff entered into a written agreement with the defendant to rent a house from him in Madison street, for two years from the ensuing May, with a proviso that if within six months from May, the plaintiff wished to purchase the house and lot for the sum of

\$7,500, the defendant should sell it to him. The plaintiff went into possession of the premises on the first of May, and on the 15th of the following October served a written notice on the defendant, stating his intention to purchase the house at the price agreed on, and requesting the defendant to have the deed of transfer prepared. Conformably to this notice the plaintiff called on the defendant on the 17th of October, and tendered him \$7,500 and demanded a deed of the house. The defendant refused to sell him the house, as he had already sold it to his son, but offered to give the plaintiff another house of equal value. The plaintiff refused to take any house but the one in question, and the matter rested so until the following December, when the plaintiff commenced the present suit against the defendant, who, the day after the suit was commenced, offered to make good his agreement. Four witnesses were produced by the plaintiff, who stated that the house and lot were worth from 9 to \$10,000 in October, 1835, and the plaintiff now sought to recover the difference between that sum and \$7,500, for which the defendant had agreed to sell him the house.

This was the case for the plaintiff. Counsel for the defendant moved for a non suit, on the ground that as the plaintiff had given no consideration for the contract, it was a mere privilege given him by the defendant, and not binding on the latter by law.

The court overruled this motion, and several witnesses were then examined for the defence, according to whose testimony the house and lot were not worth more than \$7,500, or at the most \$8,000, in October, 1835. The defendant's son deposed that he had been always willing to transfer the premises to the plaintiff. But it did not appear that an offer to do so was ever made on the part of the defendant until after the commencement of the present suit. It was, however, admitted on the part of the plaintiff, that the defendant in selling the house to his son, had not acted in bad faith to the plaintiff.

The court charged the jury, that the first question was, whether the defendant was liable to pay damages? And the 2d, what was the rule of damages? The court had dismissed the first question by saying that the agreement was as binding on the defendant as if the plaintiff was bound to take the house. It was alleged on the part of the defendant, that although he was bound to give a deed of the house, yet, as his refusal to do so, was not founded in bad faith, the plaintiff was only entitled to nominal damages, as he sustained no loss except the profit which he might have made on the purchase. The court, however, did not think so. If a man agrees to sell a property, which he thinks he has a right to sell, and when called on to do so, finds that he has no authority, he is not liable for any damages except what had been actually sustained, and not for any rise which might have occurred in the value, as he had acted in good faith. But this was not the case in the present instance. If the plaintiff had no authority to sell the property in October, it was his own fault, and he was liable to damages. The next question was what amount of damages ought to be given. The witnesses for the plaintiff valued the property at from 9,000 to 10,000 dollars, while the witnesses for the defence valued it at only \$7,500 or \$8,000 at the utmost. If the jury thought that the property was intrinsically worth any sum over \$7,500, in October, they would give the plaintiff a verdict for the difference; but if they believed that the property was only worth \$7,500, a verdict for the plaintiff for six cents.

Verdict for the plaintiff, \$250.

[*Journal of Com.*]

VOLCANOES IN THE SEA.

Our readers will recollect the remarkable occurrence which took place some time last year, of the sudden rising up, out of the bosom of the Mediterranean sea, of an island, formed by the action of a volcano. A friend has handed us the annexed account of a similar phenomenon, which was witnessed some years ago in the Atlantic, and which may possess interest for the general reader. The account is from the pen of an officer of the British ship of war Sabrina. The Mediterranean formation sunk and disappeared almost as rapidly as it rose. Whether the one described below was equally evanescent, or whether it still exists, we do not know.

[*Nat. Int.*]

H. M. S. Sabrina, 15th July, 1811.

It gives me the greatest pleasure to have it in my power to write on so interesting a subject as you will find in the following lines. On Sunday, the 16th June, (being bound from Fayal to St. Michael's, and in sight of the latter), at 1 P.M. we observed two separate columns of white smoke arising from the sea, off the west end of St. Michael's, which appeared very much like an engage-

ment: we immediately made all possible sail, in hopes to join it, but this we were prevented from by the wind dying away. The smoke continued to ascend till 4, (with the same strength it did at first), at which time it ceased, except at intervals, till 6, when it again broke out with redoubled violence. It had now continued about 5 hours, which we concluded was too long for an action, and that it was a volcano; but we were too far distant to see the part of the island from whence it arose.

In the above manner it continued to arise till dark, when we lost sight of it, except sometimes that it was rendered visible by flashes of lightning, which seemed to ascend in the smoke. During the night a breeze sprung up, and on the 17th, at 6 A.M. we were close in with St. Michael's, and 8 or 9 miles from the volcano, which appeared to be 1-2 or two miles from the nearest part of the island, and still raged in a most majestic and awful manner. At 9 we anchored off the town, and the British consul came on board, who informed us the smoke was first seen to arise on the 14th June, previous to which they had sustained several very severe shocks of earthquakes, so much so that the destruction of the whole island was greatly dreaded; but they had now ceased, to the great satisfaction of the inhabitants. From our anchorage we could not see the volcano, but the smoke continued to arise over the land in immense clouds, all the remainder of the day. The 18th, the captain and some of the officers went to the west end of the island, where they saw the volcano still throwing up (from under water) vast columns of smoke, together with stones, cinders, ashes, &c. Whilst they were observing it, they were surprised with the shocks of earthquakes, one of them more than slight. At 11 A.M. they saw the mouth of the volcano or crater, just showing itself above the surface of the sea, and christened it Sabrina island. There were formerly 40 fathoms over the spot the volcano arose from. When the captain and officers returned, which was 3 P.M. they left Sabrina island about 30 feet high, and a furlong in length. The 19th we weighed and made sail toward Sabrina island, having on board four or five ladies, the British consul and five or six other gentlemen. At 11 A.M. we were about five or six miles from Sabrina island, which then appeared 50 or 55 feet in height, and two thirds of a mile in length. Before 12 we were within 3 miles of it, directly to leeward, when the clouds of smoke, having drawn up several water spouts, which, spreading in the air, occasioned a shower of rain to fall, together with a great quantity of fine black sand, which had been carried up with the smoke, descended with the rain, so much as to completely cover our decks. We remained about three or four miles from it the rest of the day. At 4 P.M. a very great eruption took place; vast quantities of black smoke were thrown perpendicularly up (notwithstanding there being a fresh breeze) with incredible velocity, pillar after pillar, in continued succession, hurling out at the same time a great number of large stones, some of which I saw fall into the sea more than a mile from the volcano. When the black smoke had arisen to its greatest height, (which was more than double as high as any part of St. Michael's it fell into the sea, where it left all the cinders, ashes, &c. that were too heavy to remain in the air, and then arose in a white cloud, and was carried away to leeward. We remained at sea all night, and, being near enough, we could see the smoke, which, being frequently illuminated by flashes of lightning ascending from the volcano, and the fall of red hot stones from an amazing height, exhibited a pleasingly awful scene.

The 20th, at 8 A.M. we came to in the roads of Ponta Delgada, having left Sabrina island at 5, upwards of one hundred and fifty feet high, and almost a mile long, still raging with great violence, and continuing to increase in size. We arrived at Fayal the 28th, and having watered, we sailed on the 30th for St. Michael's, leaving the consul at Fayal, and two of his daughters on board for a passage. On the 4th of July we were close in with St. Michael's, and about seven or eight miles from Sabrina island, which was perfectly quiet. At 10 A.M. we hoisted out the gig, and the captain, the consul, master, purser and myself went to see if there was a possibility of landing. On our near approach to the island, we found it surrounded with a very narrow steep beach of ashes, with a great deal of surf on, which occasioned a little difficulty in landing. When we got on the beach, we found the cliffs, or bank, (which was composed of fine black ashes and sulphur, with a few cinders and dross of iron), altogether inaccessible, except in one part, which we ascended with great difficulty, the ashes giving way at every step we took, fill it got so very hot to our feet that we were glad to return. We then walked round to the side toward the island St. Michael's; but before I proceed, I will describe its situation more fully.

It is about a mile and a half from the west end of St. Michael's, its circumference is more than two miles, the steepness of the cliff renders it inaccessible, and its height is more than two hundred feet. On the side toward St. Michael's it is quite open, that being the weather side when it was raging; here we saw the mouth of the crater, but it has now the appearance of a basin, being full of boiling hot water, from which there runs a continual stream of boiling water into the sea; and at the distance of fifty yards out the water abreast this place is too hot to keep one's hand in it. When we came to the stream we could not cross it, but walked round the island to the other side, where, after considerable difficulty, we got on an eminence about fifty feet high; here we set up our flag staff and hoisted the union, taking possession of the island in the name of his Britannic majesty. In many places the cliff was so hot that we could not bear to touch it, and the smoke still issued from the back part of the crater, which induced us to think it must soon break out again. In short, the whole island is but a crater, the cliff being the walls of it, for it is as steep inside as outside. After we had taken some samples of the different sorts of stone we found, we returned on board, and next morning anchored at St. Michael's, where we learned we were the first that ever set foot on Sabrina island, and of course had an undoubted authority to name it.

DISTRESSING CASUALTY

From the Boston Daily Advertiser.

We find in our late Paris papers the following particulars of a painful disaster which occurred near Lyons. The result of the efforts to relieve the sufferer was not known at the date of the latest papers.

Lyons, September 6.

Last Sunday a tragical event happened on an estate situated at Champver. Some workmen employed in digging a well in a sandy and loose soil, had reached a depth of 63 feet, when they thought they perceived the drums, which are used to prevent the sand from breaking in, bending, and feared that they were just ready to yield to the pressure of the weight around them. The workmen made haste to reascend; but, in their haste, they left at the bottom of the well some of their valuable tools.

The contractor, wishing to repair this forgetfulness, went down himself to bring up the tools; but, on arriving at about three-quarters the depth, a part of the drum gave way, the ground crumbled in, and shut out all retreat from the imprudent man, to whom there remained no means of communication with the outside, except from the crevices left in the wood-work which had served to form the drum. In this position he still remains. He can speak, and is able to receive food and drink, which is sent down to him to support him until his deliverance can be effected. The efforts which have been made for this purpose, during the whole of yesterday, have been fruitless, and the unfortunate man has passed the whole night in this horrible position.—This morning they have continued their exertions. As it is manifestly impossible to save him by immediately clearing out the well, it has been determined to dig another by the side of the first. Some workmen of the school of civil engineers have entered on this labor, which cannot be finished till to-morrow.

September 8. We give some new details respecting the contractor who is buried under the crumbling of a well. Suspended in an abyss, and threatened every moment with a dreadful death, Dufavel (this is the name of the unfortunate man) shows great coolness and courage. He can communicate verbally with men who descend into the upper part of the well, which remains undisturbed; and in this way he has received a visit, at his own request, from M. Thevenet, the vicar of the parish of St. Just, who did not hesitate, notwithstanding the danger of the attempt, to descend into the neighborhood of this unfortunate man, and bestow on him the consolations of his holy office. Dufavel has sent up all the valuables he had about him, such as his watch, his silver money, ear-rings, &c. He kept nothing but his knife to use, as he says, to put a period to his miseries, if he should perceive that all the efforts for his deliverance prove fruitless.—He recommends them not to work over his head, and has pointed out, as the only means for his rescue, that they should dig a well parallel with the first, with which they can open a communication by means of a subterranean gallery. The public authorities have displayed a praiseworthy zeal on this occasion. M. Chinard, a physician, and one of the city government of Lyons, has not quitted the spot since the disaster, and he is accompanied by other members of the government. They encourage the workmen, who, to the number of eight,

work day and night, with the soldiers of the engineer department, under the orders of an officer and of the head engineer. It is to be hoped that these labors may have a favorable result. At the hour at which we write, they have not succeeded in disengaging Dufavel. They do not even hope to reach him until to-morrow.

September 9. The unfortunate Dufavel is not yet released from the well where he was buried alive several days since. Yesterday evening the workmen of the Croix Rousse had dug a well parallel to that in which the crumbling took place, and had reached a depth equal to that of the first, and were employed in digging a horizontal passage to free their unfortunate companion, when a sudden crumbling forced them to ascend in haste, and abandon entirely the work they had begun. There remains now no hope except from the well undertaken by the workmen of the civil engineers, which cannot be finished until to-morrow.

September 10. The unfortunate Dufavel is not yet released from his horrible prison; but the engineers who are laboring to deliver him, hope to reach him in the course of the day. This evening he will be saved or lost. His courage keeps up; he has not, for a moment, been delirious, and he gives directions as to the method of working most likely to succeed in giving him relief. He eats with good appetite, and asks for food. His limbs are less pressed than for some days past. He cut away with a knife a hoop of the cask which pressed upon him. Though seated on the sand, and bent down, he is able to change his position in some measure.

September 11. In the course of the day yesterday, Dufavel became indisposed; his voice was changed, and he found difficulty in speaking; he is most incommoded by the pressure on one of his legs, on which he is seated, and which he can scarcely move. During the night he cut away with his knife some of the wood which embarrassed him. "I worked so hard," said he, "that I moistened my shirt with perspiration; but, as I could not sleep, it was as well to work." This morning he is better; he breakfasted with a good appetite. One of his cousins, a well digger, like himself, descended to speak to him. He expressed a desire not to be deceived as to his situation, and said, "You see I do not lose courage." On being told that they hoped to get him out on Saturday, he said, "That it will be more than eight days, but I can wait until then." He afterwards spoke of his wife: "Tell her (said he to his cousin) that I have good courage, and that she must not be distressed." The interest that the whole city takes in the horrible position of Dufavel increases every day. Several charitable persons cause masses to be said in churches for his deliverance. Last night the civil engineers who are at work on the gallery were on the point of reaching the gallery where he is buried, when a considerable quantity of an almost fluid sand crumbled in suddenly, and made ten or twelve hours of labor necessary to bring them to the point they had before reached. They are now very near the unfortunate man, but they must advance with infinite precaution, and very slowly.

September 12. We cannot yet announce the deliverance of Dufavel. The engineers advance but very slowly, on account of the sandy soil in which they are making a gallery. They have four or five feet horizontal distance to clear before reaching the cavity where the unfortunate man is pressed, in a position which grows more and more painful.—They are unable to advance more than two inches in an hour. They have planned the work so as to reach the back of Dufavel at the height of his shoulders. At the moment they reach him, he must be seized and dragged backwards with great promptitude into the passage made by the miners, otherwise he must infallibly be swallowed up by the crumbling which will take place at the moment they pierce the moveable walls of his subterranean retreat. It is easy to judge the difficulty of such a labor at 63 feet perpendicular depth, with similar means, and in such a position, and the danger in which the unfortunate man is placed so near his deliverance or his death. The interest taken by our citizens in the fate of Dufavel is intense. The territory of Champver is a dependency of the city of Lyons, and the charge of delivering Dufavel devolves on our government, who have spared no exertions to effect this object. The population of the city crowd to the spot: there are never less than seven or eight hundred individuals assembled there; all the roads leading to the place, particularly the one from Lyons, is constantly crowded with people going and returning. It has been necessary to place barriers at fifty paces distance from the opening of the well, and to place a guard of soldiers to restrain the curious, and prevent their breaking through the barriers, and interrupting the work-

men. Collectors on the spot have received very considerable presents for the benefit of the unfortunate Dufavel and his family.

P. S. They announce that the deliverance of Dufavel is momentarily established.

A Lyons paper says: "Yesterday morning Dufavel asked again for the vicar Thevenet, and received a visit from him. M. Chinard sent down to him a double portion of hot wine. One of our richest and most charitable ladies has visited Dufavel, and promised to take on herself the care of providing for all his wants when he is relieved."

INTERESTING NATURAL PHENOMENON.

On Wednesday before the last, I had the good fortune to witness, in conjunction with several friends, the most splendid mirage I ever beheld. This interesting spectacle known under the names of the Spectre of the Brocken, Fata Morgana and Spectre Ships, is much more frequent than is generally supposed, and though now divested of its supernatural character by the searching scrutiny of science, is yet an object of intense delight to the philosopher and the lovers of nature. It was an object of superstition among the early American colonists, and has been happily seized upon by Washington Irving, in his beautiful description of the storm ship. Baron Humboldt, in his Travels in South America, describes a very curious mirage, in which cows were seen at a great height in the air. Scoresby, during a voyage to Greenland in 1822, says that having seen an inverted image of a ship in the air, he examined it with a telescope, and found it to be his father's ship, the Fame, and immediately announced it to the officer of the watch. Many more interesting instances of a similar nature might be mentioned, but I hasten to describe the one we witnessed. The phenomenon is more interesting, as it differs from any on record. It was all seen from the verandah of the New Cove House, near Phillip's Beach. The day was unusually clear and pleasant, and we were on the lookout for the aerial images, as one of our party had seen them on a similar day, a few weeks before.

Towards 3 o'clock, P. M. the shore south of Nant, known as the south shore, began to loom, and in a few minutes the mirage was upon the coast for leagues, and the Flying Dutchman, the terror of sailors, was before us in all its beauty. That part of the coast nearest to us, appeared to the naked eye to rise to a great height, and looked as if it were formed by immense perpendicular sand cliffs. On examining it with a glass, double images of all discernable objects were beautifully distinct. If a house was seen at the foot of the cliff, directly above it and at the top of the cliff, was also seen an erect image of the house, having as perfect outlines as the real object.

On following the coast towards its most distant part, the mirage assumed a different and more interesting character. The extreme visible coast seemed projected and hanging over the sea for miles, without foundation. It looked as if the sea had washed away its basis, and left its upper portion dangling in midair. By the telescope, this was found to be the inverted image of the coast below the horizon and perhaps many miles beyond the limit of direct vision. The tops of the trees were just dipping into the sea, and above them a small boat was seen sailing in the shrubbery. Presently the hitherto hidden coast rose from the waves, and now it looked as if it had been cleft by some mighty effort and the light of heaven were shining through the chasm. Trees were seen corresponding to the inverted images above, and the little boat was seen sailing near the coast. Following this image out to sea, something like a balloon was seen floating in the air, but by the glass it was found to be the inverted image of a sloop under sail and below the horizon. Vessels of all descriptions were seen sailing in the air with their hulls uppermost, in some instances the real objects not being visible, and in others being blended with the image so as to make a vessel of twice the ordinary height. Sometimes the image met the object vessel at the top of its masts, and at others was high in the air above it. The phenomenon lasted above an hour with a constantly varying character.

The mirage is doubtless the origin of the Flying Dutchman, and under a variety of forms was a source of superstitious terror until within the last fifty years; since which time it has become an object of scientific investigation, and is now reduced to definite laws and can be produced at pleasure on a small scale. It is the effect of a double refraction through a stratum of air of irregular density.—Those who are interested on the subject will better understand it by referring to Brewster's Letters on Natural Magic, as it is there explained by plates.

[Salem Gazette.]

BRITISH ASSOCIATION FOR THE ADVANCEMENT OF SCIENCE.

Bristol, Thursday evening. The various engagements which have occupied the attention of the members throughout the whole of the week do not appear in the slightest degree to have weakened their interest, as was displayed in the continued full attendance at the sectional meetings this morning. In consequence of the contemplated botanical excursions to-morrow—one to Porthead in a steamer provided gratuitously for the occasion—this section prolonged its sitting this afternoon, and terminated its proceedings for the present session. The proceedings consisted of the conclusion of Dr. Richardson's report on the zoology of North America, which was drawn up at the request of the association; some remarks by Dr. Corbet on vegetable physiology, in which the absorption of different solutions into the circulating system was proved to be distinguished by the application of chemical tests, producing the distinguishing colors; a communication containing some general remarks on the productive spherules of the *marisliace* of the cryptogamic class of plants; and a paper by J. B. Yates, esq. on the vegetating wasp in the West Indies. The author was of opinion that the vegetative process, which is a cryptogamic plant, commenced during the life of the insect, which was, however, doubted by many of the naturalists present, several instances likewise being given of a similar excrescence on silkworms and other insects. A communication was also made by the rev. Mr. Phelps on the formation of peat, which he considered formed in stagnant waters by successive layers and deposits of aquatic plants; when Mr. Mackay exhibited some specimens of pine wood and leaves, in a remarkable fine state of preservation, found under a layer of peat 16 feet in depth. In connection with some remarks by Mr. Royle on the subject of caoutchouc, Mr. Rootsey gave his opinion that the elasticity of the fibre of silk produced by the silkworm was owing to the plants on which it fed containing this substance, which he found to exist in mulberry leaves. Several specimens of different varieties of silk were also exhibited and presented to the members.

At the statistical section an interesting communication was made by professor Forbs on the height, weight and strength of the Belgian, English, Scotch and Irish nations, the comparison being the least favorable to the former, and the most so to the latter. The experiments from which these deductions were made, were conducted from those made by professor Queteler at the meeting of the association in Cambridge. The average height of the Belgian was stated as 5 feet 7 8-10 inches; English, 5 feet 9 inches; Scotch, 5 feet 9 3-10 inches; and Irish, 5 feet 10 1-10 inches. The strength of the Belgians was also less than that of the English by 60 lb; in every case of experiment, 25 years being taken as the age of maturity.

Baron Charles Dupin, whose name has so long been known in connection with English statistical inquiries, next exhibited two maps of this kingdom, in which the several counties were shaded according to the density of population and proportionate criminality. The deductions formed from his inquiries into the latter were as follows—He calculated six different degrees of density of population to the 1,000 acres—Firstly, 100 inhabitants to 1,000 acres; secondly, 218; thirdly, 465; fourthly, 555; fifthly, 1,100; and sixthly, which was in highly populated counties, such as Middlesex, 7,000 inhabitants to the 1,000 acres. In the first district the proportion of offenders to the population would be 1 to 2,963; in the second, 1 to 1,427; in the third, 1 to 593; in the fourth, 1 to 550; in the fifth, 1 to 498; and in the sixth, 1 to 558.

In Ireland the same proportionate regularity did not exist, as their society was not in such a state as to allow the laws to be fully developed; and although the population was more condensed, there was less crime in the north than in the south, owing to the more industrious habits, greater degree of education, and comfort of the inhabitants.

Some curious comparisons were next given of the relative ages of criminals in England and France, in which the proportion of juvenile offenders was much greater in this country.

A paper was also read by Mr. Heyworth, being a report from the Statistical society of Manchester on the state of education at Liverpool, the investigation of which had taken a period of nearly fifteen months to complete. It represented that of the lower order to be of a very incomplete description, as, out of 62,700 children, 32,700 alone received incomplete instruction, whilst 30,000 were altogether destitute of it.

A paper was then read by Mr. Frupp on the statistics of education in Bristol.

At the mathematical section, papers were read from Messrs. Stevely, Wheatstone and Addans; and at that for geology a communication of deep interest was read from Mr. Cross on the changes introduced in the composition of substances by the continuous action of voltaic electricity. At the evening meeting, Mr. Murchison made some observations on the ancient hydrography of the Severn and the tributary streams, with an account of the alluvium and drift of South Wales and the adjacent parts of England, as distinguished from the great western drift. The chemical section also elicited a paper from professor Johnston on chemical constants; from professor Hare, of Philadelphia, a discussion on the nomenclature of Berzelius; and from Dr. Dalton remarks on atomic symbols. Mr. Exley made a communication on mathematics as applied to chemistry, which received the high approbation of Dr. Dalton and others, as being the first successful attempt to make chemistry a mathematical science. The application of his theory actually enabled the author to explain many of the common laws of chemical combination, and by it he had succeeded in calculating the specific gravity of nearly 57 different substances, in their gaseous and aeriform states, the results of which were most exactly the same as those attained by experiment.

The geological excursions, on which, during the last week, much interest has been manifested, will take place to-morrow, one being in a steamboat provided gratuitously for the occasion, which will go to the mouth of the Avon, and the other to inspect the cutting and progress of the great western railway, in consequence of which the geological section terminated its sitting this afternoon. The promenade at Miller's grounds, which was suspended on Tuesday evening, on account of the unfavorable state of the weather, was very well attended this evening, and afforded an opportunity, which was eagerly sought after and embraced, of cultivating a friendly intimacy with the various cultivators of science from remote parts which this occasion has drawn together. Amongst other desirable objects, a committee of record has daily been sitting during the week, for the purpose of considering and reporting to the general committee the various suggestions that may be made as a guide to future proceedings.

In addition to that from Liverpool, a deputation from Norwich is in the city, in order to invite the association to pay a visit to that place next year, and, to give strength to its appeals, is accompanied by a prebendary, who brings with him the cordial wishes and sympathy of the venerable diocesan.—This, along with various other matters, will be decided on Monday night.

The iron bar across the Avon has to-day been replaced in its position, but has been so much twisted in its fall as to render the anticipated flight across the river scarcely possible.

NEW OFFICES CREATED, &c.

Report of the clerk of the house of representatives of the United States.—(Concluded from page 64.)

H. R. No. 70.

For the current expenses of the Indian department, for Indian annuities and other objects.

For the pay of the superintendent at St.

Louis, and the several Indian agents \$13,500

For the pay of a clerk in the office of superintendent for the territory of Wisconsin 800

For the pay of sub-agents 10,000

For the pay of interpreters 7,800

For presents to Indians 5,000

For the purchase of provisions for Indians, at the distribution of annuities, while on visits of business with the superintendents and agents, and when assembled on public business 11,800

For the necessary buildings required at the several agencies, and repairs thereof 2,000

For postage, stationary, rent and fuel, for offices 3,000

For contingencies, Indian department 4,000

To the Six Nations of Indians in New York.

For the permanent annuity, stipulated in the sixth article of the treaty with them, of the eleventh of November, seventeen hundred and ninety-four 4,500

For the annuity to the young king, a chief, for life, as provided for by the act of the twenty-sixth of April, eighteen hundred and twenty-six 200

To the Senecas of New York.

For the permanent annuity, in lieu of interest on stock, provided for by the act of nineteenth of February, eighteen hundred and thirty-one 6,000

To the Ottawas.

For the permanent annuity, stipulated in the fourth article of the treaty with them, of the third of August, seventeen hundred and ninety-five 1,000

For the permanent annuity, stipulated in the second article of the treaty of the seventeenth of November, eighteen hundred and seven 800

For the permanent annuity, stipulated in the fourth article of the treaty of the seventeenth of September, eighteen hundred and eighteen 1,500

For the permanent annuity, stipulated in the fourth article of the treaty of the twenty-ninth of August, eighteen hundred and twenty-one 1,000

To the Wyandots.

For the permanent annuity, stipulated in the fourth article of the treaty of the third of August, seventeen hundred and ninety-five 1,000

For the permanent annuity, stipulated in the second article of the treaty of the seventeenth of November, eighteen hundred and seven 400

For the permanent annuity, stipulated in the fourth article of the treaties of the twenty-ninth of September, eighteen hundred and seventeen, and the seventeenth of September, eighteen hundred and eighteen 4,500

For the support of a blacksmith and assistant 720

For the purchase of iron, steel, &c. for shop 220

To the Wyandots, Munsees and Delawares.

For the permanent annuity, stipulated in the fourth article of the treaty with them, of the fourth of July, eighteen hundred and five 1,000

To the Christian Indians.

For the permanent annuity, per act of the thirtieth of May, eighteen hundred and twenty-six 400

To the Miamies.

For the permanent annuity, stipulated in the fourth article of the treaty with them, of the twenty-third of October, eighteen hundred and twenty-six 25,000

For the purposes of education 2,000

For the pay of eight laborers 480

For the purchase of two thousand pounds of iron, two hundred and fifty pounds of steel, and one thousand pounds of tobacco 620

For the support of a blacksmith and assistant 720

For the support of a miller, in lieu of a gunsmith 600

For the purchase of one hundred and sixty bushels of salt 320

To the Eel Rivers.

For the permanent annuity, stipulated in the fourth article of the treaty with them, of the third of August, seventeen hundred and ninety-five 500

For the permanent annuity, stipulated in the third article of the treaty of the twenty-first August, eighteen hundred and five 250

For the permanent annuity, stipulated in the third and separate article of the treaty of the thirtieth of September, eighteen hundred nine 350

To the Pottawatamies.

For the permanent annuity, stipulated in the fourth article of the treaty with them, of the third of August, seventeen hundred and ninety-five 1,000

For the purchase of salt 140

For the permanent annuity, stipulated in the third article of the treaty of the thirtieth of September, eighteen hundred and nine 500

For the permanent annuity, stipulated in the third article of the treaty of the second of October, eighteen hundred and eighteen 2,500

For the limited annuity, stipulated in the fourth article of the treaty of twenty-ninth of August, eighteen hundred and twenty-one 5,000

For the limited annuity, stipulated in the third article of the treaty of the sixteenth of October, eighteen hundred and twenty-six 2,000

For the purposes of education 2,000

For the support of a blacksmith and assistant 720

For the purchase of iron, steel, &c.	220	To the Chippewas.		them, of the twenty-first of September,		eighteen hundred and twenty-two	20,000
For the support of a miller	600	For the permanent annuity, stipulated		For the support of a blacksmith and as-		For the support of a blacksmith and as-	
For the purchase of one hundred and		in the fourth article of the treaty with		stant, stipulated in the fourth article		of the same	720
sixty bushels of salt	320	them, of the third of August, seven-	1,000	For the purchase of iron, steel, &c.	720	For the purchase of iron, steel, &c.	220
For permanent annuity, stipulated in the		teen hundred and ninety-five		For the permanent annuity, stipulated	220	For the purchase of forty barrels of salt	220
second article of the treaty of twenty-		For the support of a blacksmith and as-		in the second article of the treaty of		For the purchase of forty kegs of to-	
tieth of September, eighteen hundred		stant at Michilimackinac		seventeenth November, eighteen hun-		bacco	400
and twenty-eight	2,000	For the purchase of iron, steel, &c.		dred and seven	800	To the Sacs, Foxes and Iowas.	
For the limited annuities, stipulated in		For the permanent annuity, stipulated		For the permanent annuity, stipulated		For the purposes of education, stipulat-	
the same	1,000	in the second article of the treaty of		in the fourth article of the treaty of		ed in the fifth article of the treaty with	
For the purposes of education	1,000	seventeenth November, eighteen hun-		them, of the fifteenth of July, eigh-		teen hundred and thirty	3,000
For the annuity to the principal chief	100	dred and seven		To the Ottawas and Missourians.		For the limited annuity, stipulated in	
For the support of a blacksmith and as-		For the permanent annuity, stipulated		For the fourth article of the treaty with		them, of the fifteenth of July, eigh-	
stant	720	in the fourth article of the treaty of		teen hundred and thirty		teen hundred and thirty	2,500
For the purchase of iron, steel, &c.	220	the twenty-fourth of September, eigh-		For the support of a blacksmith and as-		For the support of a blacksmith and as-	
For the purchase of two thousand pounds		teen hundred and nineteen	1,000	stant		stant	720
of tobacco	240	For the support of a blacksmith at Sagi-		For the purchase of iron, steel, &c.	220	For the purchase of iron, steel, &c.	220
For the pay of three laborers	360	naw, and for farming utensils and cat-		For agricultural implements	700	For agricultural implements	500
To the Pottawatamies of Huron.		tle, and for the employment of per-		To the Chippewas, Menomones, Winne-		For the purposes of education, stipulat-	
For the permanent annuity, stipulated		sons to aid them in agriculture, fixed		bagoes and New York Indians.		ed in the fourth article of the treaty	
in the second article of the treaty with		by the act of the fifteenth of May,		For the purposes of education	1,500	of the twenty-first of September, eigh-	
them, of the seventeenth of Novem-		eighteen hundred and twenty		To the Sioux of the Mississippi.		teen hundred and thirty-three	500
ber, eighteen hundred and seven	400	For the purposes of education		For the limited annuity, stipulated in		For the support of two farmers	1,200
To the Pottawatamies of the Prairie.		To the Chippewas, Menomones, Winne-		the fourth article of the treaty with		To the Kansas.	
For the limited annuity, stipulated in		bagoes and New York Indians.		them, of the fifteenth of July, eigh-		For the limited annuity, stipulated in	
the third article of the treaty with		For the purposes of education		teen hundred and thirty		the third article of the treaty with	
them, of the twentieth October, eigh-		To the Sioux of the Mississippi.		teen hundred and thirty	2,000	them, of the third of June, eighteen	
teen hundred and thirty-two	15,000	For the limited annuity, stipulated in		For the support of a blacksmith and as-		hundred and twenty-five	3,500
For the annuity of three chiefs, for life,		the fourth article of the treaty with		stant	720	For the support of a blacksmith and as-	
stipulated in the same	1,000	them, of the fifteenth of July, eigh-		For the purchase of iron, steel, &c.	220	stant	720
To the Pottawatamies of the Wabash.		teen hundred and thirty		For agricultural implements	400	For the purchase of iron, steel, &c.	200
For the limited annuity, stipulated in		For the support of a blacksmith and as-		To the Yanceton and Santie bands.		For agricultural assistance	1,600
the third article of the treaty with		stant		For the limited annuity, stipulated in		To the Osages.	
them, of the twenty-sixth of October,		For the purchase of iron, steel, &c.		the fourth article of the treaty with		For the permanent annuity, stipulated	
eighteen hundred and thirty-two.	20,000	For agricultural implements		them, of the fifteenth July, eighteen		in the fifth article of the treaty with	
To the Pottawatamies of Indiana.		To the Yanceton and Santie bands.		hundred and thirty	3,000	them, of the tenth of November, eigh-	
For the limited annuity, stipulated in		For the limited annuity, stipulated in		For the support of a blacksmith and as-		teen hundred and eight	1,500
the fourth article of the treaty with		the fourth article of the treaty with		stant	720	For the limited annuity, stipulated in	
them, of the twenty-seventh of Octo-		them, of the fifteenth July, eighteen		For the purchase of iron, steel, &c.	220	the third article of the treaty with	
ber, eighteen hundred and thirty-two	15,000	hundred and thirty		For agricultural implements	400	them, of the second of June, eighteen	
For the purpose of education	2,000	For the support of a blacksmith and as-		To the Omahas.		hundred and twenty-five	7,000
For the annuity, stipulated in the third		stant		For the limited annuity, stipulated in		For the support of a blacksmith and as-	
article of the treaty with them, of the		For the purchase of iron, steel, &c.		the fourth article of the treaty with		stant	720
tenth of December, eighteen hundred		For agricultural implements		them, of the fifteenth of July, eigh-		For the purchase of iron, steel, &c.	220
and thirty-four	1,000	To the Omahas.		teen hundred and thirty	3,500	For agricultural assistance	1,600
To the Chippewas, Ottawas and Potta-		For the limited annuity, stipulated in		For the support of a blacksmith and as-		To the Kickapoos.	
watamies.		the fourth article of the treaty with		stant	720	For the limited annuity, stipulated in	
For the support of a blacksmith and as-		them, of the fifteenth of July, eigh-		For the purchase of iron, steel, &c.	220	the fourth article of the treaty with	
stant	720	teen hundred and thirty		For agricultural implements	500	them, of twenty-fourth of October,	
For the purchase of iron, steel, &c.	220	For the support of a blacksmith and as-		To the Sacs of Missouri.		eighteen hundred and thirty-two	5,000
For the permanent annuity, stipulated		stant		For the limited annuity, stipulated in		For the support of blacksmith's estab-	
in the second article of the treaty of the		For the purchase of iron, steel, &c.		the fourth article of the treaty with		lishment	1,000
twenty-ninth July, eighteen hundred		For agricultural implements		them, of the fifteenth of July, eigh-		For the purposes of education	500
and twenty-nine	16,000	To the Sacs of Missouri.		teen hundred and thirty	500	To the Kaskaskias and Peorias.	
For the purchase of fifty barrels of salt	250	For the limited annuity, stipulated in		For the support of a blacksmith and as-		For the limited annuity, stipulated in	
For the limited annuity, stipulated in		the fourth article of the treaty with		stant	720	the fifth article of the treaty with them,	
the third article of the treaty with		them, of the fifteenth of July, eigh-		For the purchase of iron, steel, &c.	220	of the twenty-seventh of October,	
them, of the twenty-sixth of Septem-		teen hundred and thirty		For agricultural implements	200	eighteen hundred and thirty-two	3,000
ber, eighteen hundred and thirty-		For the support of a blacksmith and as-		To the Sacs.		For agricultural implements	50
three	14,000	stant		For the limited annuity, stipulated in		To the Kaskaskias, Peorias, Weas and	
For the limited annuity, stipulated in		For the purchase of iron, steel, &c.		the fourth article of the treaty of the		Piankeshaws.	
the article of the supplement to the		For agricultural implements		fourth article of the treaty with		For the support of a blacksmith and as-	
said treaty	2,000	To the Sacs.		them, of the 15th of July, eighteen		stant, stipulated in the fifth article	
For the annuity, stipulated in the third		For the limited annuity, stipulated in		hundred and thirty	3,000	of the treaty with them, of the twenty-	
article of said treaty, to four chiefs		the fourth article of the treaty with		To the Foxes.		ninth of October, eighteen hundred	
for life	1,000	them, of the 15th of July, eighteen		For the limited annuity, stipulated in		and thirty-two	720
To the Winnebagoes.		hundred and thirty		the fourth article of the treaty with		For the purchase of iron, steel, &c.	220
For the limited annuities, stipulated in		For the limited annuity, stipulated in		them, of the fifteenth of July, eigh-		To the Piankeshaws.	
the second article of the treaty with		the fourth article of the treaty with		teen hundred and thirty	3,000	For the permanent annuity, stipulated	
them, of the first of August, eighteen		them, of the fifteenth of July, eigh-		To the Iowas.		in the fourth article of the treaty with	
hundred and twenty-nine	18,000	teen hundred and thirty		For the support of a blacksmith and as-		them, of the third of August, seven-	
For the purchase of fifty barrels of salt	250	For the support of a blacksmith and as-		stant, stipulated in the fifth article		teen hundred and ninety-five	500
For the purchase of three thousand		the treaty with them, of the fourth		of Aug. eighteen hundred and twenty-		For the permanent annuity, stipulated	
pounds tobacco	300	of Aug. eighteen hundred and twenty-		four	720	in the third article of treaty of the	
For the support of three blacksmiths and		four		For the purchase of iron, steel, &c.	220	thirtieth December, eighteen hundred	
assistant	2,160	For the purchase of iron, steel, &c.		For agricultural implements	400	and five	300
For iron, steel, &c.	660	For the limited annuity, stipulated in		For the limited annuity, stipulated in		For agricultural implements	500
For the pay of laborers and for oxen	365	the fourth article of the treaty of the		the fourth article of the treaty of the		To the Weas.	
For the limited annuity, stipulated in		fifteenth of July, eighteen hundred		fifteenth of July, eighteen hundred		For the permanent annuity, stipulated	
the third article of the treaty of the		and thirty		and thirty	2,500	in the fifth article of the treaty with	
fifteenth of September, eighteen hun-		For the support of an assistant black-		For the support of an assistant black-		them, of the second of October, eigh-	
dred and thirty-two	10,000	smith		smith	480	teen hundred and eighteen	3,000
For the purpose of education, stipulated		For the purchase of iron, steel, &c.		For the purchase of iron, steel, &c.	220	To the Delawares.	
in the fourth article of the same	3,000	For agricultural implements		For agricultural implements, stipulated		For the permanent annuity, stipulated	
For the support of six agriculturists and		in the same	600	To the Sacs and Foxes.		in the fourth article of the treaty with	
purchase of oxen, ploughs and agri-		For the permanent annuity, stipulated		For the permanent annuity, stipulated		them, of the third of August, seven-	
cultural implements	2,500	in the third article of the treaty with		in the third article of the treaty with		teen hundred and ninety-five	1,000
For the purchase of one thousand five		them, of the third of November, eigh-		them, of the third of November, eigh-		For the purchase of salt	100
hundred pounds of tobacco	150	teen hundred and four	1,000	For the support of a blacksmith and as-		For the permanent annuity, stipulated	
For the services of two physicians	400	stant, stipulated in the fourth article		stant, stipulated in the fourth article		in the third article of the treaty of the	
To the Menomones.		of the same	720	of the same	720	thirtieth of September, eighteen hun-	
For the support of five farmers and five		For the purchase of iron, steel, &c.	220	For the purchase of iron, steel, &c.	220	dred and nine	500
females, house-keepers	4,000	For agricultural implements	60	For agricultural implements	60	For the permanent annuity, stipulated	
For the support of a miller	600	For the limited annuity, stipulated in		For the limited annuity, stipulated in		in the fifth article of the treaty of the	
For the support of three blacksmiths and		the third article of the treaty with		the third article of the treaty with		third of October, eighteen hundred	
assistant	2,160	them		them		and eighteen	4,000
For the purchase of iron, steel, &c.	660						
For the limited annuity	6,000						
For the purposes of education	500						
For the purchase of provisions	1,000						

For the support of a blacksmith and assistant	720	For annuity to warriors, stipulated in the same	500	<i>To the Pawnees.</i>	
For the purchase of iron, steel, &c.	220	<i>To the Chickasaws.</i>		For the limited annuity, stipulated in the third article of the treaty of the ninth of October, eighteen hundred and thirty-three	4,600
For the permanent annuity, stipulated in the supplemental treaty of the fourteenth of September, eighteen hundred and twenty-nine	1,000	For the permanent annuity, as provided for by the act of the twenty-fifth of February, seventeen hundred and ninety-nine	3,000	For agricultural implements	2,000
For the annuity to three chiefs.	300	For the purpose of education, stipulated in the second article of the treaty with them, of the twenty-fourth of May, eighteen hundred and thirty-four	3,000	For the purposes of education, stipulated	1,000
<i>To the Shawanees.</i>		<i>To the Creeks.</i>		For the support of two blacksmiths' establishments	2,000
For the permanent annuity, stipulated in the fourth article of the treaty with them, of the third of August, seventeen hundred and ninety-five	1,000	For the permanent annuity, stipulated in the fourth article of the treaty with them, of the seventh of August, seventeen hundred and ninety	1,500	For the support of four farmers	2,400
For the purchase of salt	60	For the permanent annuity, stipulated in the second article of the treaty of the sixteenth of June, eighteen hundred and two	3,000	<i>To the Cherokees west.</i>	
For the permanent annuity, stipulated in the fourth article of the treaty of twenty-ninth September, eighteen hundred and seventeen	2,000	<i>To the Creeks east.</i>		For the purposes of education, stipulated in the fifth article of the treaty of the sixth of May, eighteen hundred and twenty-eight	2,000
For the support of a blacksmith and assistant, stipulated in the fourth article of the treaty of the seventh of Novem. eighteen hundred and twenty-five	720	For the limited annuity, stipulated in the eighth article of the treaty with them, of the twenty-fourth March, eighteen hundred and thirty-two	12,000	For the support of four blacksmiths and assistants, stipulated in the fourth article of the treaty of the fourteenth of February, eighteen hundred and thirty-three	2,830
For the purchase of iron, steel, &c.	220	For the support of a blacksmith and assistant, stipulated in the thirteenth article of the same	720	For the purchase of iron, steel, &c.	880
For the support of a blacksmith and assistant, stipulated in the fourth article of the treaty of the eighth of August, eighteen hundred and thirty-one	720	For the purchase of iron, steel, &c.	220	For the support of a wagon maker and a wheelwright, stipulated in the same	1,200
For the purchase of iron, steel, &c.	220	For the purposes of education, stipulated in the thirteenth article of the same	3,000	For the expenses of transportation and distribution of annuities, salt, agricultural implements, tobacco, tools, &c. and other incidental expenses	29,500
For payment of the annuities secured to the Shawnee Indians, by the act of the fourteenth of July, eighteen hundred and thirty-two, deducting the sum of four hundred and fifty-nine dollars, paid to said Indians, and including the annuities under said act, from eighteen hundred and thirty-two to eighteen hundred and thirty-six, inclusive	9,541	For the annuity to three chiefs, stipulated in the eleventh article of the same	400	For carrying into effect certain stipulations in the treaties concluded with the Senecas of Sandusky on the twenty-eighth February, eighteen hundred and thirty-one, with the Senecas and Shawanees on the twentieth July, eighteen hundred and thirty-one, and with the Shawanees on the eighth August, eighteen hundred and thirty-one	1,695 62
<i>To the Shawanees and Delawares.</i>		<i>To the Creeks west.</i>		For expenses attending the execution of the treaty with the Creeks of the twenty-fourth of March, eighteen hundred and thirty-two, in relation to locating reservations and certifying contracts	7,000
For the support of a miller	500	For the permanent annuity, stipulated in the fourth article of the treaty with them, of the twenty-fourth of January, eighteen hundred and twenty-six	20,000	For expenses attending the execution of the treaty with the Choctaws, of September, eighteen hundred and thirty, in relation to locating reservations	5,000
<i>To the Shawanees and Senecas of Lewis-town.</i>		For the support of a blacksmith and assistant, stipulated in the eighth article of the same	720	For the purpose of carrying into effect the treaty made with the Caddo Indians on the first day of July, eighteen hundred and thirty-five	40,000
For the permanent annuity, stipulated in the fourth article of the treaty with them, of the seventeenth of September, eighteen hundred and eighteen	1,000	For the purchase of iron, steel, &c.	220	To defray the expense of removing the Winnebago Indians who reside south of the Wisconsin, to the "neutral ground," or such other place as may be assigned by treaty, and for their subsistence for five months	40,000
For the support of a blacksmith and assistant	720	For the support of a wheelwright, stipulated in the same	600	To defray the expense of holding treaties with the Indians in the vicinity of Green Bay, Indians within the state of New York, the Winnebagoes north and south of the Wisconsin, and with the Sacs and Foxes north of Missouri	22,000
For the purchase of iron, steel, &c.	220	For agricultural implements, stipulated in the eighth article of the same	2,000	For holding treaties with Indian tribes for the purpose of extinguishing the Indian title to the territory between the state of Missouri and the Missouri river	2,000
<i>To the Senecas of Lewistown.</i>		For the support of a blacksmith and assistant, stipulated in the fifth article of the treaty of the fourteenth of February, eighteen hundred and thirty-three	720	To defray the expenses of a delegation of the Pottawatamie Indians on a visit to Washington city	2,630
For the permanent annuity, stipulated in the fourth article of the treaty with them, of the twenty-ninth of September, eighteen hundred and seventeen, and seventeenth September, eighteen hundred and eighteen	1,000	For the purchase of iron, steel, &c.	220	For holding a treaty with the Chippewas of Saginaw	5,200
For the support of a blacksmith and assistant	720	For the support of a wheelwright or wagon maker, stipulated in the same	600	For 175 rifles for the Pottawatamies	2,400
For the purchase of iron, steel, &c.	220	For the purposes of education, during the pleasure of the president, stipulated in the same	1,000	For the expenses of the Ross delegation of twenty Cherokees	13,000
<i>To the Choctaws.</i>		<i>To the Cherokees.</i>		For the expenses of Richard Field, a Cherokee Indian	450
For the annuity, during the pleasure of the United States, stipulated in the fifth article of the treaty with them, of the seventeenth of December, eighteen hundred and one	2,000	For the permanent annuity, stipulated in the third and sixth articles of the treaties of the sixth of June, seventeen hundred and ninety-four, and the second of October, seventeen hundred and ninety-eight	6,000	For the expenses of three delegates from the Seneca nation of Indians	600
For the permanent annuity, stipulated in the second article of the treaty of the sixteenth of November, eighteen hundred and five	3,000	For the permanent annuity, stipulated in the second article of the treaty of the twenty-fourth of October, eighteen hundred and four	1,000	For the removal of 21,000 Creek Indians, and their subsistence for one year, including subsistence of those recently removed, in addition to the balance of \$155,000 of former appropriations	1,023,550
For the limited annuity, stipulated in the second article of the treaty of the twenty-fourth of October, eighteen hundred and sixteen	6,000	For the permanent annuity, stipulated in the third article of the treaty of the twenty-fifth of October, eighteen hundred and five	3,000	For the removal of the Seminole Indians, and their subsistence for one year, in addition to a balance of \$83,000 for former appropriations	100,000
For the permanent annuity, stipulated in the thirteenth article of the treaty of the eighteenth of October, eighteen hundred and twenty	600	For the payment of interest on an annuity of one thousand dollars, secured to the Cherokees by the treaty of the twenty-fourth October, eighteen hundred and four	12,600	For allowance to David Bearly	2,327 13
For annuity to the chief, stipulated in the fourteenth article of the same	150	<i>To the Quapaws.</i>			\$1,862,008 74
For the permanent annuity, stipulated in the second article of the treaty of twentieth of January, eighteen hundred and twenty-five	6,000	For the purposes of education, stipulated in the third article of the treaty of the thirteenth of May, eighteen hundred and thirty-three	1,000	<i>H. R. 695.</i>	
For the limited annuity, stipulated in the third article of the same	6,000	For the limited annuity, stipulated in the fourth article of the treaty of thirteenth of May, eighteen hundred and thirty-three	2,000	<i>For carrying into effect certain Indian treaties.</i>	
For the annuity to a chief, stipulated in the tenth article of the same	150	For the support of a blacksmith and assistant	720	For the amount stipulated to be paid for the lands ceded in the first article of the treaty with the Cherokees, of the twenty-ninth of December, one thousand eight hundred and thirty-five	4,500,000
For the limited annuity, stipulated in the seventeenth article of the treaty of the twenty-seventh of September, eighteen hundred and thirty	20,000	For the purchase of iron, steel, &c.	220	For extinguishing the title of certain half breeds to reservations, granted them in the treaty with the Osages, in eighteen hundred and twenty-five, ac-	
For the purposes of education, stipulated in the twentieth article of the same	12,500	For the support of a farmer	600		
For the support of three blacksmiths and assistants, stipulated in the same	2,160	<i>To the Florida Indians.</i>			
For the purchase of iron, steel, &c.	660	For the limited annuity, stipulated in the third article of the treaty with them, of the eighteenth of September, eighteen hundred and twenty-three	4,610		
For the annuity to the chief, stipulated in the fifteenth article of the same	1,100	For the support of a blacksmith's establishment	1,000		
		For the purposes of education	1,000		

For the fourth article of the aforesaid treaty with the Cherokees	15,000	For the keeper of the dormitory	600	For payment of the sum stipulated in the second article of the treaty of 22d of April, 1836, with Nas-waw-be and his band, for a cession of land to the United States	1,920
For payment for the improvements on the missionary reservations at Union and Harmony, according to the trea- ty with the Cherokees	25,000	For one hundred and fifty cords of wood for the dormitory	375	For expenses attending the negotiation of the said treaties with the Pottawa- tamies	636 75
For commutation of the permanent an- nuity of ten thousand dollars, accord- ing to the eleventh article of said trea- ty	214,000	For two farmers	1,000	For the expense of removing the Choc- taw Indians residing in the state of Mississippi, to the country provided for them west of the Mississippi river	80,000
For compensation of two commissioners for two years, to examine claims, ac- cording to the seventeenth article of said treaty, at eight dollars per day each	11,680	For two assistant farmers	600	For the payment of pension allowed to colonel Gideon Morgan	8,000
For compensation to a secretary for two years, at five dollars per day	3,650	For two mechanics	1,200		\$6,381,454 67
For compensation to an interpreter for two years, at two dollars and fifty cents per day	1,825	For carrying into effect the eighth arti- cle of said treaty, viz:		For the suppression of Indian hostilities.	
For the advance of two years' annuity on the fund for seven hundred and fifty thousand dollars, to be invested for the Cherokees, according to the eighteenth article of said treaty	75,000	For the expenses of a delegation of twenty Indians, with an officer, three assistants, an interpreter, a guide with two assistants to explore the country, and for the purchase of horses, and other expenses incidental to the ex- pedition	12,000	H. R. 69.	
For the removal of the Cherokees and for spoiliations, according to the third article of the supplementary treaty with the Cherokees, of the first of March, one thousand eight hundred and thirty-six	600,000	For payments of such improvements as give additional value to the land ce- ded	20,000	For repressing hostilities of the Semi- noles	\$120,000
For expenses attending the negotiation of said treaty, and of the delegation	87,212	For payment for the church on the Che- boigan	900	H. R. 215.	
For surveying the land set apart by trea- ty stipulations for the Cherokee In- dians west of the Mississippi river	7,000	For extinguishing the claim of certain half breeds, in lieu of reservations, ac- cording to the ninth article of said treaty, viz:		For repressing hostilities of the Semi- noles	500,000
For carrying into effect the stipulations of the fourth article of the treaty, con- cluded with the Ottawa and Chippe- wa nations of Indians twenty-eighth March, and an article supplementary thereto the thirty-first of March, one thousand eight hundred and thirty- six, viz:		To Rix Robinson, in lieu of a section at thirty-six dollars per acre	28,040	H. R. 427.	
For the annuity in specie	30,000	To Leonard Slater, in trust for Chimi- noaquat, one section, at ten dollars per acre	6,400	For suppression of Indian hostilities in Florida	500,000
For education, teachers and expenses incidental thereto	5,000	To John A. Drew, one and three-quarter sections at four dollars per acre	4,480	H. R. 594.	
For missions	3,000	To Edward Biddle, one section, at three dollars per acre	1,920	For suppression of Indian hostilities in Florida	1,000,000
For agricultural implements, cattle, me- chanics' tools, and such other objects as the president may deem proper	10,000	To John Holliday, five sections, at one dollar and twenty-five cents per acre	4,000	H. R. 649.	
For vaccine matter, medicines and ser- vices of physicians	800	To Eliza Cook, Sophia Biddle and Mary Holliday, one section each, at two dollars and fifty cents per acre	4,800	For suppression of hostilities by the Creek Indians	500,000
For provisions	2,000	To Augustin Hamelin, jr. two sections, at one dollar and twenty-five cents per acre	1,600	H. R. 733.	
For six thousand five hundred pounds of tobacco	828	To William Lusley, Joseph Daily, Jo- seph Trotter and Henry A. Lenake, two sections each, at one dollar and twenty-five cents per acre	6,400	For the suppression of Indian hostili- ties	2,400,000
For one hundred barrels of salt	250	To Luther Rice, Joseph Laframbois, Charles Butterfield, George Moran, Louis Moran, G. D. Williams and Daniel Marsac, one section each, at one dollar and twenty-five cents per acre	5,600		\$5,020,000
For five hundred fish barrels	450	For payment to the chiefs on the ratifi- cation of the treaty, according to the tenth article of the same	80,000	H. R. 307.	
For goods and provisions to be delivered at Michilimackinac	150,000	For life annuity to two chiefs, provided for in the eleventh article of said treaty	150	For breakwaters and for certain harbors, and remov- ing obstructions in and at the mouths of certain rivers, and for other purposes.	
For interest to be paid annually, as an- nuities, on the sum of two hundred thousand dollars, per resolution of the senate, appended to the treaty	1,200	For expenses attending the conclusion of the treaty at Washington, accord- ing to the twelfth article of the same	15,408 25	For continuing the Delaware breakwa- ter	\$100,000
For the payment of the just debts against the Indians, according to the fifth arti- cle of said treaty, as ratified by the senate.	300,000	For carrying into effect the stipulations of the third article of the treaty con- cluded with the Swan creek and Black river bands of the Chippewa nation, of the 9th May, 1836, viz:	2,000	For continuing the improvement of the harbor of Chicago, Illinois	82,000
For carrying into effect the sixth article of said treaty, viz:		For an advance in money on the ratifi- cation of the treaty	2,500	For continuing the improvement of Big Sodus bay	12,600
For commutation, in lieu of reserva- tions, to half breeds	145,000	For the purchase of goods	4,000	For the continuation of the works for the preservation of the beach at Pro- vincetown harbor, Massachusetts	4,400
For taking a census of the Indian half breed population	1,200	For the expenses of the treaty, the jour- neys of the Indians to and from Washington, subsistence and other expenses	3,802 67	For the continuation of the works for the preservation of Plymouth beach, Massachusetts	500
For the pay and travelling expenses of a commissioner	1,000	For transportation and incidental ex- penses	1,000	For the continuation of the works at the harbor near the mouth of the river Raisin, Michigan territory	15,000
For compensation and expenses of clerk, and for stationary, postage, witnesses, messengers to collect Indians, and can- oes for them, subsistence for two thousand Indians for twenty days, fuel for them while on the island, and other incidental expenses attending the commission	3,000	For carrying into effect the stipulations of the treaties concluded with certain bands of the Pottawatamie Indians of Indiana, in March and April, 1836, viz:		For continuing the removal of obstruc- tions at Black river, Ohio	6,660
For carrying into effect the seventh arti- cle of said treaty, viz:		For payment of the sum stipulated in the second article of the treaty of 26th of March, 1836, with Mes-quaw-back and his band, for a cession of land to the United States	2,560	For continuing the permanent improve- ment of Cleveland harbor, Ohio	15,000
For pay of two additional blacksmiths	960	For payment of the sum stipulated in the third article of the treaty of the 29th of March, 1836, with Wawkewa and his band, for a cession of land to the United States	2,560	For continuing the removal of obstruc- tions at Grand river, Ohio	6,000
For two strikers	480	For the payment of the sum stipulated in the second article of the treaty of the 11th of April, 1836, with Aub- ba-naub-ba and his band, for a cession of land to the United States	11,520	For continuing the removal of obstruc- tions at Cunningham creek, Ohio	1,275
For building a blacksmith's shop on re- servation north of Grand river	750	For payment of the sum stipulated in the second article of the treaty of 22d of April, 1836, with Kee-waw-nee and his band, for a cession of land to the United States	6,400	For continuing the removal of obstruc- tions at Conneaut creek, Ohio	2,500
For iron, steel, coal and tools for two shops	500			For continuing the improvement of the harbor at Presque Isle, Pennsylvania	15,000
For purchase of one new set of black- smith's tools for shop on reservation	175			For continuing the improvements at Dunkirk harbor, New York	11,000
For rebuilding shop at Mackinac, and adding an armorer's room	850			For a dredging machine on Lake Erie	8,000
For a gunsmith	480			For continuing the works at the mouth of Genesee river, New York	20,000
For purchasing a set of gunsmith's tools	100			For continuing the pier and mole at Os- wego harbor, New York	20,000
For two additional interpreters	600			For continuing the pier at Kennebunk, Maine	7,500
For building a dormitory at Mackinac, and for stoves and furniture	4,800			For continuing the improvement of the navigation of the Hudson river, above and below Albany	100,000
				For continuing the improvement of the harbor of Newcastle, Delaware	25,000
				For continuing the removal of obstruc- tions at Ocracock inlet, North Caro- lina	9,000
				For continuing the improvement of the navigation of the Cape Fear river be- low Wilmington, North Carolina	20,000
				For the improvement of the navigation of the Ohio river between Pittsburgh and the falls of the Ohio	20,000
				For the improvement of the navigation of the Ohio and Mississippi rivers from Louisville to New Orleans	60,000
				For the improvement of the Mississippi river above the mouth of the Ohio river, and for the Missouri river	40,000
				For continuing the removal of obstruc- tions in Red river, Louisiana and ter- ritory of Arkansas	40,800

For constructing a boat to prevent a new accumulation of obstructions in said river, within the old limits of the great raft	30,000	For the improvement of the harbor at the mouth of Salmon river, on Lake Ontario	5,000	<i>Miscellaneous.</i> H. R. 245.	
For continuing the improvement of the Cumberland river, in Kentucky and Tennessee	20,000	For the improvement of the harbor at the mouth of Oak Orchard creek, on Lake Ontario	5,000	For the service of post office department	8,150,000
For continuing the removal of obstructions in the Chipola river, in the territory of Florida	4,000	For the improvement of the harbor of Black river, at the mouth of Lake Ontario	5,000	<i>Note.</i> This sum is payable only from moneys in the treasury arising from the revenues of the post office department.	
For completing the inland channel between St. Mary's and St. John's, in the territory of Florida	5,000	For building a breakwater or pier at the harbor of Plattsburg	10,000	S. 81.	
For continuing the removal of obstructions in, and improving the navigation of, the Escambia river, in the territory of Florida	5,500	For improving the harbor at the mouth of Cattaraugus creek, on Lake Erie	15,000	For the support of the penitentiary, D. C.	22,084 78
For further improvements at the mouth of Huron river, in the state of Ohio	4,800	For improving the entrance of Whitehall harbor, on Lake Champlain	8,000	S. 92.	
And the following sums, necessary to close accounts in the office of the 3d auditor, viz:		For building an ice breaker on Staten island	19,500	For public buildings in the territory of Wisconsin	20,000
For removing obstructions at Cunningham creek, Ohio	32 36	<i>State of New Jersey.</i>		For a library for the government of Wisconsin	5,000
For completing the pier at La Plaisance bay, Michigan territory	323 15	For improving the harbor at New Brunswick, by removing the obstructions in the Raritan river	7,000	<i>Note.</i> These two appropriations are also contained in the general appropriation bill H. R. 216, and must, therefore, be deducted from the general aggregate.	
For removing obstructions at Cleveland harbor, Ohio	6 59	For the protection and improvement of Little Egg harbor	5,000	S. 112.	
For repairing breach in the peninsula at Presque Isle	122 80	For a survey of Crow shoal, in Delaware bay, to ascertain the expediency of constructing a breakwater or artificial harbor	1,000	For the relief of the corporate cities of the District of Columbia	1,570,883
For erecting a beacon light at Erie, Pennsylvania	69 69	<i>State of Pennsylvania.</i>		<i>Note.</i> Of this sum \$70,883 only is payable during the year 1836, that being the interest due, and to become due, during the year on the principal sum of \$1,500,000; which principal sum is payable as follows: on the 1st of January, 1841, \$60,000, and on the 1st of January of each succeeding year, a like sum of \$60,000, until the whole sum shall have become redeemed, which will be on the 1st of January, 1861.	
For erecting a light-house at Buffalo, New York	494 78	For repairs at the harbor of Chester	3,000	S. 181.	
For improvement of the navigation of the Ohio and Mississippi rivers from Pittsburgh to New Orleans, under the act of second of March, eighteen hundred and thirty-one	1,780 25	For removing the bar on the river Delaware, in the neighborhood of Fort Mifflin, with the view of improving the harbor of Philadelphia	15,000	For the payment of certain companies of the militia of Missouri and Indiana, for services rendered against the Indians in 1832	4,300
For examinations and surveys under the act of April thirty, eighteen hundred and twenty-four	30,000	<i>State of Delaware.</i>		S. 148.	
	\$709,884 42	For improving the harbor of Wilmington, by removing the bar at the mouth of the Christina river	15,000	For the relief of the owners, officers and crews of the private armed vessels Neptune and Fox	1,725
H. R. 523.		<i>State of Maryland.</i>		S. 207.	
For the improvement of certain harbors therein mentioned.		For deepening the harbor of Baltimore	20,000	For surveying the lands covering the town of Fort Madison, Burlington, Bellevue, Dubuque, Peru and Mineral Point	5,000
<i>State of Maine.</i>		For a survey of the head waters of Chesapeake bay	500	S. 239.	
For erecting a breakwater on Stanford ledge, in Portland harbor	\$10,000	<i>State of Virginia.</i>		For a library for the patent office	1,500
For the survey of a ledge near Owl's-head harbor, to determine the expediency of erecting thereon a breakwater to improve said harbor	400	For a survey of James river, with the view of improving the harbor of Richmond	500	S. 174.	
For the examination and survey of the passage into Cobscook bay	300	For improving the navigation of the channels at the entrances of the Dismal Swamp canal	15,000	For William H. Bell's invention relating to cannon	20,000
<i>State of New Hampshire.</i>		<i>State of North Carolina.</i>		S. 64.	
For deepening the channel of the Cocheco branch of the Piscataqua river, leading into Dover harbor	5,000	For removing a sand shoal in Pamptico river	5,000	For the continuation of the Cumberland road in Ohio, Indiana and Illinois	600,000
<i>State of Massachusetts.</i>		For removing the oyster shoal in the New river, Onslow county	5,000		\$5,398,492 73
For the improvement of the harbor at the mouth of Bass river	10,000 41	To improve the harbor of Beaufort	5,000	<i>Recapitulation of appropriations for 1836.</i>	
For removing the wreck in the harbor of New Bedford	10,000	<i>State of South Carolina.</i>		Civil and diplomatic expenses	\$4,210,546 77
For the construction of a breakwater at Sandy bay	10,000	For a survey of the bar and harbor of Georgetown	1,000	Army	4,607,298 92
For preserving the point of land leading to the fort and light-house at the Gurnet, in Duxbury, by hurdles or double ranges of piles	5,000	<i>State of Georgia.</i>		Fortifications	2,907,645 95
For the preservation of Rainsford Island, in the harbor of Boston	15,000	For the removal of the Brunswick bar, with the view of improving the harbor of Brunswick	10,000	Navy	6,276,312 10
<i>State of Rhode Island.</i>		<i>State of Ohio.</i>		Pensioners	455,454
For a breakwater at Church's cove harbor, in the town of Little Compton	10,000	For constructing two piers and improving the navigation at the mouth of Vermilion river	10,000	Indian department	1,862,108 74
<i>State of Connecticut.</i>		<i>State of Indiana.</i>		Indian treaties	6,381,454 67
For improving the harbor of Saybrook, by removing the bar at the mouth of Connecticut river	20,000	For the construction of a harbor at Michigan city	20,000	Suppression of Indian hostilities	5,020,000
For improving the harbor of Westport	3,000	<i>State of Louisiana.</i>		Delaware breakwater, harbor and rivers	709,884 42
For a sea-wall to preserve Fairweather island, near Black Rock harbor	10,000	For increasing the depth of water in the mouth of the Mississippi river, by closing some of the passages leading out of it, or by cutting a ship channel, or by any other means which shall be deemed expedient	75,000	Improvement of certain harbors	493,100 41
For securing the public works at the harbor of Southport	1,500	<i>State of Missouri.</i>		Miscellaneous	5,398,492 73
For further securing the beach at Cedar Point, in Connecticut	1,000	For a pier to give direction to the current of the Mississippi river, near the city of Saint Louis	15,000	Private claims estimated (per treasury statement)	220,000
For deepening the channel leading into Bridgeport harbor	10,000	For the survey of Saint Francis, Black and White rivers, in Arkansas and Missouri, to determine upon the expediency of removing the natural rafts thereon	1,000		\$38,542,298 71
For deepening the channel of the river Thames	10,000	<i>Territory of Florida.</i>		Deduct this sum for territory of Wisconsin, having been twice appropriated, viz: in H. R. 216, and S. 92	25,000
<i>State of Vermont.</i>		For removing a mud shoal, called the Bulk Head, in the channel from East Pass to Appalachicola	10,000	Amounting altogether to	\$38,517,298 71
For building a breakwater or pier at the harbor of Burlington	10,000	<i>Territory of Michigan.</i>		And if \$1,500,000 appropriated for the cities of the District of Columbia, and which is not payable for many years, be deducted; and the \$3,150,000 appropriated for the post office, which is payable only out of the receipts of the department, be also deducted, the amount of appropriations for 1836 would then stand at	\$33,867,298 71
For deepening the channel to eight feet between the islands of North and South Hero, near St. Alban's, in Lake Champlain, in Vermont	15,000	For the construction of a pier or breakwater at the mouth of the river Saint Joseph	20,000	<i>NEW OFFICES.</i>	
<i>State of New York.</i>		<i>Territory of Wisconsin.</i>		<i>Statement of the new offices created and the salaries of each, during the last session of congress, made in pursuance of the 6th section of the act of the 2d of July, 1836, to provide for the appropriation of additional payments, and for other purposes.</i>	
For the improvement of the harbor of Portland, on Lake Erie	10,000	For the survey of the mouth of Milwaukee river, on Lake Michigan, to determine the practicability of making a harbor by deepening the channel	400	<i>Salaries per annum.</i>	
			\$493,100 41	An agent to obtain the legacy of James Smithson, late of London, deceased, for the establishment of the Smithsonian institution for the increase and diffusion of knowledge among men, salary not fixed.	

Three assistants to the commissioner of the public buildings, as superintendent of the Potomac bridge, at \$1 50 per day each, each 547 50

A register and receiver of the Milwaukee land district in Michigan, same as other registers and receivers.

A register and receiver of the Grand river land district, in Michigan, ditto.

A register and receiver of the Saginaw land district, in Michigan, ditto.

Three additional clerks in the treasury department, under the act to regulate the deposits of the public money, one at a salary of 1,600

And two at a salary each of 1,000

A governor for the territory of Wisconsin, to act as superintendent of Indian affairs 2,500

A secretary for the territory of Wisconsin 1,200

A chief justice of the supreme court of the territory of Wisconsin 1,800

Two associate justices of the supreme court of the territory of Wisconsin, each 1,800

An attorney for the territory of Wisconsin; the salary and fees as the attorney for Michigan.

A marshal for the territory of Wisconsin; the same fees as the marshal of the northern district of New York, and \$200 for extra services.

A district judge for the district of Arkansas 2,000

A district attorney for said district, in addition to his stated fees, \$200 for extra services.

A marshal for said district, same fees as marshals in other districts, and \$200 for extra services.

A district judge for the district of Michigan 1,500

A district attorney for said district, in addition to his stated fees, \$200 for extra services.

A marshal for said district, same fees as marshals in other districts, and \$200 for extra services.

The clerks in the general land office, as heretofore provided for by law, were as follows:

Salaries per annum.

A chief clerk, at a salary of 1,700

A secretary to the president of the U. States, for signing land patents 1,500

One clerk, at a salary of 1,400

Eight clerks, at salaries, each, of 1,000

Six clerks, at salaries, each, of 1,150

A draughtsman, at a salary of 1,000

A messenger at 700

An assistant messenger, at 350

In lieu of which the following are provided for by the "act to reorganize the general land office," approved 2d July instant, viz:

A principal clerk of the public lands \$1,800

A principal clerk on private land claims 1,800

A principal clerk of the surveys 1,800

A recorder of the general land office 1,500

A solicitor of the general land office 2,000

A secretary to the president of the U. States, for signing land patents 1,500

One clerk 1,500

Four clerks, each 1,400

Sixteen clerks, each 1,300

Twenty clerks, each 1,200

Five clerks, each 1,100

Thirty-five clerks, each 1,000

One principal draughtsman 1,500

One assistant draughtsman 1,200

Two messengers, each 700

Two packers, each 450

Three additional paymasters for the army, with same pay and emoluments as allowed to other paymasters of the army.

The president is authorised, in case the present number of paymasters should not be sufficient to pay militia and volunteers in service, to assign the duties of paymaster to any officer of the army, to receive, while so employed, the same emoluments as are allowed to paymasters, and the number of such officers not to exceed one for every two regiments of militia or volunteers.

Three additional surgeons for the army.

Five assistant surgeons for the army.

The clerks in the department of state heretofore assigned to the patent office were:

One, at a salary of \$1,500

Two, at salaries, each, of 1,000

One, at a salary of 800

One machinist, at 700

One messenger, at 400

In lieu of which there have been provided for the patent office by the "act to promote the progress of useful arts, and to repeal all acts and parts of acts heretofore made for that purpose," as follows, viz:

Salaries per annum.

A commissioner of patents, at a salary of \$3,000

A chief clerk of the patent office, do. 1,700

An examining clerk, do. 1,500

Two clerks, one of whom shall be a competent draughtsman, at a salary of 1,200

One clerk, at a salary of 1,000

A scribe, do. 1,250

A messenger, do. 700

The secretary of state is authorised to appoint a board of examiners, to consist of three disinterested persons, &c. in every case where an appeal shall be made by individuals whose applications for patents shall be rejected by the commissioner of patents each to receive for his services, in each case, the sum of \$10.

Messengers in the offices of the chief engineer, adjutant general, the commanding general, surgeon general, inspector general, clothing bureau, topographical, ordnance and subsistence departments, all together, to receive \$2,568.

A commissioner under the "act to carry into effect convention between the United States and Spain," approved 6th June ultimo, at a salary of \$3,500

A secretary to said commission at a salary of 2,000

A clerk to said commission, do 1,500

Four clerks in the office of superintendent of Indian affairs for the territory of Wisconsin 800

The officers and clerks in the general post office, as heretofore provided for by law, were as follows, viz:

Two assistant postmasters general, each at 2,500

A chief clerk, at 1,700

Four clerks, each at 1,400

Nine clerks, each at 1,200

One clerk, at 1,100

Twenty-four clerks, each at 1,000

Seven clerks, each at 900

Four clerks, each at 800

Four clerks, each at 600

One clerk, at 500

One messenger, at 700

Three assistant messengers, each at 350

Two laborers, each at 240

In lieu of which, the following have been provided for by the "act to change the organization of the post office department, and to provide more effectually for the settlement of the accounts," approved the 2 July instant, viz:

Two assistant postmasters general, each 2,500

A chief clerk, at 2,000

Three principal clerks, each at 1,600

Ten clerks, each at 1,400

Fifteen clerks, each at 1,200

Eight clerks, each at 1,000

A messenger at 750

Three assistant messengers, each at 350

Two watchmen, each 300

An auditor of the treasury for the post office department, at 3,000

A chief clerk for the auditor's office 2,000

For principal clerks, each at 1,600

Ten clerks, each at 1,400

Twenty clerks, each at 1,200

Eight clerks, each at 1,000

A messenger at 750

An assistant messenger, at 350

The postmaster general is authorised, for the accommodation of the public, in any city, to employ letter carriers for the delivery of letters, &c. to be paid in such proportions and manner out of the fund raised by charges for the delivery of letters and papers, as the postmaster general may direct.

An acting professor of chemistry at the military academy at West Point \$300

For new regiment of dragoons:

Colonel, pay \$90 per month, and six rations per day.

Lieutenant colonel, pay \$75 per month, and six rations per day.

Major, pay \$60 per month, and four rations per day.

In captains, at \$50 per month, and four rations per day.

Seven first lieutenants, at \$33 33 1/3 per month, and three rations per day.

In second lieutenants, at \$33 33 1/3 per month, and three rations per day.

Two commissioners, for two years, to examine claims under a treaty with the Cherokee Indians, at \$ per day, each.

A secretary for the same, at \$5 per day.

An interpreter for the same, at \$2 50 per day.

Two additional clerks in the treasury department, under 2d section act 3d March, 1835, one at a salary of \$1,150, and the other at \$1,000 per annum.

For additional clerks and messengers in the office of the commissioner of pensions, \$12,200.

An additional clerk in the office of the commissioners of the navy board, at \$900 per annum.

The surveyor general of Ohio, Indiana and Michigan authorised to employ two additional clerks, at a sum not exceeding \$2,300, and allowed the further sum of \$4,000 for additional clerk hire.

The surveyor general of Illinois and Missouri authorised to employ clerks at a sum not exceeding \$3,820.

The surveyor general of Arkansas allowed the sum of \$2,800 for clerk hire in his office.

The surveyor of Louisiana allowed \$2,500 for clerk hire in his office.

The surveyor general of Mississippi allowed the sum of \$5,000 for clerk hire in his office.

The surveyor general of Alabama allowed the sum of \$2,000 for clerk hire in his office.

The surveyor general of Florida allowed the sum of \$3,500 for clerk hire in his office.

The superintendent of Indian affairs at St. Louis authorised to employ one clerk at \$1,000 and another at \$800 per annum.

The superintendent of Indian affairs south of the Missouri river authorised to employ one clerk at \$1,000.

The secretary of war authorized to employ—

One clerk at \$1,600, and one clerk at \$1,400, to be employed in the business of reservations and grants under the Indian treaties, for four years.

Three clerks for the pension office, at \$1,000 each, for one year.

Six clerks and one messenger in the office of the quartermaster general, viz:

One clerk at \$1,600.

One clerk at \$1,200.

Four clerks at \$1,000 each.

One messenger at \$500.

One clerk for the ordnance office, \$1,200.

Four clerks at \$1,000 each.

One clerk for the adjutant general's office at \$1,200, and three clerks at \$1,000 each.

One clerk in the engineer office at \$1,200, and one clerk at \$1,000.

One clerk in the commanding general's office at \$1,000.

Six clerks and one messenger in the emigrating Indian bureau attached to the subsistence department, viz:

One clerk at \$1,600; one clerk at \$1,400; one clerk at \$1,200; and three clerks at \$1,000 each, and one messenger at \$500.

And all acts authorising the employment of extra clerks, or for the employment of non-commissioned officers as clerks in any of the offices of the war department, repealed.

One clerk in the topographical bureau, \$1,000.

SALARIES INCREASED.

Offices the salaries of which have been increased, and the amount of such increase.

Am't of increase per annum.

The commissioner of public buildings, Washington, as superintendent of the Potomac bridge \$300

For extra compensation to the judge of the middle district of Florida 800

To the assistant messenger in first comptroller's office, in addition to former appropriation 50

To the surveyor in Alabama, in addition to a former appropriation 500

In lieu of pay, rations and all other allowances, there shall be allowed the following compensation to the officers of the revenue cutters, viz:

To each captain \$2,000 per annum.

To each first lieutenant \$960 per annum.

To each second lieutenant \$860 per annum.

To each third lieutenant \$790 per annum.

Assistant messenger in the office of the secretary of the treasury, in lieu of former compensation, \$650 per annum.

Assistant messenger in the office of the first comptroller of the treasury, in lieu of former compensation, \$500 per annum.

To translator and librarian in the department of state, a salary of \$1,600.

The disbursing agent in said department, \$1,450.

The messenger in the office of commissioner of Indian affairs, in lieu of former compensation, \$700.

Office house rens. U. S. July 11, 1836.

W. S. FRANKLIN, clerk.

FOREIGN CHRONICLE.

Two African princes, sons of the late king of Ashantee, are in London, with their tutor. They were introduced to Lord Glenelg by one of the colonial governors. Their names are Quantamissah and Awasph.

King Otho of Greece arrived at Potsdam, in Prussia, on the 9th of September. The marriage contract between him and the princess Amelia, daughter of the grand duke of Oldenburgh, was signed on the same day at Dresden. The princess will be 18 in December.

The receipts at the musical festival in Manchester, were £10,592. Not far from \$50,000. *Viva la musica!*

A new regulation has been enacted in England, by which bakers are required to have scales and weights in their shops, and to weigh the loaves in the presence of the purchasers, if requested. Also to furnish their bread wagons with scales and weights, for the same purpose.

A portion of London was thrown into an uproar, on the 15th of September, by the news that a huge bear had made his escape from a stable, and was roaming about, seeking whom he might devour. He had been a passenger from N. York on board the Sampson, intended for the Zoological Garden. A party of keepers from the garden succeeded in recapturing him, before he had done any mischief.

The Mendicity society in Dublin contemplate to make the poor who have received relief from their funds, which are now nearly exhausted, march in procession, to the amount of some thousands, for the purpose of exciting the charity and compassion of the affluent!

Letters from Madras say that the king of Bokhara had prohibited his Hindoo subjects from burning their dead, on the ground that such cremation is offensive, unhealthy and abhorrent to the feelings of Mussulmen.

Madam Malibran, the queen of song—she who commenced among us her brief but brilliant career, is no more. She died in Manchester, England, on Friday night, 23d September, after an illness of nine days, having only reached her 28th year.

Some disturbance had occurred at Nantes, in consequence of the arrest, trial and condemnation to a short imprisonment of a number of combination operatives—trades unionists. When the prisoners were on their way to prison, the populace attacked the gendarmes, with stones and other missiles. Several of the soldiers were seriously wounded. The mob proceeded so far as to commence throwing up barricades, but were ultimately dispersed by force.

A child has been born in France with a proboscis, like that of an elephant, instead of a nose.

The coronation of the emperor of Austria took place at Prague, on the 8th of September.

The London consol market is quoted, on Saturday afternoon, September 24th, at 88 13-48.

Bosnia. By attempting to introduce civilization among his subjects in Bosnia, it is said the sultan has thrown that province into a state of insurrection. The Mahomedans of that region have enjoyed peculiar privileges time immemorial, and they are determined not to yield them without energetic resistance. There had been some cutting off of heads. The insurrectionists had assembled in arms to the number of 12,000—and were increasing. The force of the vizier to oppose them, was only 10,000.

The slave trade. The English newspapers speak of the increase of the slave trade. There were about fifty Spanish slave ships to the southward of the coast of Africa, and about thirty to the northward, chiefly American built, engaged in the traffic. Many Portuguese vessels to the southward of the line, were engaged in this trade. There is no doubt that many American vessels built in the northern states and sold (though not built expressly) for the slave trade.

A duel lately took place in France between two brothers, one of whom was killed; it was occasioned by their rivalry in the profession of surgery.

A rare occurrence. A Paris paper states that the revenue of the kingdom of Norway, for the year 1835, exceeded the expenditure by 419,000 dollars. Notwithstanding the reduction of duties by the tariff of 1833, the receipt of customs was an excess of 911,700 dollars in gold and 88,718 dollars in notes.

Accounts from St. Helena, brought by an arrival at Salem, state that the English ship *Doncaster*, from Isle of France, with upward of eighty passengers, had foundered off the Cape of Good Hope, and all were lost. A part of the wreck and a number of the bodies had drifted ashore near Cape Aguilhas.

American cotton had advanced at Liverpool. The Review of the market for Saturday, the 24th September, says: "there has been a good demand for cotton throughout the week, particularly American, the common kind of which have advanced 1-8d. whilst the better descriptions, as well as most other kinds, fully

support our last quotations." The sales of the week, including auction, amount to 28,350 bales, of which 5,500 American were on speculation. The prices ranged for baled, 6,880 bales, from 8 3-8 to 12d. New Orleans, 6,000 bales, 8 to 12 1/2d. Mobile and Alabama, 7,200 bales, 7 1/2 to 12d.

The land speculators have reached England. Virginia, Georgia and Texas lands are in market. Texas scrip sells for an English shilling per acre. A thousand acres of Georgia land sold for £50.

The British government has been compelled to raise the interest on the outstanding exchequer bills from 1 1/2 to 2 1/2 per cent, or 3 per cent. per annum, to prevent their being returned upon the treasury for payment. There are from eight to nine millions of these bills in circulation, all of which would have been sent in, as payment for taxes, had not the measure been adopted. Thus there is a pressure in the money market in England also.

It is stated in the London journals, that as the efflux of gold continues, the bank is about taking farther stringent measures. The joint stock companies and country banks are still curtailing their discounts; and a necessity is said to exist of pursuing rigid measures, until the value of money shall have been still more increased—until, in fact, the precious metals shall be rendered more valuable at home than abroad. The exportation of gold would then cease of course.

Important question. A reward of a gold medal, of the value of 400 florins, was offered lately by society at Harlem, for the best answer to the following questions:—"Is the time in which we live distinguished or not, as an epoch of good sense and humanity? If the affirmative, give the indications and proofs of it. If the negative, demonstrate it. In either case produce the result, honorable or dishonorable, towards the existing time." The answer may be written in Dutch, Latin, French, English or German.

Recognition of Mexican independence by Spain. In our columns will be found the report of a committee of the Mexican congress upon the subject of opening her ports to the commerce of Spain, preparatory to the recognition of her independence; and a restoration of amicable relations between the two nations. In our next number we shall republish the whole of the proceedings and discussions upon the question. The report and debates we find in the official paper of the Mexican government, the *Diario del Gobierno*, from which we translate them. [*N. Orleans Rec.*]

DOMESTIC CHRONICLE.

Letters from the Mediterranean announce the arrival, on the 19th August at Piræus, of the American squadron, consisting of the *Potomac*, *Constitution* and *John Adams*. On the 21st they were joined by the frigate *United States*.

Governor Jenison of Vermont, in his address to the legislature of that state, recommends the adoption of measures for the improvement of the public schools. He suggests the expediency of establishing institutions for the education of teachers, and of appropriating to the aid of such institutions and also of primary schools, the income of the portion of the surplus revenue which is to be received by the state.

Charles R. Williams has been elected chief justice, and Messrs. Royce, Collamer and Redfield assistant justices of the supreme court of Vermont.

On Tuesday the 25th ult. the thermometer at Albany, N. Y. stood at 20°, or 12° degrees below freezing, and so cold was the night that the locomotive from Utica the day previous was detained some time in order to procure water, which they were obliged to take from wells—the water in their reservoirs along the route being frozen solid. There is much snow to the north and west.

The St. Joseph's (Florida) Telegraph state that the hon. J. M. White has returned from a two years' tour in Europe, bringing with him a large supply of seeds and plants of foreign growth.

Speaking of the commercial prosperity of New Orleans the Grand Gulf Advertiser says—While on a visit there a few weeks since, we were actually astonished to witness the great number of large and splendid edifices which were under way and in rapid progress towards completion. The spirit of enterprise and industry seemed to be an absorbing principle with all classes. Eighteen months ago we thought the progress of improvement great, but it was nothing to compare to that which has taken place within the past six months and now in active operation.

This is ascribed to the recent division of the city into three independent municipalities, "as each municipality is ambitious to excel the other." To those who may incline to link their future fortunes with that enterprising place it is our duty to quote the opinion of the Grand Gulf Advertiser as regards the health of that city. The health of the city has been better the past summer than it was ever known to be; and from our observation of things, there is little doubt but that each succeeding year will find it greatly improved.

A meeting of the standing committee, appointed pursuant to a resolution adopted by the citizens of Richmond, at a meeting convened on the 12th instant,

to consider the propriety of constructing a rail road from Richmond, by way of Farmville, to Lynchburg, and from Farmville to Danville, was held on the 27th October, which was resolved that as soon as a sufficient sum shall be subscribed for the purpose of procuring a preliminary survey and estimate of the rail road from Richmond to Farmville, this committee will proceed to the appointment of an engineer, to execute and prepare the same.

It is rather an interesting and certainly a novel fact that, owing to the present exorbitant price of bread, and wheat flour, public attention has been directed to the use of superfine rice flour. One part of this united with three of wheat flour makes the most wholesome, and by far the cheapest family bread. It is now extensively used by the family bakers in New York, and found to make superior bread to wheat flour alone. It is the most wholesome of all farinaceous substances, being the sole food of millions in Asia, where protracted lives are justly ascribed to the constant use of this simple food. The difference in the price of both articles is well worthy the attention of families—the rice flour is quite dry and it should be remembered that where a barrel of wheat flour should contain 196 lbs. the dampness leaves not more than 190 lbs. of food. The rice flour, as before stated, is perfectly dry—is all food—far more wholesome, and sells at a more economical rate.

A special election by order of the governor of Georgia will be held on the first Monday of the present month to supply the place of the hon. J. Coffee, in the present congress. On the same day comes on the election for president and vice president of the U. States.

In reference to the fertility of Texas a planter of that country bets \$200 that he will clear this year, with 13 hands, \$600 each, that is \$7,800, and that his profits would be much greater but for the disturbances in the country.

A letter dated the 22d ult. from Ashville, N. C. states that the number of shares subscribed to the Louisville, Cincinnati and Charleston rail road at that place was 442, and an extract from a letter dated Columbia, 24th October, states that the subscriptions in the upper country have been quite liberal.

Patent rifle. A young man named John H. Cochran, of New Hampshire, has invented a rifle which may be fired any number of times in quick succession. He has sold the right for manufacturing in the United States to a company in New York for \$300,000, and received a gold medal from the New York American Institute as a reward for his ingenuity.

Upwards of three hundred mechanics, artisans and laborers, landed at New Orleans on the 11th instant from the northern cities. During the past season, inferior carpenters were procuring \$4 to \$4 50 per day in that city, and first rate bricklayers often commanded \$5 per day.

Specie has become scarce in New Orleans, and the papers of that city announce, with no little satisfaction, the arrival of parcels from abroad. \$100,000 arrived on the 10th from Philadelphia, and \$55,000 from Natchez, and the banks have made a joint arrangement for the importation of \$3,000,000 from Mexico, to be paid by bills on England.

A letter from Cincinnati states that the theatre of that place was destroyed by fire on the morning of the 21st inst. The loss is estimated at \$100,000.

Such is the scarcity of coal at Quebec that the daily line of steamers to Montreal is suspended. The cold is so excessive that the ice made on the canal at Montreal, Oct. 28, and large quantities of potatoes have been frozen.

Meteor. On Sunday, 23d, a large meteor, or fire ball, was observed to pass over Greenfield, Mass. at 7 and 11 o'clock at night; it exploded both times, causing the houses to quiver as if affected by an earthquake.

It would seem from the Bangor Courier that the lawyers in that place must be doing a fine business—there being on the docket of the court of common pleas, at a recent session, no less than twenty-five hundred cases, and on that of the supreme court about to commence its sittings—sixteen hundred.

Another dreadful accident. A schooner which arrived at Portland, (Me.) picked up, 70 miles from Elizabeth, a schooner belonging to Bath, loaded with potatoes and wood, and bound to Boston, capsized and on her beam ends, all the crew dead except the captain, who is now in a very low state—four dead bodies were found on the wreck. The captain had a nephew on board, who was the last man who died.

Post office in New York. A branch of the New York city post office has been established in Wall street in that city and Jameson Cox, esq. has been appointed to take charge of it.

Telescope. One of the most powerful reflecting telescopes in the United States, has been recently manufactured by Amasa Holcomb of Mass. for the Newark college, Delaware. Length 14 feet, and with a 10 inch speculum.

NILES' WEEKLY REGISTER.

FIFTH SERIES. No. 11.—VOL. I.]

BALTIMORE, NOVEMBER 12, 1836.

[VOL. LI.—WHOLE No 1,311

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED, BY WILLIAM OGDEN NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

"REFORM OR REVOLUTION" IN MARYLAND.—In the present sheet we publish governor Veazey's proclamation reprobating the conduct of the recalcitrant electors,—declaring that the constitution and government yet exist in all their integrity—that the senate elected in 1831 continue to be the senate of Maryland, and will so continue until superseded by the election of successors as constitutionally and lawfully provided for—that they with the house of delegates elected in October last constitute the general assembly of the state—and convening the said general assembly on Monday the 21st inst. &c.

The proclamation has caused considerable excitement, but will not, we think, lead to any serious difficulties. The result of the late election, and the attitude in which the state now stands, has produced a crisis which invokes the moderation of the reflecting portions of both parties; and from present indications we are sanguine that the question will be settled without collision between the "reformers and revolutionists" and the authorities under the constitution.

FRANCE AND THE UNITED STATES. Among the passengers in the packet ship *Silvie de Grasse*, which arrived at New York on Tuesday last from Havre, is M. Pageot, the former secretary to the French legation, who has been appointed by the government of France *charge d'affaires* until the arrival of the new minister, M. *Edouard Pontois*, who is at present in Brazil. Thus friendly relations are restored with our ancient ally, and we hope they will long remain uninterrupted.

PRESIDENTIAL ELECTION. We cannot, from the numerous contradictory statements before us, make out any thing like a correct account of the result of the elections recently held, with the exception of that in Maryland—for the returns partake so much of the wishes or fears of the parties making them, that it is impossible to arrive at the truth.—Our readers must, therefore, be content for the present, with the following brief synopsis from the returns before us, chiefly based upon rumor and conjecture. In the next "REGISTER" we will be able, we hope, to present a correct exhibit from official sources.

Connecticut. In this state the election took place on the 7th inst. and the following is said to be correct as far as ascertained.

	V. B. maj.	H. maj.
Hartford county,		206
New Haven,		30
Litchfield,		78
Fairfield,	474	
Middlesex,	435	
New London,	300	
Windham		15
Toland,	15	
	1,224	329
	329	

Majority for Van Buren, 895
There are seven counties yet to hear from which will not vary the result.

From *New York*, in which the election continued three days, we have very few returns. The *New York Commercial* of yesterday says—

The inspectors, from the great number of scattering votes, make but slow work of canvassing in this city. We have visited most of the polls this morning, but have not been able to ascertain with certainty the result.

Marcy's majority for governor will not probably vary much from 1,000.

Tallmadge's election to the senate is almost beyond a doubt.

The congress ticket probably stands two and two, viz: Cambreleng and Moore on the Van Buren ticket, and Curtis and Hoffman on the whig.

Galick is elected register, by about 3,000 majority. The assembly ticket is canvassed as yet but in few of the wards. Probably there are two or three whig members elected.

Nothing certain from the river counties or the interior of the state.

From *Pennsylvania* the returns are still very confused and incomplete, and the state is claimed by both parties. The "National Gazette" of yesterday, Vol. LI—Sre, 11.

contains a statement that leaves out several large majorities on both sides, that are contested or denied, and omits altogether any estimates of the vote of nineteen counties, and gives the following result: for Harrison 53,548, for Van Buren 52,068. The last "Pennsylvania" (V. B.) publishes a statement which makes Van Buren's majority over 4,000; and the "Philadelphia Daily Advertiser," (whig) contains a letter dated at Harrisburgh, Nov. 10, that says it is conceded that the state has gone for Van Buren.

The election has been very close, and it is impossible to arrive at a correct result until the returns are canvassed at Harrisburgh. Both parties also claim a majority in the convention. The "Daily Advertiser" says it will stand 68 whigs to 65 V. B.—and the "Pennsylvanian" 68 V. B. to 64 whigs—I doubtful. We will of course give full and authentic returns hereafter.

The following is the result of the election in *Delaware*.

	Harrison.	Van Buren.
Kent county,	186	New Castle, 146
Sussex,	422	
Harrison,	608	
Van Buren,	146	

Harrison's majority, 462

The whig governor and member of congress have been elected by about the same majorities.

The following returns of the election in *Maryland* are nearly correct. In our next we will present the aggregate returns from the counties, and a revised summary.

	Whig. maj.	V. B. maj.
Allegany	175	
Washington	184	
Frederick	188	
Montgomery	408	
Baltimore county		412
Baltimore city		111
Harford county	200	
Anne Arundel	237	
Annapolis	27	
Prince George's	265	
Calvert	79	
Cecil		72
Kent	223	
Queen Anne's	122	
Talbot	186	
Dorchester	300	
Caroline	83	
Somerset	500	
Worcester	400	
St. Mary's	453	
Charles	200	
	4,180	595
	595	

Harrison majority 3,585

From *Ohio* the returns, thus far, place general Harrison 4,883 ahead of his opponent, and 30 counties yet to hear from.

Virginia. The *Intelligencer* of this morning contains a statement from thirty-six counties and the cities of Richmond and Norfolk, that gives the following results: whig ticket 4,922—Van Buren ticket 3,611.

JAMES H. McCULLOCH, esq. the venerable collector of the port of Baltimore, died at his residence, near this city, on Thursday evening last. No man that ever lived was more ardent in devotion to his country, or resolute in defending her liberties. In the revolutionary war he was a brave and active partisan, and in the late war with Great Britain, tho' his locks were hoary with age, he shouldered his musket, and at the battle of North Point, fought with an invincible spirit. In that battle his leg was broken by a cannon ball, and he was taken prisoner by the enemy. His private life was characterized by stern integrity, and he faithfully discharged his public duties.

EULOGY ON MR. MADISON. We have at last found an opportunity of publishing Mr. Barbow's eloquent eulogy upon the character and services of

Mr. Madison. Most of our subscribers have, no doubt, ere this read it; but it is due to the memory of the illustrious deceased that it should be placed on record for the benefit of posterity. As soon as room is afforded, we will also publish copious extracts from Mr. J. Q. Adams' eulogy on the life and character of the same devoted patriot, delivered at the request of the mayor, aldermen and common council of Boston, on the 27th of September last. It makes a pamphlet of 87 pages, large 8vo. and is one of the most noble efforts that has proceeded from the powerful mind of its distinguished author; being deeply imbued with the "philosophy of history," and practical wisdom that will benefit the nation and individuals.

"BALTIMORE ADDRESS DIRECTORY." We have before us a little work compiled by Wm. G. Lyford, esq. entitled the "Baltimore Address Directory."—It contains the names and places of business of the principal merchants, mechanics, traders, &c. of Baltimore, handsomely displayed, introduced by a very interesting exhibit of its trade and resources, highly creditable to Mr. Lyford's tact and industry. This volume Mr. L. intends to distribute, in person, through the western states; and we cannot conceive a better plan to accomplish a great good by small means, as those who promoted the project, will, we hope, soon discover.

THE PUBLIC DEPOSITES. The Rhode Island legislature, on Friday the 4th inst. passed a bill providing that the portion of the public money which shall be received by the state of Rhode Island, shall be deposited in the several banks of the state which have conformed with the law of the state, and which will agree to receive the same and pay to the state interest at the rate of five per cent. The interest is appropriated to the support of public schools.

THE TENNESSEE LEGISLATURE adjourned on the 26th ult. They passed a law to secure to the state her proportion of the surplus revenue of the United States. It empowers the governor, comptroller and treasurer to receive the money, on giving the necessary pledges for its safe keeping and return when required. They are to deposit it in the Union bank, and in the Planter's bank of Tennessee—on their giving bond to receive it at their own charge, repay it when required by the secretary of the treasury of the U. States—and pay 5 and 6 per cent. interest on it—and if these banks decline, then to deposit it with the bank of Memphis.

THE SURPLUS. The *National Intelligencer* estimates that the following division of the surplus will be declared on the 1st of January:

Should the sum to be distributed, on the 1st day of January, amongst the states, amount, as it possibly may, to forty-six millions of dollars, the share of each state will be as follows:

New York,	42	\$6,573,000
Pennsylvania,	30	4,695,000
Virginia,	28	3,569,000
Ohio,	21	3,236,500
North Carolina,	15	2,347,500
Tennessee,	15	2,347,500
Massachusetts,	14	2,191,000
Kentucky,	14	2,191,000
South Carolina,	11	1,171,500
Georgia,	11	1,171,500
Maine,	10	1,565,000
Maryland,	10	1,565,000
Indiana,	9	1,408,500
Connecticut,	8	1,252,000
New Jersey,	8	1,252,000
New Hampshire,	7	1,095,000
Vermont,	7	1,095,000
Alabama,	7	1,095,000
Louisiana,	5	782,000
Illinois,	5	782,000
Rhode Island,	4	626,000
Mississippi,	4	626,000
Missouri,	4	626,000
Delaware,	3	469,500
Michigan,	3	469,500
Arkansas,	3	469,500

We insert opposite the names of the states the number of senators and representatives of each, according to which the distribution is to be made.

BANKING CAPITAL IN THE UNITED STATES.	
at the year 1811 the total amount was	\$52,600,000
1815	82,200,000
1816	89,800,000
1820	102,100,000
1830	110,200,000
1835	196,250,000
1836 (August)	281,250,000
increase in nine years preceding 1820,	\$49,500,000
Do. ten years	1830, 8,100,000
Do. six years	1836, 181,050,000

GOLD COINAGE. Statement of the deposits and coinage of gold at the mint of the United States, in the month of October, 1836.

Balance remaining uncoined, Sept. 30,	\$1,016,185
<i>Deposits for coinage.</i>	
Bullion of the United States	\$29,850
Foreign bullion	8,310
U. States coins of foreign stand-	
ard, none.	
Foreign coins	57,680
	90,810

	\$1,107,025
Amount of gold coined within the month of Oct. including \$96,805 in quarter eagles	576,240

Balance remaining uncoined, Oct. 31,	\$530,785
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THE COTTON CROPS. By the New Orleans Standard it is stated on the authority of an eminent merchant, that the crop of last year was 1,355,361 bales. Exported from New Orleans 496,363, of which 23,850 was from Mobile and Florida, leaving the rest brought down the river.

The cotton exports of the present year may be estimated as follows:

Receipts at New Orleans,	510,000 bales.
or 95,000 more than last year.	
do. at the Atlantic ports,	600,000
43,219 more than last year.	
do. at Mobile,	200,000
or 23,848 more than last year.	
do. at Florida,	190,000
or 16,900 less than last year.	

Making a total of 1,500,000 bales. Which shows an increase over the past year, of more than 100,000 bales. The increase has been gradual.

So that there is evidently an increased consumption, for the prices are constantly advancing.

DIFFERENCE IN PRICES. The Hampshire Republican gives the following comparative statement of prices in *Massachusetts* in the years 1796 and 1836, a period of 40 years.

Forty years difference in prices.	
	1796. 1836.
Wheat, per bushel,	\$0 67 \$1 75 to 2 50
Rye, "	0 40 a 0 50 1 12 to 1 25
Corn, "	0 40 a 0 42 1 06 to 1 25
Oats, "	0 20 a 0 25 0 50 to 0 62
Butter, per lb.	0 08 0 17 to 0 20
Cheese, "	0 04 a 0 06 0 08 to 0 12
Lard, "	0 08 0 14 to 0 16
Pork, shear, "	0 08 0 15 to 0 17
Day's work in summer	0 50 1 00 to 1 25
Six months, " \$40 00 to 60 00	84 00 to 108 00
Six " winter, 24 00	60 00 to 72 00
Six months school, 30 00	60 00 to 120 00
Rainbow land, 80 00 to 100 00	100 00 to 150 00
Plough land, 80 00 to 50 00	80 00 to 150 00
Wood land, 2 50 to 4 00	18 00 to 40 00

MAJOR GEN. SCOTT passed through Baltimore on Tuesday last on his way to Frederick (Md.) where the court is to assemble for the investigation of the charges against him and other officers, in reference to the failure of the spring campaign against the Indians.

GEN. GAINES. The last number of the Army and Navy Chronicle contains the following extract of a letter from an officer in the army. Gen. Gaines is daily expected in Baltimore on his way to Frederick, Md. to meet the military court which is to assemble there.

"Camp Sabine, La. Oct. 6, 1836.

"Gen. Gaines is at Natchitoches, and will leave in a few days for Mobile. He has ordered five companies of the 6th and two of the 8d infantry to return to Fort Jesup. Major Thompson, commanding the 6th, is to remain at Fort Jesup. Brevet major Riley, of the 6th, is ordered with three companies of the 6th to take up a position near the Sabine, about 90 miles north west from this camp.—Brevet major Belknap, of the 3d, with two compa-

nies of the 8d and two of the 7th, will occupy Camp Sabine.

"This frontier is perfectly quiet. No Indian disturbances, and none likely to take place. The Indians are few in number, quietly pursuing their avocations, and in my opinion dare not molest the frontier settlements of Louisiana; and it is believed that they have never entertained an idea of the kind. A thousand stories have been circulated to the prejudice of the Indians, which have proved false. On this frontier, a man would be considered very credulous, who should regard the reports that daily come from Texas."

The Arkansas State Gazette of the 18th ultimo, contains another letter from an officer in the United States army, dated "Camp Nacogdoches, Texas, Sept. 21," in which it is stated that there had been a great deal of sickness, both in town and camp, and that all the officers except two had been ill. They were, however, recovering. The letter adds:

"There is something singular in our occupation of Nacogdoches. There never has been, nor is there likely to be, any difficulties with the Indians.—They are as peaceable as could be expected, urging the necessity of keeping white men out of their country. The principal chiefs say that the white man sell liquor to them, they get drunk, become quarrelsome, and they are apprehensive, lest they might, in their drunken quarrels, kill a white man; in which case they say war would ensue."

The Natchitoches (La.) Gazette, of 24th ult. contains the following, from which we presume that the troops who were ordered to the Sabine, from Fort Towson and Gibson, some time ago, are on their return, ere this, to their old quarters.

"The United States troops which Gen. Gaines had so unwisely ordered across the Sabine, have been recalled, we understand, and are to depart shortly from Fort Jesup for Fort Gibson (or some other frontier post of Arkansas) in consequence of a communication from Gen. Arbuckle, announcing commotions among the Indians in that country."

THE CREEKS. The New York Journal of Commerce contains an extract of a letter, dated at Washington, Nov. 4, which says—"It seems that our disturbances with the Indians are never to be quieted. Rumors are already rife in relation to the declarations of Chillee McIntosh and the Creek chiefs that are yet to emigrate. Chillee has boldly declared that he will kill all the Creek chiefs that migrate west of the Mississippi, unless they do fealty to him; and our government has received notice of his declared intentions. Hence we shall be obliged to increase the army to ten or fifteen thousand men, or receive the services of an adequate number of volunteers, to keep in subjection these very Indians, which the humane policy of our government provided with new homes west of the great father of rivers."

INDIAN TREATY. The Louisville (Kentucky) Journal of October 21, contains the following interesting information—"A correspondent in the Wisconsin territory informs, that a negotiation was held, on the 23d ult. at Rock Island, between governor Dodge and the confederated tribes of Sacs and Foxes.

The governor as superintendent of Indian affairs for the territory, had authority to negotiate with those tribes for the purchase of all their lands west of the Mississippi, and to propose to them to remove south of the Missouri. Propositions to this effect were made to the Indians in council, to which they refused to accede: they would consent to sell only a small reserve on the Iowa river, containing about 400 square miles. This governor Dodge, purchased of them for the sum of \$192,000, being at the rate of 75 cents per acre—a higher price than was ever before paid to the Indians for their lands.

THE WILLIAM GIBBONS. We are sincerely gratified to learn that Joshua Andrews, late first mate of the steam packet William Gibbons, has been arrested and committed for trial, on the charge of robbing the passengers and lading of the steam packet, after the wreck. The occurrences previous and subsequent to that disaster, have been such as to call loudly for a close investigation, and severe punishment of all who may be proved deserving thereof. The examination of Andrews took place yesterday before judge Betts, of the U. S. district court. We copy from the Courier and Enquirer.

[N. Y. Com.]

The principal witness to sustain the accusation was captain Thomas W. Winslip, of the ship Scotland, about to sail for Liverpool, who at the time of the accident, was a passenger on board of the Wil-

liam Gibbons. From his testimony it appeared that himself and others, after the landing of the passengers, were engaged until the 16th or 16th of October, in attempting to rescue from destruction and land the baggage and cargo, among which was a considerable number of watches and a quantity of jewelry, consisting of breast pins, rings, &c. &c.—That Andrews, the accused, was the first mate of the vessel at the time of her being wrecked, and from various circumstances that occurred, the witness and others entertained strong suspicions that Andrews was perpetrating deeds of dishonesty, which induced them to keep a vigilant eye upon him; and on two several occasions, during the afternoon of Wednesday the 12th October, they distinctly saw him take from his pockets two handfuls of jewelry, principally rings and breastpins, and throw them overboard into the sea.

Captain Winslip then collared him, threw him down, taxed him with the theft of the jewelry and watches, which he sternly denied, although two of the watches were afterwards found in his possession, independent of some watches and watch chains which Andrews had previously given to the barkeeper and captain Halsey. On one or two occasions during the examination, the prisoner boldly asserted that the evidence was false, although he admitted that he had broken open one box which contained jewelry. He was ordered to find bail in \$1,000 to appear at the court in North Carolina for trial for the imputed taking and destroying the property, and in default was committed to prison.

A gentleman who was a passenger on board of the William Gibbons, has informed the editor of the Wilmington, (N. C.) Advertiser, that at the time she was wrecked "the atmosphere was entirely clear and scarcely a breath of wind stirring," and that there is strong ground for the supposition, that the wreck of the boat was the result of a preconcerted scheme of some of the officers and crew. Many circumstances which occurred after the loss, furnished strong confirmation to the passengers of this opinion. One among many others, was, the simultaneous robbery, by the crew and some of the officers, of the passengers trunks, from which money to a large amount was taken, together with watches, jewelry, &c. Those who were suspected of this most atrocious villany, had found their way to Norfolk in the yawl of the steamboat, thence they proceeded north. At the last accounts the steamboat had bilged, and was in possession of the wreckers.

CHOLERA AT CHARLESTON, SOUTH CAROLINA. The board of health have issued a report, declaring that the disease had nearly disappeared from Charleston. No new case had occurred for the last two days. The following table will show the number of deaths from the first appearance of the disorder to the last day of October:—

	Whites.	Blacks.	Total.
From Aug. 28 to Sept. 4	5	23	28
Sept. 4 to Sept. 11	5	29	34
Sept. 11 to Sept. 18	9	28	37
Sept. 18 to Sept. 25	12	39	51
Sept. 25 to Oct. 2	14	80	94
Oct. 2 to Oct. 9	6	57	63
Oct. 9 to Oct. 16	3	31	34
Oct. 16 to Oct. 23	3	21	24
Oct. 23 to Oct. 30	2	13	15
	59	321	380

MCGREGOR vs. MCKINLEY. This case, which has occupied the attention of a Philadelphia court for four weeks, was terminated, by a verdict for \$1,709 25 in favor of the plaintiff. This is one of the cases arising out of the late extraordinary failure of Mrs. McKinley, which caused, at the time, so much excitement in N. York. The following report is from the Philadelphia Gazette:

Mr. McGregor sold her goods to the amount of twelve hundred and fifty-one dollars and three cents; when his bill came to maturity he called on her for payment, and was, like the most of her creditors, put off with the declaration that she was a married woman and not liable for her contracts, and that her husband was not liable, having, as she said, never participated in her business. Upon receiving this reply, Mr. McGregor instituted a proceeding in replevin to recover back his goods; in this he was baffled by the lady, as she, by destroying the marks of identity on the goods, effectually concealed them from the sheriff. Although Mr. McGregor thus failed in obtaining his goods, he persisted in his action to recover their value in damages from the husband.

The case was put principally on the ground of fraud, and the whole of these transactions were minutely and laboriously examined. After the evidence was closed, the counsel on both sides submit-

ted the cause to the jury without argument. The jury gave the verdict above stated which was composed of the following items: Twelve hundred and fifty-one dollars and three cents for the value of the goods; eighty-six dollars and seventy-three cents interest; and three hundred and seventy-one dollars forty-nine cents damages as a decided mark of their disapprobation of the conduct of the defendant.

SOURCES OF THE MISSISSIPPI. From a letter written by the scientific traveller, Mr. Nicollet, to the president of St. Mary's college in Baltimore, dated October 1, at St. Peter's, Upper Mississippi, we have been kindly permitted to publish the following extract. [*Balt. Gazette.*]

"I have just returned from a long journey to the sources of the Mississippi. I owe to the politeness and enlightened liberality of col. Davenport and the other officers of Fort Snelling, and of major Taliaferro, all the facilities and the protection which I needed to perform this long, painful and dangerous expedition. The result of this adventurous journey is, that I have completed the knowledge of the sources of the Mississippi, and have traced a detailed geographic and topographic map of an interesting region, two-thirds of which has hitherto been unknown. The numerous researches which I have made are founded on two thousand astronomical and barometrical observations. I have spent fifty-nine nights in the forests of the north west, or in the marshes of the Mississippi, and yet my health is at this moment better than it has ever been. Uniting the observations of this campaign with the result of my labors for three years in the whole extent of the valley of the Mississippi, and in every direction in the far west, I find myself enabled to write the physical and civil history of one of the greatest rivers in the world from the height of its sources till it empties into the Gulf of Mexico."

THE GREAT WESTERN ROAD. It will be recollected by our readers, that at the last session of congress, the sum of \$100,000 was appropriated for opening a military road from St. Peter's near the falls of St. Anthony, on the Upper Mississippi, along the western frontiers of Missouri and Arkansas, to Red river. In conformity with this act a board of officers has been appointed by the secretary of war, consisting of colonel Taylor and major Smith, of the U. States army, and major McNeil, of the topographical engineers, who were ordered to rendezvous at St. Louis, (where, we perceive by the last papers, some of them had arrived), to mature their plans of operations for surveying the whole route for the road. It is contemplated, (we understand by a gentleman of the army who has seen the instructions of the board), to establish a cordon of military posts along this road, for the more permanent and effectual protection of the western frontier.

The board of officers are instructed to have a special regard to the law, (also of the last session of congress), for the removal of the troops from Fort Gibson, and for the location of a new post at or near the boundary line, and the new road is to cross the Arkansas at the same point. [*Arkansas Journal.*]

VERMONT. The following is the result of the official canvass for members of congress in this state as recently ascertained by the legislature.

1st district —Hiland Hall	4,220
John S. Robinson	3,023
Scattering	132—3,155
Hall's majority	1,065
2d district —William Slade	3,918
Jonas Clark	1,536
E. D. Barber	481
Scattering	143—2,159
Slade's majority	1,759
3d district —Horace Everett	3,747
Alden Partridge	3,180
Martin Flint	961
Scattering	63—4,204
No election—majority against Everett	457
4th district —Heman Allen	3,522
C. P. Van Ness	2,203
Scattering	125—2,418
Allen's majority	1,101
5th district —Isaac Fletcher	3,765
Henry F. Jones	3,324
Scattering	48—3,372
Fletcher's majority	393
Messrs. Hall, Slade and Allen (whigs) and Mr. Fletcher (Van Buren) are elected. In the 3d dis-	

trict, now represented by Mr. Everett, there was no choice.

SHOOTING STARS. Most persons will remember to have seen or heard of the splendid phenomenon of those brilliant meteors on the morning of the 18th of November, 1833. Various and discordant theories have been formed and published, to account for these shooting stars, as they are commonly denominated. One of these theories make them asteroids, and contend for their annual return. In a New Orleans paper, "The Times," public attention is called to the heavens on the nights of the 12th and 13th of this month.

A look into the heavens on a clear night is always rewarded, even if nothing else appears but "the eternal lamps," the steady members of the upper regions; therefore we add our recommendation to that of the New Orleans writer, though we differ in *totum* from the opinion which gives a planetary character to those scintillating sparks. We may, however, remark, that their non-appearance at any given place, affords no conclusive proof of their non-existence, as they may pass over in daylight. Those of 1833 were seen on so wide an angle of the sphere, as to render their passage necessarily visible from some part of the earth. Time and more accurate observation will change hypothesis to science, on this as on all other subjects adequately examined.

The phenomenon of the morning of November 13th, 1833, was visible along the eastern coast of North America, from the Gulf of Mexico to Halifax, from 9 in the evening of the 12th, to sun rising of the 13th, and it is said, that in some places was after sun rising to 8 in the morning.

In 1799, a similar phenomenon was seen in America, by M. de Humboldt; in Greenland by the Moravian brethren, and in Germany by divers persons; and also in the night between the 11th and 12th of November. The evidences of such appearances in the heavens between the 10th and 15th of November of each year, are so numerous as to demand attentive observation from all who are so situated as to give attention to the "WONDERFUL WORKS OF GOD." [*Pittsburgh Ado.*]

NEW JERSEY. On Thursday the 3d inst. Phileman Dickerson, of Patterson, was elected by the legislature, governor of New Jersey, in place of governor Vroom, who resigned that office in consequence of indisposition. The vote, on joint ballot was, for Dickerson 33, William Pennington 25. Mr. Dickerson is a brother of the secretary of the navy, and a member of the present congress.

OFFICIAL. Navy department, November 8, 1836. The board of naval surgeons, recently convened in the city of Washington, has closed its labors and adjourned.

The assistant surgeons, passed for promotion, rank in the following order: Jona M. Foltz, John C. Mercer, Samuel C. Lawrason, Edward Gilchrist, Lewis Wolfly, Lewis W. Minor, Robert M. Baltzer, William P. Powell.

SENATOR PORTER, OF LOU. The Louisiana Advertiser of the 25th ult. states that Alexander Porter, esq. will not be a candidate for a seat in the U. S. senate at the approaching election by the legislature. He is said to be engaged in writing a history of Louisiana.

BARON DE RONNE was presented on the 27th ult. by the acting secretary of state to the president, to whom he delivered his credentials as minister resident of his Prussian majesty near the U. States.

The secretary of the navy, who has been much indisposed from the beginning of the month, and for the last fortnight confined to his room, has so far recovered as again to attend at his office for the transaction of business. [*Globe.*]

A DEED OF NOBLE DARING. Mr. James D. Garland, of Newark, publishes in the Daily Advertiser of that city, the following account of the rescue of his only son during the recent conflagration:

"My son, a boy of eleven years, led by curiosity or boyish hardihood, ascended to the second story of a wooden building in the rear of, I believe, a trunkmaker's shop, in Market street, the roof of the building at the time being nearly destroyed, and one end in flames. Some of the bystanders told the boy to come down, as the chimney tottered. He immediately attempted it, but the flames had reached the stairs, and he pushed back to the window; the garret floor had now burnt through, and the fire was falling around and upon him.

"The people now beckoned to him to jump, as the only means of saving his life; terrified at his

situation, nearly suffocated by the smoke and flames, he sunk down on the floor. At this moment a young man sprang through the crowd and rushed up the burning stairs to rescue him. The moment he reached the top, the stairs fell, leaving no egress but a leap from a second story window among the burning brands beneath. Nothing daunted, he caught up my son, and sprang from the blazing building unhurt, bearing with him the object of his noble efforts! With the true modesty of his daring spirit, the preserver of my child disappeared from the crowd, and not until last evening could I learn his name. And it was then with admiration that I learned my son is the fifth fellow being he has been the instrument, in the hands of a gracious Providence, of saving from a violent death.

"If there is an individual possessed of the noble and lofty attributes of man, that being is Henry Moore, of Ferry street."

USEFUL INVENTION FOR THE SICK OF THE ARMY. Captain H. L. Thistle, of New Orleans, who commanded a company of Louisiana volunteers during the last campaign in Florida, has invented a saddle for the conveyance of the sick on a march. The invention has met with great favor among the officers of the army—and the war department, to testify its high opinion of it, has already ordered fifty saddles to be made for present purposes. It requires eight or ten men, says the Army and Navy Chronicle, to carry a wounded man on a litter, and then the progress is very slow. By means of captain Thistle's saddle, a horse and a man to lead him are sufficient, and the patient is removed with less pain and inconvenience.

ACCIDENT AND LOSS OF LIFE. The steamboat Rhode Island on her passage down last night, run into the sloop Eliza Nichols, bound to New Bedford, rendering the sloop a perfect wreck, and a Mrs. Howland was unfortunately drowned. Two persons were rescued from the cabin of the sloop by being cut out.

When the steamboat ran foul of the sloop, the main boom of the vessel struck the ladies' cabin and demolished a tier of berths. An infant was lying in one of the beds and was thought to have been killed, but on removing the crushed pieces of boards, &c. the little infant was found unharmed, and restored to its anxious parents. [*N. Y. Star.*]

A GROWING ISLAND! The New York Sun states on the authority of a letter from a French geologist to the French academy of sciences, that an extensive island of solid rock will soon make its appearance in the Mediterranean. The particulars of this strange geological fact are as follows:—

"The fishermen of the island of Panetorio, in the Grecian Archipelago, informed a visitant to the island, towards the close of the last century, that the bottom of the sea had lately risen considerably at a certain place near the port of Thera. The soundings were then from 15 to 20 fathoms, but previously the bottom could not be found. In 1829 that island was again visited, when it was ascertained that the rise of the submarine land had gradually continued, and that the depth of water was then not more than four and a half fathoms. Soundings were again made in 1830, when in a period of less than a year, the depth had decreased half a fathom. The form and extent of the rock was also taken by which it was found to be 800 metres in length and 500 in breadth. The depth all around this anticipated island was very great. Since this time the place has been repeatedly visited, and the rock found gradually to rise, so that in September last it had come to within two fathoms of the surface. In four years, therefore, the rock will become a large island, and these are the facts communicated by the letter referred. By the submarine volcanoes there, in 1712, the island of Kaimeni, in the same port, and near by, was formed, but no eruptions have since appeared, though this rising of the land indicates the still active power of internal heat which, whenever the resistance shall be reduced, will burst forth in its wonted fury."

MADAME MALIBRAN. The funeral of Madame Malibran took place at Manchester on the 1st of October. More than two columns of the London Morning Herald are occupied with a description of the ceremonies. Mons. De Beriot, her husband, was not present, having set off post-haste for Brussels immediately after her decease. This proceeding had given rise to many unfavorable reports, which even went to such a length that the coroner was strongly urged to hold an inquest on the body. He waited on the committee appointed to direct the funeral, and was satisfied that no grounds existed for his official interposition. Dr. Belluomini,

who attended Madame de Beriot, is an eminent osteopath; he has published an account of her illness in the newspapers. He has also published a statement intended to exonerate M. de Beriot from all blame on account of his strange departure before the funeral; which, it seems, was only advised but insisted on by the doctor, who feared that M. de Beriot's grief and excited state of feeling would prove fatal to him unless dissipated by change of scene, &c. It is understood that at the body will be hereafter removed to the continent—probably to Belgium, of which kingdom M. de Beriot is a native.

The Paris papers state that a grand musical festival is in preparation in memory of Madame Malibran; the *artistes* connected with all the lyric theatres will assemble at a musical *soirée*, the proceeds of the entertainment to be distributed to the poor. The *salle* of the opera has been offered by M. Duopnchel for the occasion.

BRITISH COMMERCIAL POLICY. The editor of the New Orleans Standard remarks:

The British government is becoming aware of the advantage of having warehouses on this continent. Already the port of Harbor Grace, in Newfoundland, and of Grand Key, Turk's Island, in the Bahamas, are declared free ports for the warehousing of goods. This is another attempt to aid British shipping, and may attain its object. An entrepot and free port at the Bahamas may also act as a minor rival to Havana in the European and Atlantic trade with Mexico; and certainly with the West India islands.

CANADA JURORS. The following extract from the Montreal Gazette of the 25th ult. exhibits a ludicrous picture, and conveys a singular idea of the mode in which justice is administered in the provinces—where a portion of the inhabitants speak no English, and many speak no French:

"Of all ridiculous scenes, that which occurred on Friday last, at the quarter session, must bear the palm. The hon. D. B. Viger, took possession of the bench, and instead of following the usual method of naming a foreman, requested the grand jurors present to retire and elect one for themselves. With this, the jury complied, and presented the object of their choice in the person of Charles Jarret. The chairman then inflicted upon them of course, a long address upon every thing and nothing, after which the jury retired to proceed to business. The hon. chairman had scarcely got himself into a comfortable and dignified attitude, ere the jury returned to state, that their foreman could neither read nor write, and they therefore were incompetent to act.

The court now named Jesse Thayer as foreman, but still this would not do. The jury again came into court and stated that they could not understand each other, some could speak English and others French, but none could act as interpreter between them both. This was another dilemma, and yesterday, Messrs. Viger, Barret and Millar being on the bench, the opinion of the court was pronounced by the latter as being opposed under law and precedent to the introduction of a sworn interpreter, Mr. Viger differed from his colleagues, and gave them and the audience a lecture upon the jury law, the present dreadful state of society, anarchy, confusion, the weakness of government, &c. &c. evidently to the satisfaction of the chairman, but fatiguing to the auditors. The jury retired again and late in the afternoon had found some means to proceed to business, inasmuch as they brought in four bills."

THE AMERICAN ANTIQUARIAN SOCIETY held its annual meeting at Worcester, Mass. on the 24th ultimo. The semi-annual report, which was read, represents the affairs of the association in a flourishing condition; and, among other valuable donations which had been received, notices one quarto volume entitled the "Evangelii Gothica," containing the four Evangelists in the Gothic and Anglo-Saxon languages, printed at Dort, in Holland, in 1665. There was also contributed a cabinet desk, formerly the property of governor Belcher, who was governor of that state from 1730 to 1740, in perfect condition, and well adapted to use. The library of the association at present consists of about twelve thousand volumes. The officers of the society are the honorable T. L. Winthrop, L. L. D. president, and John Davis, United States senate, and Joseph Story, supreme court of the United States, vice presidents.

ORIGINAL ANECDOTE OF ETHAN ALLEN. An old gentleman of Vermont has told us an anecdote of Ethan Allen, the revolutionary hero, which we have never seen in print, but which is nevertheless historically true. About forty years since, Allen

was sued for a note of about one hundred pounds. As it was not convenient for him to pay it, he employed Chittenden, the lawyer, to manage the case in court, and get it put over to the next term.—When the case came on, Chittenden accordingly appeared, and as the note was signed by a witness, who lived at a distance, he got up and *denied the signature*, knowing that the witness could not be produced during the session, and he should thus obtain the delay his client wished. The denial of the signature therefore was a mere finesse, and perfectly understood by the court; but Allen chanced to be in court at the time, and he viewed the matter in a more serious light. Rushing up to the bar of the court, and clenching his gigantic fists, he made the following address: Lawyer Chittenden! I did not employ you to come here and tell a barefaced lie! I did sign the note, and I won't deny it, may it please your honors!—that's my signature, and that's a good note. I honestly owe the money, and mean honestly to pay it. All I want is, that your honors should put it over to the next court; and by that time I shall have the cash from Boston, and will pay every farthing of it." The result was, that by consent of parties, the case was continued to the next term. Such were the notions of honesty entertained by a soldier of the olden times, that he could not bear even a fiction of law to deny the obligations of a paper to which his signature was attached. Let us compare this with the notions of a modern politician. [*Dedham Patriot.*]

SOMETHING NEW. The Weekly Chronicle, published at St. John's, Nova Scotia, has enlarged the knowledge of its readers by the following paragraph.

"*Important news: If true.* A report has been current in this city for several days past, that the long disputed boundary question is about to be speedily and definitively settled, it having been agreed between the British and American governments, that the whole matter in dispute should be left to the sole decision of Daniel O'Connell, esq. M. P. It is said that this illustrious individual will leave the port of Valentia, in Ireland, (in company with our delegates) early in the spring, and proceed in a government steamer to Halifax, and that we may expect the honor of his company during the greater part of the summer."

How much may the illustrious Daniel be expected to pay, for having this splendid rumor put in circulation! We think we see him mediating between the "bloody ruffians who own black slaves in America," and the "bloody ruffians who own white slaves in Ireland." And moreover we think we hear the mighty roar of scorn and indignation, that would burst forth on both sides of the Atlantic, were such a proposition seriously hazarded.

[*N. Y. Com.*]

DUFANEL THE ENGINEER. A Paris paper received at New York, states that Dufavel, the engineer, of whose long incarceration in a well which caved in upon him, we published an account in the last "REGISTER," was relieved from his prison after some ten or eleven days of suffering. On the day after he was released, he was so far recovered as to bear the fatigue of conveyance to his own house. Great rejoicings took place on the occasion.

SPAIN AND MEXICO. We are informed, says the Louisiana Courier of the evening of the 22d ult. by the captain of the schooner Liberty, from Havana, whence she sailed on the 16th instant, that that port had been opened to Mexican vessels.—The debates which have taken place in the Mexican congress, relative to such a measure, leave not a doubt as to its correctness.

COL. LANE. It is stated that there seems reason to believe that the imputation of suicide to this young officer, was incorrect; and that his death was the result of some incomprehensible accident.—There can be but little doubt that his mind was to a considerable extent unhinged by pain and illness.

FROM BARBADOES. Advices from Barbadoes to the 27th of September state that the yellow fever is making dreadful ravages in that place. The New Times of the 6th of September states that "numbers, chiefly of the young and middle aged, have already been hurried to their graves, and others are at this moment suffering from it in different degrees of malignity."

WAR IN FLORIDA.

The National Intelligencer of the 5th instant, says—"The failure of gen. Call's late expedition against the Indians having been attributed to his disappointment in not finding a supply of provisions on the Wythlacoochee, it has been naturally sup-

posed by many that this disappointment was imputable to some remissness in the subsistence department of the government, in not placing sufficient supplies of provisions within reach of the general commanding in Florida; and this opinion has been freely expressed through our own columns, as well as those of other journals. It is due, however, to the vigilant administration of that department to state, that we have authentic evidence of its innocence of any delinquency in the case referred to, or of its being chargeable with any of the blame which attaches to gen. Call's failure. On the contrary there were placed in depot, on the east side of Florida on the St. John's, and at other points, as early as the month of September, not less than 600,000 rations; and on the west side of the peninsula, at Tampa Bay, on the Suwannee, and other points, three hundred thousand rations.—This large stock of provisions, at various depots on both sides of the peninsula, was placed at the disposition of gen. Call; he was officially advised by the department of their deposite, and it was left to him to order supplies to be transported to any of the points at which his operations might require them, before he moved his army. If he failed to do so, and suffered the frustration of his expedition in consequence, the blame cannot justly attach to the subsistence department."

Our accounts from gen. Call, published last week, left him at Fort Drane, whither he had retired from the head waters of the Wythlacoochee in consequence of not having received the expected supply of provisions. We now learn that he has issued an order directing all the United States troops stationed at the different posts on the St. John's to proceed immediately to Fort Drane. The 700 friendly Indians expected at that post, had arrived by the way of Tampa. The hostiles are said to be concentrated on the Wythlacoochee.

From Tampa Bay. The Appalachicola Gazette of the 19th ult. contains the following: "The steamer Meridian arrived at this place from Tampa Bay on Monday last. There had been no fighting in that quarter, since our former dates. The deputation of friendly Indians which had been sent out to hold a talk with the hostiles, and induce them to come to terms without further fighting—or, in other words, with a proposition to the Seminole chief to buy them up—had returned to Tampa, without having been able to effect any thing. Harjo, the head of the deputation, reports that he found the chiefs of the Seminoles in a hammock within the Wythlacoochee swamp, which was surrounded on all sides by deep morasses, ponds, and an almost impenetrable underbrushwood, with as he calculated, about 3,500 of their people, men, women and children. On the proposal being made to Oseola to lay down his arms and retire to the westward—the reply was firmly and decisively—"Never—the land is ours, and we will die on it." They boasted of having beaten off other armies of the whites, and speak confidently of their ability to withstand the present preparations against them."

The U. S. steamer gen. Izard, in attempting to ascend the Wythlacoochee with supplies for the depot, got aground at the mouth of the river, with her bows on the bank on one side, and her stern on the other, and 8 feet water in the middle of the channel. In this awkward position they remained till the tide went out, when her centre timber gave way, and she broke down. Her stores being mostly wet, it is supposed will be saved. How she came to get into this awkward position, seems to be not well understood. It is said that she was made fast over night by bow and stern line; and in the morning it was found that her bow line had been loosened, and that she had floated round into the position above stated.

Midshipmen Wm. B. Beverly and Wm. L. Parkinson had arrived at Pensacola in the Frederick Arnet. The crew of the Izard, like those of the American and Dade, have returned enfeebled and worn down by disease. Out of a crew of twenty-eight who left Pensacola in the Izard, in June last, only four men have returned in health. The country, however, is now beginning to grow more healthy.

GENERAL ORDER.

Head quarters, Fort Drane, Oct. 26.

The commander-in-chief with deep regret announces to the army, of the death of col. John F. Lane of the Creek volunteers, which occurred yesterday.

In announcing this melancholy event, the commander-in-chief cannot refrain from the expression of those feelings of deep sensibility with which the whole army with him sympathize at the loss of a most valuable young officer, thus suddenly arrested in a most brilliant career of arms, for the successful and glorious termination of which he was so admirably qualified by his ardent zeal, his great ta-

lents, and his uncommon acquirement. The usual honors due to an officer of his rank will be paid to his remains by the army. The funeral ceremony will take place at 12 M. this day, under the direction and order of major W. W. Morris of the same corps, who will arrange and command the escort.

By order of the commanding general-in-chief of the army in Florida. (Signed)

THOMAS RANDALL, *adj. & ins. gen.*

"REFORM OR REVOLUTION" IN MARYLAND.

BY HIS EXCELLENCY.

THOMAS W. VEAZEY, *governor of Maryland.*
A PROCLAMATION.

WHEREAS, by the constitution of this state, and with the view, as well of perpetuating an essential branch of the legislative department of the government, as of providing for such changes in the members thereof periodically, as the people might desire to make, it was provided that the people of the several counties, and of the cities of Baltimore and Annapolis, duly qualified as electors, should, on the first Monday of September last, elect two persons for each of the said counties, and one person for each of the said cities, to be electors of the senate, who were required to meet in the city of Annapolis on the third Monday of said month: and they or any twenty-four of them, so met, were directed, after having qualified in the manner provided for, to proceed to elect fifteen senators, who, when so elected and duly qualified as such, were to constitute "the senate of Maryland," in the place of those who then constituted that branch of the general assembly.

AND WHEREAS, eighteen of the persons who were chosen as electors, in pursuance of the aforesaid provisions of the constitution, and in conformity to law, have failed to perform the duty enjoined upon them as aforesaid, by refusing, and continuing to refuse or neglect to meet the other electors who have attended, qualified and held themselves in readiness to perform their duty: in consequence whereof no new senate has yet been elected.

AND WHEREAS, the said unfaithful agents of the people, in addition to their violation of the duty as aforesaid, seem vainly to have imagined that the effect of their conduct would be the destruction and overthrow of the constitution and government of the state, which many, if not all of them, had heretofore sworn to support; and, accordingly presumptuously proceeded to recommend measures for substituting another constitution and government for that which they seem to have supposed they had destroyed, or, at least, mortally wounded.

AND WHEREAS, sundry evil disposed or misguided citizens have taken, and are continuing to pursue and prosecute measures in accordance with said recommendation, and designed to carry out and consummate the disorderly designs and purposes aforesaid.

AND WHEREAS, these unprecedented, unconstitutional, disorderly and revolutionary occurrences and proceedings, although wholly inefficient to accomplish any of the avowed objects of those engaged in them, are fraught with incalculable evils and mischiefs, and must, if persisted in, and sustained by any considerable portion of the people, greatly disturb the tranquillity and peace of the state—impair her credit and resources—arrest here great works of internal improvement—blight her lately brilliant prospects of increasing prosperity, and, finally, involve us in all the horrors and unspeakable calamities of anarchy, intestine commotion and CIVIL WAR, and therefore demand from the executive the adoption of such constitutional and legal measures as may seem to them best adapted to quiet the public mind, which has been thus wantonly disturbed; to defeat the unholy designs and purposes aforesaid, and maintain and support the constitution and authority of the government, by all the means and powers with which they are entrusted.

AND WHEREAS, we are well advised, and entirely satisfied, that the aforesaid unfaithful "trustees of the public," and their abettors, have as entirely mistaken their power of destroying the constitution and government of the state, as they have clearly violated a solemn duty—that the constitution and government yet exist in all their integrity and power—that the senate elected in September 1831, continue to be "the senate of Maryland," and will so continue until superseded by the election of successors, as constitutionally and lawfully provided for, and, with the house of delegates elected, in October last, now constitute "the general assembly" of this state.

NOW, THEREFORE, I THOMAS W. VEAZEY, governor of the state of Maryland, with the advice of the council, and in virtue of the authority vested in me by the constitution, deeming it pro-

per and necessary, in the present crisis of our affairs, that the general assembly should be convened before the time fixed for the next annual session, to which its stands adjourned, do HEREBY APPOINT AND PROCLAIM MONDAY the 21st of November, instant, as the time of the next meeting of the general assembly, and call upon and require the several senators and delegates to attend at the seat of government, on that day, to take into consideration the present condition of our public affairs, and adopt such measures as to them may seem meet and expedient in relation thereto, and for the transaction of such other business as the welfare of the state may require.

And I do furthermore declare and proclaim, to all whom it doth or may concern, that, as chief magistrate of the state, I shall exert to the utmost, all the powers which have been, or may be vested in me by the constitution and laws, and which it may become necessary to employ, to curb the spirit of anarchy, disorder and revolution, manifested by the aforesaid conduct and proceedings, and to support the constitution and enforce the laws upon all offenders against their majesty, who shall proceed, by OVERT ACTS either of resistance to the constituted authorities of the state, or of carrying out and consummating the revolutionary designs and purposes of the aforesaid recusants and their abettors; and I do hereby require and enjoin all civil officers of the state, to be vigilant in the performance of their several and respective duties, at this important crisis and upon all military officers and citizens to hold themselves in readiness, in case their services may become necessary in aid of the civil authorities, to maintain the public peace, repress disorder, uphold the constitution, or enforce the laws; and, finally, with humble supplication for, and reliance upon Divine Providence for direction and aid, and also with the firmest reliance upon the people of the state, to support, and, if necessary, enforce the declaration, I do solemnly DECLARE and PROCLAIM that the constitution of the state MUST BE PRESERVED and the government maintained, as they now are, until "altered, changed or abolished," in the manner constitutionally provided for.

Given under my hand and the great seal of the state of Maryland, at the city of Annapolis, this eighth day of November, in the year of our Lord, one thousand eight hundred and thirty-six, and of the independence of the United States the sixty-first.

THOS. W. VEAZEY.

By the governor,

THOS. CULBRETH, *clerk of the council.*

ORDERED, That one thousand copies of the foregoing proclamation be printed in handbill form, and that it be published, until the time fixed for the meeting of the general assembly, in all the newspapers printed in the state, whose proprietors and conductors are in favor of upholding the constitution and laws, and defeating the revolutionary designs and proceedings intended to accomplish their overthrow.

The "Baltimore Republican," the organ of the "reformers or revolutionists," thus notices governor Veazey's proclamation.

From the "Baltimore Republican" of Thursday last.

RIDING ON STILTS.

We lay before our readers this morning a proclamation issued by king Veazey, by the advice of their high mightinesses, the executive council, in which it is declared that the old senate can continue to hold their seats until others are elected in their places, and calling upon the members who composed it, and the persons recently elected to the house of delegates to meet on the 21st instant. It would have been as well for him to have referred to the article in the constitution on which he founds his declaration, and which gives to him and his council the authority to call together a legislature composed of such very different materials; for we can assure him that his royal word will not pass current on such subjects, without some other authority than his bare declaration, and will not in the present case.

It must be perfectly manifest to the most superficial observer, that king Veazey does not believe the truth of his own declaration; for if he did, there would have been no necessity for a meeting of the legislature at a period earlier than that which is prescribed for the commencement of their annual session, which is the last Monday in December.—If it were true that the members of the senate when once elected and qualified, could continue to act as such until successors were elected, they would, as a matter of course, meet at the time fixed for the regular assembling of the general assembly. But there is no provision in the constitution which authorises their meeting after the time prescribed by

the constitution for the election of the senate, and they know it, and king Veazey knows it. He has therefore officially declared that to be a fact, which he knows to be false; and his having called what he chooses to denominate the legislature together on a day earlier than that which is prescribed for the commencement of the session, proves that he was well aware there was no authority to warrant the declaration he has made, or the act he has performed.

If the members of the old senate can constitutionally retain their seats until others be elected to supply their places, there could have been no possible necessity for an earlier meeting of the legislature than usual, and our proclaimer has not pretended to assign for it any other reason than, that there are persons in the state who believe that in case no senate be elected, the government is so far dissolved, as to render it necessary to call a convention to amend the old constitution, or to form a new one. If the persons referred to are correct in their views, there is no authority by which the members of the old senate can be called upon to act, nor is there any authority for them to act as senators, after the time fixed for the election of others in their places, but on the contrary, if the declaration contained in the proclamation were true, there could be no necessity or propriety in the call of an earlier meeting. But the call has now been made, and for what purpose? On this subject we are not informed. Is it for the purpose of imitating the example set by the last legislature, when they passed the indemnity act, by passing a bundle of ex-post facto laws, under which all those who doubt the infallibility of the present rulers of the state, or the justice and propriety of the provisions contained in the present constitution, are to be strung up by the neck for political heresy? If so, we should like to be informed of the fact, in order that we may be prepared for the fate that awaits us. If it is not for some such purpose, we candidly confess we can conceive of no object that can be designed for the movement, except to let us know that a certain would-be great man can issue a proclamation as well as grant nolle proseques.

Well, it seems, then, that we are to have an extraordinary session of the legislature, composed of persons who constituted the senate, whose term of service expired in September last, and persons elected to the house of delegates in October last.—Or, perhaps it is intended that the old delegates shall also meet, for the proclamation does not inform us who are the persons, who, under the proclamation, are called upon to meet, whether they are the old members or the new ones. Altogether, it is what the lawyers would call a complete hodge-podge. We suspect, however, that when assembled, there will be a number of vacant seats, unless they are filled by what are termed lobby members, of whom there is never any lack, where there is mischief to be done, and the people's rights can be trampled upon. In the present case, they would have just as much right to take their seats upon the floor, and proceed to pass laws to answer their own purposes, as the members of the old senate would have to do; and their acts would be as binding and as much respected or obeyed. This hodge-podge legislature will not be recognized, and they might as well be now informed of the fact, as be left to learn it after they have attempted to exercise their unconstitutional and unwarrantable authority.

It is quite amusing to see how admirably the proclamation has imitated the language of the alarmists who have been prating about the matter for the last month. We are told that anarchy, civil war, strife, contention, the loss of state credit, and all the evils of Pandora's box are to be the result of an omission to elect a senate, if the people, in consequence of it are permitted to proceed to the work of electing delegates to a convention to form a new one, and the civil and military authorities and the people are called upon to resist any such attempt, and to sustain the present rotten constitution, and the rotten-hearted cormorants who are feeding at the public crib under its provision. King Veazey can, no doubt, like Owen Glendower, call spirits from the vasty deep, but the question is as applicable to the one as the other, will they come when called. Those who live by their offices will, most probably, be very willing to obey the call, even if it should amount to cutting the throats of those who would aid in displacing them by the formation of a new constitution; but we strongly suspect there are but few others who will pay any more regard to the proclamation than the author of it has to the constitution and laws of the state.

The proclaimer would not have dared, before the late election, to insult the people by issuing such an incendiary production; but, as his party has succeeded in that election, he now displays the rancor of his heart, and has become a very giant.—

But he may yet find that there are bounds to his authority, and bounds to his power, and that when he attempts to o'erstep those bounds he will step on dangerous ground. We live under a government of laws, to which those in authority are as much bound to adhere as those who are ruled.—We own no despot's sway, and the man who attempts to exercise a power that is not given to him by the constitution and laws, and for which he cannot point to his authority in that constitution and those laws, will find that there is a power above him which will bring him to an account for his actions.

There is in no class of our community any disposition to create any disorder, confusion, strife or anarchy; but there are those who desire a reform in the constitution, and will have it; and if the author of the proclamation expects to defeat their purpose he has deceived himself. He may be blinded by the late triumph of his party; but we would advise him, while he thinks he is prosperous, to act with discretion, or adversity may come upon him when he little expects it.

A writer in the "Republican" of Thursday last, proposes the following mode of allaying the excitement.

COMMUNICATED.

Messrs. EDITORS: To allay, if possible, the excitement which the highly inflammatory proclamation of the governor has produced, I would offer the following suggestions.

Let those gentlemen who were the most prominent friends of reform in every county, meet in this city immediately, or, as soon as practicable. Let them write a manifesto or protest against the words of the proclamation, pointing out that the governor, instead of being dispenser of conciliation and peace, is the very first that would bring CIVIL WAR. Let them point out one by one the falsity of his accusations; let them appeal to the people of the United States and to the general government for the sacred truth and proof of a peaceable reform by the fact, that their first act, was to confirm the present governor and other officers in their present authority, until the new constitution should be approved by the people. Let them point out as a further confirmation of their peaceable intentions, and avoid every idea of intentional collision; that the convention shall meet in Baltimore instead of Annapolis, and then and there, whether every county is represented or not, let them proceed to write a REPUBLICAN CONSTITUTION which shall go abroad to the people. At the next election let them vote for the old or the new, as they best like, and take my word for the result.

As soon as the manifesto is written, let reform meetings be called in Monument square, where it shall be read and other resolves entered into. D.

THE ARMY—OFFICIAL.

GENERAL ORDER, No. 74.

Head quarters of the army,

Adj't gen's office, Washington, Nov. 1, 1836.

1. Promotions and appointments in the army since the publication of "GENERAL ORDER" No. 69, dated 29th August, 1836.

I. PROMOTIONS.

Corps of engineers.

First lieutenant Henry Brewerton, to be captain 21st September, 1836; vice Talcott, resigned.
Second lieutenant Robert E. Lee, to be 1st lieutenant 21st September, 1836; vice Brewerton, promoted.
Second lieutenant Alexander J. Swift, to be 1st lieutenant 31st October, 1836; vice Brown, resigned.
Brevet 2d lieutenant William Smith, to be 2d lieutenant 21st September, 1836; vice Lee, promoted. (Brevet 1st July, 1834.)
Brevet 2d lieutenant John Sanders, to be 2d lieutenant 30th September, 1836; vice Park, resigned. (Brevet 1st July, 1834.)
Brevet 2d lieutenant George W. Morell, to be 2d lieutenant 31st October, 1836; vice Swift, promoted. (Brevet 1st July, 1835.)

First regiment of dragoons.

Second lieutenant James M. Bowman, to be 1st lieutenant 15th October, 1836; vice Kingsbury, resigned.

Second regiment of dragoons.

First lieutenant Lloyd J. Beall, to be captain, 19th October, 1836; vice Lane, deceased.
Second lieutenant William Gilpin, to be 1st lieutenant 19th October, 1836; vice Beall, promoted.

First regiment of artillery.

First lieutenant Lucius B. Webster, to be captain 30th September, 1836; vice Dimmock, resigned.
Second lieutenant George Watson, to be 1st lieutenant 30th September, 1836; vice Webster, promoted.
Brevet 2d lieutenant John S. Hatheway, to be 2d lieutenant 31st August, 1836; vice Leadbetter, appointed brevet 2d lieutenant in the corps of engineers. (Brevet 1st July, 1836.)

Second regiment of artillery.

Second lieutenant George W. Ward, to be 1st lieutenant 11th September, 1836; vice Dancy, resigned.
Second lieutenant Robert P. Smith, to be 1st lieutenant 30th September, 1836; vice Humphreys, resigned.
Second lieutenant Edmund Schriver, to be 1st lieutenant 1st November, 1836; vice d'Lagnel, appointed captain of ordnance.
Brevet 2d lieutenant Charles B. Daniels, to be 2d lieutenant 11th September, 1836; vice Ward, promoted. (Brevet 1st July, 1836.)

Third regiment of artillery.

Second lieutenant George H. Talcott, to be 1st lieutenant 15th September, 1836; vice McKee, resigned.
Second lieutenant Eras D. Keyes, to be 1st lieutenant 16th September, 1836; vice Barbarin, resigned.
Brevet 2d lieutenant William Mock, to be 2d lieutenant 31st August, 1836; vice Anderson, appointed brevet 2d lieutenant in the corps of engineers. (Brevet 1st July, 1836.)

Fourth regiment of artillery.

First lieutenant William W. Morris, to be captain 15th October, 1836; vice Thompson, resigned.
Second lieutenant John N. Macomb, to be 1st lieutenant 16th September, 1836; vice Cram, resigned.
Second lieutenant Edward Deas, to be 1st lieutenant 15th October, 1836; vice Morris, promoted.
Second lieutenant John H. Miller, to be 1st lieutenant 24th October, 1836; vice Beckley, resigned.
Brevet 2d lieutenant Robert A. Wainwright, to be 2d lieutenant 22d October, 1836. (Brevet 1st July, 1835.)
Brevet 2d lieutenant Thomas L. Brent, to be 2d lieutenant 1st November, 1836. (Brevet 1st July, 1835.)

First regiment of infantry.

First lieutenant J. J. Abercrombie, to be captain, 4th September, 1836; vice Shannon, deceased.
Second lieutenant John R. B. Gardeneir, to be 1st lieutenant 4th Sept. 1836; vice Abercrombie, promoted.
Second lieutenant Sidney Burbank, to be 1st lieutenant 29th October, 1836; vice Harris, dismissed.
Brevet 2d lieutenant James McClure, to be 2d lieutenant 4th September, 1836; vice Gardeneir, promoted. (Brevet 1st July, 1833.)
Brevet 2d lieutenant Peter C. Galliard, to be 2d lieutenant 29th October, 1836; vice Burbank, promoted. (Brevet 1st July, 1835.)

Second regiment of infantry.

Brevet 2d lieutenant Marsena R. Patrick, to be 2d lieutenant 31st October, 1836; vice Leavenworth, resigned. (Brevet 1st July, 1835.)

Third regiment of infantry.

Brevet 2d lieutenant Joseph H. Eaton, to be 2d lieutenant 31st October, 1836; vice Fry, resigned. (Brevet 1st July, 1836.)

Fourth regiment of infantry.

Lieut. colonel Enos Cutler, of the 5th regiment of infantry, to be colonel 21st September, 1836; vice Clinch, resigned.

First lieutenant Pitcairn Morrison, to be captain, 18th September, 1836; vice Sands, deceased.
First lieutenant George A. McCall, to be captain, 21st September, 1836; vice McIntosh, promoted.
First lieutenant Lorenzo Thomas, to be captain, 23d September, 1836; vice Martin, resigned.

Second lieutenant Bradford R. Alden, to be 1st lieutenant 18th September, 1836; vice Morris, promoted.
Second lieutenant W. W. S. Bliss, to be 1st lieutenant 21st September, 1836; vice McCall, promoted.
Second lieutenant Benjamin Alvord, to be 1st lieutenant 23d September, 1836; vice Thomas, promoted.

Second lieutenant John W. McCrabb, to be 1st lieutenant 30th September, 1836; vice Newcomb, resigned.
Brevet 2d lieutenant Charles Hoskins, to be 2d lieutenant 18th September, 1836; vice Alden, promoted.—(Brevet 1st July, 1836.)

Brevet 2d lieutenant Collinson R. Gates, to be 2d lieutenant 21st September, 1836; vice Bliss, promoted. (Brevet 1st July, 1836.)

Brevet 2d lieutenant Marcus C. M. Hammond, to be 2d lieutenant 23d September, 1836; vice Alvord, promoted. (Brevet 1st July, 1836.)
Brevet 2d lieutenant Charles H. E. Spoor, to be 2d lieutenant 30th September, 1836; vice McCrabb, promoted. (Brevet 1st July, 1836.)

Fifth regiment of infantry.

Brevet lieutenant col. Sullivan Burbank, major of the 7th regiment of infantry, to be lieutenant colonel, 21st September, 1836; vice Cutler, promoted.
1st lieutenant Alexander Johnson, to be captain, 31st October, 1836; vice Cruger, resigned.

2d lieutenant James L. Thompson, to be 1st lieutenant 31st October, 1836; vice Johnson, promoted.
Brevet 2d lieutenant Wm. M. D. McKissack, to be 2d lieutenant 11th September, 1836; vice Vancleve, resigned. (Brevet 1st July, 1835.)

Brevet 2d lieutenant Joseph H. Whipple, to be 2d lieutenant 31st October, 1836; vice Thompson, promoted. (Brevet 1st July, 1835.)

Brevet 2d lieutenant Samuel Whitehorse, to be 2d lieutenant 31st October, 1836; vice Stockton, resigned. (Brevet 1st July, 1836.)

Seventh regiment of infantry.

Brevet major James S. McIntosh, captain of the 4th regiment of infantry, to be major, 21st September, 1836; vice Burbank, promoted.
Second lieutenant Gabriel R. Paul, to be 1st lieutenant 26th October, 1836; vice Cass, resigned.
Brevet 2d lieutenant Thomas B. Arden, to be 2d lieutenant 26th October, 1836; vice Paul, promoted. (Brevet 1st July, 1835.)

2. Promotions by brevet, conferred for gallant actions and meritorious conduct.

[Vide 5th paragraph of "general order" No. 69.]

Lieutenant colonel by brevet.

Major Benjamin K. Pierce, of the 1st regiment of artillery, to rank from 21st August, 1836.

Majors by brevet.

Capt. William M. Graham, of the 4th regiment of infantry, to rank from 31st December, 1835.

Capt. Richard B. Lee, of the 3d regiment of artillery, to rank from 9th June, 1836.

Capt. Thomas Childs, of the 3d regiment of artillery, to rank from 21st August, 1836.

Captains by brevet.

First lieutenant William Graham, of the 3d regiment of artillery, to rank from the 31st December, 1835.

First lieutenant William S. Maitland, of the 3d regiment of artillery, to rank from 31st December, 1835.

First lieutenant by brevet.

Second lieutenant Alfred Herbert, of the 1st regiment of artillery, to rank from 27th July, 1836.

II. APPOINTMENTS.

Pay department.

Wharton Rector, of Missouri, to be paymaster, 15th August, 1836.

Christopher Andrews, of the District of Columbia, to be paymaster, 24th October, 1836.

Major Donald Fraser, of New York, to be paymaster, 29th October, 1836.

Medical department.

Robert Southgate, of Virginia, to be assistant surgeon, 30th August, 1836.

Isaac H. Baldwin, of Virginia, to be assistant surgeon, 30th August, 1836.

Samuel Forry, of Pennsylvania, to be assistant surgeon, 30th August, 1836.

Charles McCormick to be assistant surgeon, 30th August, 1836.

Corps of engineers.

Second lieutenant Danville Leadbetter, of the 1st regiment of artillery, to be brevet 2d lieutenant to rank from 1st July, 1836.

Second lieutenant Joseph R. Anderson, of the 3d regiment of artillery, to be brevet 2d lieutenant to rank from 1st July, 1836.

Second lieutenant Montgomery C. Meigs, of the 1st regiment of artillery, to be brevet 2d lieutenant to rank from 1st July, 1836.

Second lieutenant Daniel P. Woodbury, of the 3d regiment of artillery, to be brevet 2d lieutenant to rank from 1st July, 1836.

Ordnance department.

First lieutenant Julius A. d'Lagnel, of the 2d regiment of artillery, to be captain, 1st November, 1836.

Second regiment of dragoons.

William S. Harney to be lieutenant colonel, 15th August, 1836; vice Rector, declined.

William M. Fulton, of Virginia, to be captain, 6th October, 1836; vice Dougherty, declined.

Croghan Ker, 2d lieutenant to be 1st lieutenant 6th October, 1836; vice Crimsley, declined.

Alexander S. Macomb, 2d lieutenant 1st dragoons, to be 1st lieutenant 6th October, 1836; vice Grooms, declined.

Nathaniel W. Hunter, late brevet 2d lieutenant 7th infantry, to be 2d lieutenant 6th October, 1836; vice Ker, appointed 1st lieutenant.

Robert Lawton, of Rhode Island, to be 2d lieutenant 12th October, 1836; vice Ward, declined.

III. CASUALTIES.—(47.)

Resignations.—(40.)

Colonel.—(1.)

Brevet brig. gen. D. L. Clinch, 4th infantry, 21st September, 1836.

Captains.—(6.)

Andrew Talcott, corps of engineers, 21st September, 1836.

Robert P. Parrott, ordnance, 31st October, 1836.

Charles Dimmock, 1st artillery, 30th September, 1836.

Henry A. Thompson, 4th artillery, 15th October, 1836.

William Martin, 4th infantry, 23d September, 1836.

William E. Cruger, 5th infantry, 31st October, 1836.

First lieutenants.—(10.)

Thomas S. Brown, corps of engineers, 31st October, 1836.

Gaines P. Kingsbury, 1st dragoons, 15th October, 1836.

Francis L. Dancy, 2d artillery, 11th September, 1836.
A. A. Humphreys, 2d artillery, 30th September, 1836.
Francis N. Barbarin, 3d artillery, 16th September, 1836.
William R. McKee, 3d artillery, 15th September, 1836.
Alfred Beckley, 4th artillery, 24th October, 1836.
Thomas J. Cram, 4th artillery, 16th September, 1836.
Francis D. Newcomb, 4th infantry, 30th September, 1836.
George W. Cass, 7th infantry, 26th October, 1836.

Second lieutenants.—(14.)

Roswell Park, corps of engineers, 30th September, 1836.
Lloyd Tilghman, 1st dragoons, 30th September, 1836.
William H. Pettes, 1st artillery, 11th September, 1836.
Alexander P. Crittenden, 1st artillery, 30th September, 1836.
David P. De Witt, 2d artillery, 31st October, 1836.
George G. Meade, 3d artillery, 26th October, 1836.
William B. Wallace, 3d artillery, 30th September, 1836.
William H. Emory, 4th artillery, 30th September, 1836.
Benjamin S. Ewell, 4th artillery, 30th September, 1836.
James L. Davis, 4th artillery, 11th September, 1836.
Jesse H. Leavenworth, 2d infantry, 31st October, 1836.
Cary H. Fry, 3d infantry, 31st October, 1836.
Thomas Stockton, 5th infantry, 31st October, 1836.
Horatio P. Vancleve, 5th infantry, 11th September, 1836.

Brevet second lieutenants.—(7.)

Rufus King, corps of engineers, 30th September, 1836.
Henry C. Moorhead, 1st dragoons, 30th September, 1836.
Arthur B. Lansing, 1st artillery, 30th September, 1836.
George W. Shaw, 1st infantry, 31st October, 1836.
Richard S. Smith, 2d infantry, 19th October, 1836.
Archibald Campbell, 6th infantry, 30th September, 1836.
Thomas P. Chiffelle, 7th infantry, 30th September, 1836.

Staff.—(2.)

Col. Arthur P. Hayne, paymaster, 25th October, 1836.

Morgan Neville, paymaster, 18th October, 1836.

Declined.—(2.)

Lieut. col. Wharton Rector, 2d dragoons.
Second lieut. Wm. H. Ward, 2d dragoons.

Transfers.—(6.)

Second lieut. Danville Leadbetter, of the 1st regiment of artillery transferred to the corps of engineers as *brevet* 2d lieut.
Second lieut. Joseph R. Anderson, of the 3d regiment of artillery, transferred to the corps of engineers as *brevet* 2d lieut.
Second lieut. Montgomery C. Meigs, of the 1st regiment of artillery, transferred to the corps of engineers as *brevet* 2d lieut.
Second lieut. Daniel P. Woodbury, of the 3d regiment of artillery, transferred to the corps of engineers as *brevet* 2d lieut.
Brevet 2d lieut. Robert A. Wainwright, of the 5th regiment of infantry, transferred to the 4th regiment of artillery.
Brevet 2d lieut. Thomas L. Brent, of the 6th regiment of infantry, transferred to the 4th regiment of artillery.

Deaths.—(4.)

Joseph Lovell, surgeon general of the army, 17th October, 1836.
Captain John F. Lane, 2d dragoons 19th October, 1836.
Captain Samuel Shannon, 1st infantry, 4th Sept. 1836.
Brevet major Richard Sands, 4th infantry 18th September, 1836.

Dismissed.—(1.)

First lieut. Wm. L. Harris, 1st infantry, 26th October, 1836.
8. The officers promoted will report accordingly, and join their proper stations and companies without delay; those on detached service, or acting under special orders and instructions, will report by letter to their respective colonels.

"IV. Rule to be observed in ordinary cases of promotion."

4. "If a field officer, the officer promoted will join the regiment and station of his predecessor; if a company officer, he will join the particular company where the vacancy to which he succeeds may have occurred."

5. The practice of commanding officers assuming authority to grant leaves of absence to officers on tendering their resignations, is disapproved, it being contrary to the rules of service. Hereafter, letters of resignation will be forwarded by the commanding officer to the adjutant general of the army, Washington, to be laid before the war department; and the officer who may so tender his resignation, will not be permitted to quit his post until the decision of the president be duly communicated.

By order of Alexander Macomb, major general commanding-in-chief: R. JONES, *adj. gen.*

GENERAL ORDER, NO. 76.

Head quarters of the army, *adj. gen's office*, Washington, Nov. 7, 1836.

1. The secretary of war having assigned the duty connected with Indian emigration, heretofore under the direction of the commissary general of subsistence, to the commissioner of Indian affairs, the officers of the army who have been detailed for performing the above-mentioned duty under the subsistence department, will continue to execute it under the direction of the commissioner of Indian affairs.

2. Commanding officers in the field will report to the head quarters of the army the time, that the several officers relieved from detached service and ordered to join their regiments, pursuant to "general order" No. 69, of October 15, may report in person for duty with the troops.

By order of Alexander Macomb, major general commanding-in-chief: R. JONES, *adj. gen.*

THE SURPLUS REVENUE.

It is stated in the Washington Globe of Tuesday that a notice similar to that referred to in the annexed paragraph, has been sent to the deposit banks in every state in the union, giving to each which will be called on next January, seasonable notice of the probable amount it will then, and quarterly during 1837, be required to pay over either to the state in which it is situated, or to some other state near, where a sufficient share of the public money is not deposited.

Division of deposits among the states. The secretary of the treasury has notified the bank of Virginia, that he shall draw on that bank, a few days after the 1st of January, in favor of the treasurer of Virginia, for about \$350,000 which will, of course, be previously deposited in the bank. This ratio will give to the state about \$2,600,000 by the 1st of October next, and make the whole distributable sum about or upwards of 36 millions, including Michigan.

The following is a copy of one of the circulars to the banks above referred to:

Treasury department, November 1st, 1836.

SIR: It is deemed proper and useful thus early to apprise the bank over which you preside, that in a few days after the 1st of January next, [provided the state of shall then have passed a law, accepting the deposit, and if not, as soon afterwards as a law shall be passed] a transfer draft will probably be drawn on it by this department, for about the sum of \$

It will be made payable forthwith to the authorized agent of said state—the money to be kept in deposit on behalf of the United States. This transfer will be followed on the 1st of April, July and October next, by other drafts of similar amount, and payable to the same agent, unless in the meantime a different notice is given by this department.

When the transfer drafts are forwarded to you the precise amount will be ascertained and specified therein—and the form enclosed of such duplicate receipts as are to be taken by you of the agent, and one of them returned here as a voucher of your payment.

I am, very respectfully, your obedient servant,
LEVI WOODBURY, *sec. of the treasury.*
President of the

REAL ESTATE IN NEW YORK.

From the N. Y. Daily Advertiser.

We are indebted to our worthy fellow citizen John Simonson for full and detailed statements from the assessor's books, from which we make the following statements:
Return of the board of assessors of the value of the real and personal estate of the city of New York for 1836.

Real estate.		Personal estate.	
1st ward,	37,471,950	1st ward,	28,631,936
2d	19,752,850	2d	2,490,386
3d	15,884,450	3d	7,673,080
4th	10,007,250	4th	2,865,628
5th	18,610,260	5th	5,370,100
6th	10,211,760	6th	4,080,617
7th	12,234,960	7th	4,518,110
8th	13,385,300	8th	2,251,855
9th	10,154,800	9th	1,590,943
10th	7,618,700	10th	877,250
11th	19,734,010	11th	1,253,771
12th	10,375,591	12th	2,505,865
13th	4,228,950	13th	587,700
14th	7,886,750	14th	2,338,930
15th	16,158,100	15th	7,856,789
16th	22,588,485	16th	532,666

\$231,258,964 **\$74,787,589**

Raised by the assessors, } **21,942,227**

Total real estate. } **258,201,191**

Add personal est. } **74,787,589**

\$327,988,780

Several wards were assessed too low by the ward assessors. The board consequently raised them to a standard with other portions of the city, and which is added above. 15 per cent. to be added to the real estate of the 4th ward; 5th ward, the owners of the fee in St. John's park, who have the exclusive benefit for private use, it now being open to the public, 10 per cent.; 6th ward, 8 per cent. on real estate; 8th ward, 4 per cent. on real estate; 9th ward, 8 per cent.; 12th ward, 140 per cent. as follows: from 40th to 62d street, inclusive, 175 per cent.; from 62d to 132d st. 132 per cent. and on the remainder of the ward 95 per cent.; 13th ward, 7 per cent.; 14th ward, 18 per cent.; 15th ward, 7 per cent.; 16th ward, 4 per cent. The board of assessors, previous to their commencing their assessments, by a unanimous vote agreed to assess all the real estate up to actual sales, and all the property similarly situated at the same rate—when it was found on the examination of the book of any ward that it was not so assessed as above, the per centage was added. Some of the wards that had been raised, the assessors of the same placed it where, in their best judgments, they thought would bear it.

We commend the course taken by the assessors. In all former years there has been a course taken manifestly unjust. The present mode of equalizing all portions of the city is just and proper. We give below a table of the value of both real and personal estate since 1805. The reader will be amazed at the rapid increase of wealth in this city. *Assessed value of real and personal estate in the city of New York for the years 1832 and 1833.*

Wards.	Assessment of 1832.		Assessment of 1833.	
	Real estate.	Personal.	Real estate.	Personal.
1st,	\$19,312,000	21,973,634	\$23,531,600	\$23,989,815
2d,	10,514,500	2,894,304	10,866,130	2,865,705
3d,	9,897,900	5,338,256	10,173,050	6,348,372
4th,	6,731,900	1,317,106	6,851,550	2,567,253
5th,	8,673,600	2,999,100	3,690,050	3,797,172
6th,	5,649,550	1,303,850	5,613,225	2,911,376
7th,	5,748,450	1,499,019	6,490,080	1,950,430
8th,	6,479,000	943,304	6,918,676	1,367,300
9th,	4,307,300	594,650	4,769,304	553,700
10th,	3,909,400	596,100	4,047,350	673,500
11th,	4,519,300	435,500	5,497,300	869,700
12th, &c.	1,158,040	7,000	2,713,100	7,500
13th, Nt	4,731,490	97,100	4,919,705	461,400
13th,	2,990,700	97,300	2,351,300	340,150
14th,	4,337,600	169,900	4,452,400	1,866,504
15th,	5,958,635	106,600	7,615,036	1,661,700
	\$104,042,405	\$49,960,213	\$114,134,566	\$59,366,676

Increase of real estate, \$10,092,161
Increase of personal estate, 10,106,763

Total increase, \$20,198,924

Comparative view of valuations and taxes since 1805.

Valuation.		City taxes.		Valuation.		City taxes.	
1805	\$25,645,667	\$187,946	87	1820	\$69,530,755	\$270,361	19
1806	26,229,630	197,814	97	1821	68,928,070	259,430	30
1807	24,959,855	119,155	09	1822	71,989,144	302,105	61
1808	25,118,720	136,984	18	1823	70,940,690	351,814	36
1809	24,733,967	139,037	30	1824	33,075,616	353,336	89
1810	26,436,370	199,737	15	1825	191,160,046	336,663	62
1811	26,045,730	176,978	95	1826	107,477,781	563,758	69
1812	26,253,040	174,990	17	1827	119,211,996	437,699	02
1813	27,640,330	174,736	94	1828	114,019,539	485,751	73
1814	29,901,497	214,935	09	1829	113,518,696	507,107	94
1815	31,636,049	190,913	33	1830	125,968,518	509,178	44
1816	32,074,901	180,653	94	1831	130,960,914	509,104	06
1817	36,895,795	216,730	44	1832	146,308,519	565,365	74
1818	60,945,091	255,740	79	1833	166,491,549	971,665	61
1819	70,113,061	350,140	21	1834	218,792,793		

*South of the lamp and watch district, (14th street).
†North of do. do. do.

LEGEND OF BRADY'S HILL.

From *Silliman's Journal* for October 1836.

Samuel Brady, the hero of the following adventure, was over six feet in height, with light blue eyes, fair skin and dark hair: he was remarkably straight, an athletic, bold and vigorous backwoodsman, inured to all the toils and hardships of a frontier life, and had become very obnoxious to the Indians, from the numerous successful attacks on their war parties, and from shooting them in his hunting excursions, whenever they crossed his path, or came within reach of his rifle; for he was personally engaged in more hazardous contests with the savages, than any other man west of the mountains, excepting Daniel Boone. He was in fact an "Indian hater," as many of the early borderers were. This class of men appear to have been more numerous in this region, than in any other portion of the frontiers; and this doubtless arose from the slaughter at Braddock's defeat, and the numerous murders and attacks on defenceless families that for many years followed that disaster. Brady was also a very successful trapper and hunter, and took more beavers than any of the Indians themselves. In one of his adventurous trapping excursions, to the waters of Beaver river, or Mahoning which in early days so abounded with the animals of this species, that it took its name from this fact, it so happened that the Indians surprised him in his camp and took him prisoner. To have shot or tomahawked him on the spot, would have been but a small gratification to that of satiating their revenge by burning him at a slow fire, in presence of all the Indians of their village. He was therefore taken alive to their encampment, on the west bank of the Beaver river, about a mile and a half from its mouth. After the usual exultations and rejoicings at the capture of a noted enemy, and causing him to run the gauntlet, a fire was prepared, near which Brady was placed, after being stripped naked, and with his arms unbound. Previously to tying him to the stake, a large circle was formed around him, consisting of Indian men, women and children, dancing and yelling, and uttering all manner of threats and abuse that their small knowledge of the English language could afford. The prisoner looked on these preparations for death, and on his savage foes, with a firm countenance and a steady eye, meeting all their threats with a truly savage fortitude. In the midst of their dancing and rejoicing, a squaw of one of their chiefs came near him with a child in her arms. Quick as thought, and with intuitive prescience, he snatched it from her and threw it into the midst of the flames. Horror struck at the sudden outrage, the Indians simultaneously rushed to rescue the infant from the fire. In the midst of this confusion, Brady darted from the circle, overturning all that came in his way, and rushed into the adjacent thickets, with the Indians at his heels. He ascended the steep side of the present hill, amidst a shower of bullets, and darting down the opposite declivity, secreted himself in the deep ravines and laurel thickets that abound for several miles to the west of it. His knowledge of the country and wonderful activity, enabled him to elude his enemies, and reach the settlements on the south of the Ohio river, which he crossed by swimming. The hill, near whose base this adventure is said to have happened, still goes by his name; and the incident is often referred to by the traveller, as the coach is slowly dragged up its side.

Brady's leap. Capt. Brady seems to have been as much the Daniel Boone of the north east part of the valley of the Ohio, as the other was of the south west, and the country is equally full of traditional legends of his hardy adventures and hair-breadth escapes, although he has lacked a *Flint* to chronicle his fame, and transmit it to posterity in the glowing and beautiful language of that distinguished annalist of the west. From undoubted authority, it seems the following incident actually transpired in this vicinity. Brady's residence was on Chartier's creek, on the south side of the Ohio, as before noted in this diary; and being a man of herculean strength, activity and courage, he was generally selected as the leader of the hardy borderers in all their incursions into Indian territory north of the river. On this occasion, which was about the year 1780, a large party of warriors from the falls of the Cuyahoga and the adjacent country, had made an inroad on the south side of the Ohio river, in the lower part of what is now Washington county, but which was then known as the settlement of "Catfish Camp," after an old Indian of that name, who lived there when the whites first came into the country on the Monongahela river. This party had murdered several families, and with the "plunder" had recrossed the Ohio before effectual pursuit could be made. By Brady a party was directly summoned, of his chosen followers, who hastened on after them, but the Indians having one-

or two days the start, he could not overtake them in time to arrest their return to their villages. Near the spot where the town of Ravenna now stands, the Indians separated into two parties, one of which went to the north, and the other west, to the falls of the Cuyahoga. Brady's men also divided; a part pursued the northern trail, and a part with their commander to the Indian village, lying on the river in the present township of Northampton, in Portage county.

Although Brady made his approaches with the utmost caution, the Indians, expecting a pursuit, were on the lookout, and ready to receive him, with numbers fourfold to those of Brady's party, whose only safety was in a hasty retreat, which, from the ardor of the pursuit, soon became a perfect flight.—Brady directed his men to separate and each one to take care of himself; but the Indians knowing Brady, and having a most inveterate hatred and dread of him, from the numerous chastisements which he had inflicted upon them, left all the others, and with united strength pursued him alone. The Cuyahoga here makes a wide bend to the south, including a large tract of several miles of surface, in the form of a peninsula: within this tract the pursuit was hotly contested. The Indians, by extending their line to the right and left, forced him on to the bank of the stream. Having, in peaceable times, often hunted over this ground with the Indians, and knowing every turn of the Cuyahoga as familiarly as the villager knows the streets of his own hamlet, Brady directed his course to the river, at a spot where the whole stream is compressed, by the rocky cliffs, into a narrow channel of only twenty-two feet across the top of the chasm, although it is considerably wider beneath, near the water, and in height more than twice the number of feet above the current. Through this pass the water rushes like a race horse, chafing and roaring at the confinement of its current by the rocky channel, while, a short distance above, the stream is at least fifty yards wide. As he approached the chasm, Brady, knowing that life or death was in the effort, concentrated his mighty powers, and leaped the stream at a single bound. It so happened that, in the opposite cliff, the leap was favored by a low place, into which he dropped, and grasping the bushes, he thus helped himself to ascend to the top of the cliff.—The Indians, for a few moments, were lost in wonder and admiration, and before they had recovered their recollection, he was half way up the side of the opposite hill, but still within reach of their rifles. They could easily have shot him at any moment before, but being bent on taking him alive, for torture, and to glut their long delayed revenge, they forbore the use of the rifle; but now seeing him likely to escape, they all fired upon him: one bullet wounded him severely in the hip, but not so badly as to prevent his progress. The Indians having to make a considerable circuit before they could cross the stream, Brady advanced a good distance ahead. His limb was growing stiff from the wound, and as the Indians gained on him, he made for the pond which bears his name, and plunging in, swam under water a considerable distance, and came up under the trunk of a large oak, which had fallen into the pond. This, although leaving only a small breathing place to support life, still completely sheltered him from their sight. The Indians, tracing him by the blood to the water, made diligent search all round the pond, but finding no signs of his exit, finally came to the conclusion that he had sunk and was drowned. As they were at one time standing on the very tree beneath which he was concealed, Brady understanding their language, was very glad to hear the result of their deliberations, and after they had gone, weary, lame and hungry, he made good his retreat to his own home. His followers also all returned in safety. The chasm across which he leaped is in sight of the bridge where we crossed the Cuyahoga, and is known in all that region by the name of "BRADY'S LEAP."

THE COTTON CROP OF THE U. STATES.

From the *New York statement of the cotton crop.*

	Total.	1835.
New Orleans,	474,657	511,146
Natchez,	6,889	
Florida,	79,762	52,085
Alabama,	236,715	197,692
Georgia,	270,121	222,670
South Carolina,	231,287	203,166
North Carolina,	32,075	34,399
Virginia,	29,197	33,170
Total crop of the U. S.	1,860,725	1,254,328
Total crop as above,	1,860,725	bales.
Crop of last year,	1,254,328	
Increase,	106,397	

GROWTH.

Total crop of 1824—5	560,000	bales.
Do. do. 1825—6	710,000	do.
Do. do. 1826—7	937,000	do.
Do. do. 1827—8	712,000	do.
Do. do. 1828—9	857,744	do.
Do. do. 1829—30	976,845	do.
Do. do. 1830—1	1,038,348	do.
Do. do. 1831—2	987,477	do.
Do. do. 1832—3	1,070,488	do.
Do. do. 1833—4	1,205,894	do.
Do. do. 1834—5	1,254,328	do.
Do. do. 1835—6	1,360,725	do.

CONSUMPTION.

To estimate the quantity manufactured in the U. S.

Add—

We take the growth of the year 1,360,725 bales.

Stocks on hand at the commencement of the

year Oct. 1, 1825,
In the southern ports, 15,829
In the northern ports, 25,794

41,623

1,402,348

Deduct therefrom—

The exports to foreign ports, 1,116,608

Stocks on hand at the close

of the year Oct. 1, 1836,
In southern ports, 20,627
In northern ports, 22,714

43,341

Burnt and lost at N. O. 2,030
Do. Appalachicola, 300
Do. N. York, Dec. 16, 1,500
Do. Natchez, Dec. 8, 1,800
Do. Savannah river, 600

6,230

1,166,174

Less—

Foreign cotton, included in the export,

559

1,165,615

Quantity consumed, and in the

hands of manufacturers, 1835—6	236,733
Do. do. 1834—5	216,888
Do. do. 1833—4	196,413
Do. do. 1832—3	194,412
Do. do. 1831—2	173,800
Do. do. 1830—1	182,142
Do. do. 1829—30	126,512
Do. do. 1828—9	118,853
Do. do. 1827—8	120,593
Do. do. 1826—7	103,483

Note—Our estimate of the quantity taken for consumption, does not include any cotton manufactured in the states south and west of Virginia, nor any in that state, except in the vicinity of Petersburg and Richmond.

TRADE OF THE CANALS—THE GRAIN CROP.

From the *Albany Argus*.

In consequence of the alleged failure of the crops in the western part of the state, we have been induced to take some pains to ascertain what effect it has had upon the business of the Erie canal, as compared with the last year, and how far the diminution of the great staple article of wheat, since the new crop began to come in, has probably tended to the diminution of the canal tolls for the same time.

The information we have obtained is from an official source, and shows the quantity of flour, wheat and barley delivered from the canal at Albany, West Troy and Waterford, on the Hudson river, and at Schenectada, the termination of the Mohawk and Hudson rail road. The quantities of each article so delivered, up to the 1st of September, in the present and the last year, are as follows, viz:

	Bush. barley.	Bbls. flour.	Bush. wheat.
1835	83,576	484,073	266,252
1836	42,715	557,520	490,963
Increase,	9,139	73,447	214,711

Thus exhibiting an increase this year to the date given, in the barley, of more than 9,000 bushels; in the flour, of more than 73,000 barrels; and in the wheat, of more than 214,000 bushels.

Assuming the 1st of September as the period when the new crop began to seek market, a comparative statement similar to the above, from the 1st of September to the 21st of October, in each year, and showing the weekly quantities of each article, with the increase or diminution of each, is as follows, viz:

Comparative statement of the quantities of wheat, flour and barley, delivered from the Erie canal, at Albany, West Troy, Waterford and Schenectada—

da, during the month of September, and the three first weeks in October, of the years 1835 and 1836.

FLOUR.				
	1835.	1836.	Inc.	Dec.
Sept'r—1st week,	29,544	21,119	—	8,425
2d do.	37,156	28,851	—	8,805
3d do.	37,909	32,246	—	5,663
4th do.	40,773	42,180	1,357	—
Oct'r—1st do.	45,276	27,167	—	18,109
2d do.	47,129	34,178	—	12,951
3d do.	49,156	37,674	—	9,482
	286,943	224,865	1,357	63,485
				1,357

BARLEY.				
	1835.	1836.	Inc.	Dec.
Sept'r—1st week,	4,689	—	—	4,689
2d do.	16,727	291	—	16,436
3d do.	20,943	2,891	—	18,052
4th do.	39,252	4,725	—	34,527
Oct'r—1st do.	57,674	8,888	—	48,886
2d do.	62,349	25,097	—	37,252
3d do.	83,854	30,821	—	53,033
	285,488	72,663		212,825

WHEAT.				
	1835.	1836.	Inc.	Dec.
Sept'r—1st week,	89,642	37,769	—	1,873
2d do.	44,042	42,642	—	1,400
3d do.	38,227	42,352	4,125	—
4th do.	51,258	42,220	—	9,038
Oct'r—1st do.	40,944	16,030	—	24,864
2d do.	23,930	28,889	4,459	—
3d do.	38,270	39,909	1,639	—
	276,308	249,361	10,223	37,170
				10,223

Thus showing a falling off, since the first of September, in barley, of 212,825 bushels; in flour of 62,078 barrels; and in wheat, of 26,947 bushels.—A statement, showing the total amount up to the 21st October, in each year, and embracing both the above statements, is as follows:

	Bush. barley.	Bshs. flour.	Bush. wheat.
1835	818,064	771,016	524,560
1836	115,378	782,385	730,324

Decrease, 202,686
Increase, 11,369 187,764

Showing an increase in the flour of 11,000 barrels; in the wheat 187,000 bushels; and a decrease in the barley of 202,000 bushels.

It is possible that the period assumed for the coming in of this year's crop is not early enough; that the high price of flour may have led to its earlier preparation for market, and that that cause may account for some of the increase in the flour and wheat on the 1st of September, and for the subsequent falling off.

However this may be, it is evident that the continued failing in October, notwithstanding the present high prices, augurs unfavorably for the fall and spring business in these great staples.

MR. BAYLIE PEYTON'S LETTER.

Gainesboro' (Tenn.) Sept. 10, 1836.

SIR: On the first Monday of this month a large number of your constituents of this county assembled at the court house to evince their approbation of your political course, particularly during the last session of congress, and deputed the undersigned to invite you to a public dinner in this place on Saturday, the 17th instant. In performing this agreeable duty, the undersigned take occasion to express to you the high estimation in which they, in common with their fellow citizens of this county, hold both your public and private character. Yours, respectfully,

RICHARD F. COOK,
SAMPSON W. CASSETY,
JAMES T. QUARLES,
MERLIN YOUNG,
DAVID G. SHEPHERD,
MICAJAH L. ARMSTRONG,
JOHN SCANLAND,

committee.

Hon. Baylie Peyton.

MR. PEYTON'S REPLY.

Station Camp, near Gallatin, Sept. 18, 1836.

GENTLEMEN: I had the honor to receive, through your politeness, on yesterday, the proceedings of a public meeting of a portion of my fellow citizens of Jackson county, assembled at Gainesborough on the 5th of this instant, inviting me, at such time as might suit my convenience, to partake of a public dinner, at or near that place, "as an evidence of their approbation of my course since I have been their representative in congress, and particularly

during the last session." This voice from Jackson is to me cheering and animating in no ordinary degree. Amidst the shifting currents of the day, to be greeted on my return by my friends in Jackson county, with this warm and generous welcome and "well done," excites emotions in the heart, and gives a vigor to the nerves, which the wretch who sells himself for place can never feel. To be told by honest men and "free," that "you have been true to your country, true to the republican professions which you have heretofore made, true to the trust with which you have been honored," is calculated to inspire a lofty pride, and affords an incentive to patriotic actions, nowhere to be met with but in the spontaneous applause of freemen. How could I, how dare I, betray my sacred trust, when backed by such high-souled and generous constituents? What has a public servant to FEAR from POWER, or HOPE from OFFICE, when he lives in the bosoms of such constituents, and is sustained by the dauntless spirits of such men? Thank God, that there still breathes in its unadulterated purity that spirit and love of liberty, that American spirit, which inspired a Henry, and burnt in the breasts of our fathers; which won our liberties, and has sustained our arms and our honor upon every field and upon every sea. The crisis, gentlemen, calls aloud for it; the times demand it; the ballot box is assailed; the citadel of your liberty is in danger. The question is, where lies the SOVEREIGN POWER?—This is the issue. Is the SOVEREIGN POWER in the PEOPLE of this country, or is it in the high offices of the government? This is the true issue. Let no man disguise the fact that the president of the United States, at the head of one hundred thousand officers of the federal government, is boldly in the field, and openly electioneering for Mr. Van Buren; that all the power and patronage of the government are brought into "conflict with the freedom of elections;" that in this trying summer of '36, which will appear in history so unlike our glorious summer of '76, the president in person, every thing else having failed, has assumed the command, and, at the head of his official regulars, may be seen carrying the war into the very heart of the states, and throwing himself between the people and the ballot box. As for Tennessee, she has been considered in a state of open rebellion. Letter after letter had been written: proclamation after proclamation had been sent on without effect. What was to be done?—That was no secret at Washington; the president himself was not, like some of the Florida commanders, to go into summer quarters, but to make a summer campaign, and reduce her to subjection.—Yes, the lines were to be clearly drawn; the people of Tennessee were to be plainly told, you CANNOT and SHALL NOT be my friends unless you support Mr. Van Buren.

Gentlemen, I would again and again call on you and my fellow citizens generally, to look this issue, so cruelly forced upon us, full in the face. Was any man born to think for this state or for this nation? If so, what star pointed out the place of his nativity? What voice of inspiration announced his coming? In what clause of the constitution did our patriot sires write his unlimited letter of authority? Are you the SOVEREIGNS of this land?—Are you such freemen as your fathers were? Are ALL officers of government, from the president of the United States down to the corporal in your captain's company, YOUR AGENTS, YOUR PUBLIC SERVANTS? Or is the sovereign power of this country transferred to the president, directors and company at Washington city? This is the true question. Are you bound to THINK as THEY THINK—to VOTE as THEY DIRECT? This is the issue. How has it been brought about? By the subtlety of the SPOILS men—by the artifices of the SPOILS party. They have crawled around the dying couch, as it were, of this venerable and confiding old warrior, and, taking advantage of his age, his open, unsuspecting nature, and those infirmities "which flesh is heir to," they have beguiled him from his friends, from his sacred principles, and from himself. They have even urged him to the public defence of their collaborer and copartner in the piracy which is going on upon the treasury—Reuben M. Whitney. Where was Reuben M. Whitney when the chivalry of Tennessee was charging, on the night of the 22d, into the British camp? Where was he on the ever-glorious 8th of January, when the best blood of Tennessee was shed in purchasing those laurels for Andrew Jackson which will grow green in history forever!—Reuben M. Whitney was then a traitor in the British camp. He himself acknowledges that he took an oath, yes, that he called heaven to bear witness—upon that God who guarded the sword of Washington, and conducted our fathers through seas of blood to liberty—to bear witness, that he, Reuben M. Whitney, was a traitor to his own country, and

would be true to the king of England!!! Is it not too much that while the president is induced to make this public defence in an address at Jonesborough, East Tennessee, in behalf of Reuben M. Whitney, he should be excited to denounce one of the purest men and most incorruptible patriots of this land as a "red hot federalist," and the people of Tennessee who support him, as "new born whigs?"

Gentlemen, I will give you an instance of the impudent and reckless spirit which distinguishes the swarm of hungry expectants who surround the president, as well as the unbounded confidence he reposes in them. I say these plunderers of the treasury, and pirates upon the hard-earned fame of Andrew Jackson, feel that their days are few; they know their power, and are resolved to use it. They scruple not "to sell and mart" the offices of the government, in his name, "to undeservers," for partizan services. They can make any impression upon his feelings, and excite him to the denunciation of any man without the slightest cause. Their word is taken against the record, against the journals of congress, against the archives of the government. But, as Mr. O'Connell says, "one fact is worth a ship load of arguments." I will give you the fact. It is my own case. They have set the president on me, and caused him to denounce me from Washington to the Hermitage, for opposing, as he said, the bill making an appropriation to carry into effect the Cherokee treaty, when, in fact, I supported the measure with zeal and whatever of ability I possessed. I not only voted, but spoke in its behalf. One of my colleagues, who knew the course that I had pursued, on hearing the president, before he left Washington, bring this charge against me, suggested to him that he had been led into error on the subject. But it was of no avail.—There was the journal of the house, there was the Globe newspaper upon his table, which represented me correctly, not only as voting for the bill, but as following Mr. Wise, in a speech of considerable length, in its support.

What safety is there for a public servant, what encouragement has he to support an administration, when the word of Amos Kendall, Reuben M. Whitney, or Francis P. Blair, will stand against the journals of congress, and when the denunciations of the president, like a seventy-four pounder, can be brought to bear with point blank shot upon those who support the measures of his administration? His safety is where it should be found—in the virtue, intelligence and independence of his constituents. It is to be found in such warm hearts and strong arms as now, and I trust will ever, defend the liberties of this country.

But, gentlemen, these parasites have not only harrowed the feelings of the president, and poisoned his affections against all who cannot, who will not support Mr. Van Buren; but they have in his name began the work of recanting, nay, "expunging," his most valuable doctrines—doctrines upon which he went into office, and upon which the broad foundation of his fame as a statesman must rest. In his celebrated letter to Mr. Monroe, written in the prime, freshness and vigor of his mind, the president embodies, with a master's hand, the great cardinal doctrines of republicanism, and the equal rights of man. These immortal principles he has been induced to revoke, for they struck at the life, and soul, and very existence of "the party." In that letter he laid bare, as with the bold strokes of his own broad sword, the monstrous idea—the barbarian doctrine, that "to the victors belong the spoils." He called upon Mr. Monroe (then president elect) "to exterminate the monster party"—saying that names were nothing—that he himself had been once called a federalist for supporting Mr. Monroe. (Just as you, gentlemen, are now called "federalists, nullifiers and new-born whigs," by the president, for supporting Judge White.) His doctrine then was, that in appointments to office the only inquiry should be, "is he honest, is he capable, is he faithful to the constitution?" These, gentlemen, were the lofty sentiments of Andrew Jackson in the prime of his manhood and prime of his intellect. But at the age of threescore years and ten, when broken by the storms of state, when sinking under the weight of years, and the ravages of disease, they tell you in effect, and publish it too in his name, that he was then wrong, and that he now thinks that in appointments to office the "monster party" should be the sole test of merit: virtually they issue his proclamation that the only inquiry shall hereafter be, "Is he faithful to Mr. Van Buren? Is he obedient to the decrees of the Baltimore convention?" And these parasites call themselves the friends of Andrew Jackson!!

Gentlemen, in this struggle between liberty and power, between patronage on the one hand, and

freedom of elections on the other, I have made up my mind. I have taken my stand. I have, with a full estimate of its perils, thrown myself in the way of this angry current of federal power and federal corruption, which, if not met and manfully resisted, will sweep away every thing in the institutions of our country worthy of the admiration of a freeman. In this war of power and corruption against public virtue and public liberty, I will be found in the ranks of the people; if they are trodden down, I will go with them. I would not, if I could, survive their fate. If it shall please Providence to make that awful visitation in my day, the grave of their liberties shall be the sepulchre of my political career. When that dark hour shall come, I want no more glorious epitaph than that "he fell covered with wounds amongst his own constituents, in defence of the liberties of his country."

Gentlemen, I accept with pride and pleasure the invitation to a public dinner which you have been commissioned to bear, and I am constrained to name for the occasion Saturday, the 17th instant, as the only day, owing to previous engagements, which I have at my control.

I beg you, gentlemen, to accept for yourselves and my fellow citizens of Jackson county, generally, the gratitude of a heart warmed and deeply alive to the kindness which you have shown me.

I am, gentlemen, with respect and esteem, your fellow citizen,
BALIE PEYTON.

To Messrs. Richard F. Cook, Sampson W. Cassey, James T. Quarles, Merlin Young, David G. Shepherd, Micajah L. Armstrong and John Scanland, committee.

EULOGIUM UPON THE LIFE AND CHARACTER OF JAMES MADISON.

BY JAMES BARBOUR, OF ORANGE COUNTY, VA.*

AMERICANS! Our MADISON—the beloved—the venerated—is dead. We have convened to mingle our condolence on this sad event, and to offer to

*The following correspondence will discover to our readers in what manner this beautiful discourse came into our hands:

Orange court house, Aug. 27, 1836.

Messrs. Gales & Seaton:

GENTLEMEN: You will see by the copy of a correspondence between governor Barbour and the undersigned, who were appointed a committee to solicit a copy of his eulogium upon our late distinguished fellow citizen and countryman, James Madison, for publication, that he has kindly furnished us a copy for that purpose.

Believing, as we do, that your paper, from its wide and extended circulation, would be best suited for our purpose, we respectfully ask you to give it an insertion. In doing this, we are induced to look to the National Intelligencer as best adapted to its extended circulation and reading, not only on account of the reasons above stated, but on account of its high standing as a public journal. Very respectfully, your obedient servants,

RICHARD M. CHAPMAN,
JEREMIAH MORTON,
LEWIS B. WILLIAMS.

Orange court house, Aug. 20, 1836.

The hon. James Barbour:

DEAR SIR: At a meeting of the citizens of Orange, held this day, in which colonel Johnson presided, we were appointed a committee to ask of you for publication a copy of your eloquent and beautiful eulogium upon the life and character of our late distinguished and venerable fellow citizen, James Madison.

In performing this duty, we are directed by the meeting to express to you their profound regret because of your absence on the occasion, and to assure you of their heartfelt sympathy in its cause.

We hope that you will yield to us the pleasure of having your eulogium published, and placing it thereby before your countrymen generally, that they may with us enjoy the rich treasure which it contains, and in future times refer to it as strikingly illustrating the character of one of the purest, wisest, and best men who ever lived in any age or country.

With assurances of our high esteem and regard, we are, dear sir, your friends and fellow citizens,

RICHARD M. CHAPMAN,
JEREMIAH MORTON,
LEWIS B. WILLIAMS.

Barbourville, Aug. 25, 1836.

GENTLEMEN: Your favor of the 20th has been received, communicating the wishes of the citizens of Orange that I would furnish for publication a copy of my eulogy on James Madison. I comply cheerfully with their request. The very flattering

his memory the tribute of our profoundest gratitude; so eminently due to his great services and to his illustrious character. The partiality of esteemed friends most unexpectedly assigned to me, on this occasion, the honorable part of being the organ of your feelings, not on account of my peculiar fitness for the service, but because I had known him from my infancy, and had through life been honored, uninterruptedly, with his friendship. In accepting this call, I yielded rather to the impulse of my feelings than listened to the warnings of my judgment. I felt that the task was one of time and extent, and beyond my ability. I should have sunk under the weight, but for a hope, I fear a vain one, that, with pretensions humble even as mine, I might be borne along successfully by the sublimity of my theme, and that, though I failed, I should still find a refuge in the indulgent candor of my audience. I will only add, that if, in the opinion of any one of this assembly, in the remarks I am about to make I shall say too much, he may be induced to forbear his censure when I tell him it will be caused by the profound veneration for the deceased, instilled into my infant bosom by my parents, and which increased in maturer age from my own observations and reflection. If, on the other hand, I shall be charged by any one with having said too little, I beg him to remember that the field I am about to enter has already been harvested by many laborers, and that I am but a gleaner.

In thus meeting together to offer our homage to the exceeding worth of our departed friend, while we do justice to our own feelings, and to the memory of the dead, we follow the custom which prevailed when the father of his country died—a custom that obtained in the best times of ancient manners: for the free states of old were accustomed thus to commemorate the funeral of their patriots and sages. It is a good custom, that should be cherished by freemen. It is the award of posterity, sitting in judgment on the actions and the life of a distinguished citizen who has finished his course. While honorable to the dead, it is an incentive to the living. Who is he, solicitous for posthumous fame, that darling object of ingenious minds, that will not be impelled onward in his virtuous course by the honors every where offered to the memory of Madison? It is a terror likewise to the wicked. What great criminal is so hardened in his iniquity, that will not tremble, when, in anticipation, he sees posterity passing on his crimes; and, instead of honor, reproach awaiting his memory?

Besides, the life of a good and great man, when fairly delineated and committed to history, will survive when the pyramids of Egypt shall have passed away: it will stand forever a lofty beacon, amid the vicissitudes and the wastes of time. Athens and Rome, the master states of antiquity, where liberty once delighted to dwell, for two thousand years have been doomed to ignorance, to superstition, and to worse than Egyptian bondage; yet the lives of their great worthies, shining with an undiminished lustre after this long and fearful eclipse, warmed the bosom of modern patriots, by whose efforts has been regained the jewel of inestimable value, so long lost to the world.

And if, in fulfillment of that stern decree which denounces decay and death on all human things—a decree before which Babylon and Jerusalem, Athens and Rome, and all that was illustrious in antiquity, have crumbled into dust—if it be irreversible to all, and America be doomed to travel through ages of bondage, let us indulge the consolatory hope that the life of Madison, triumphing over the injuries of time, may become a pillar of light by which some future patriot may reconduct his countrymen to their lost inheritance.

The manifestations now being made, of love and veneration to the illustrious deceased, have the whole republic for their theatre: its every inhabitant an actor. It is not only the capitol of the republic that is shrouded in mourning, but millions of

terms in which you speak of my humble production, which your friendship has over-estimated, lay me under heavy obligations. I am grateful to my fellow citizens for the expression of their sympathies in the visitation which rendered me unable to meet the occasion, the last on which I ever expected to address, publicly, any portion of my countrymen. Suffer me to add, that by indisposition I lost a good share of the time allowed for the performance of the service assigned me, which will, in some degree, account for the imperfect manner of its execution.

I beg you to accept, personally, assurances of my friendly regard, and to make my thanks acceptable to your constituents. Your friend and fellow citizen,
JAMES BARBOUR.

Messrs. Richard M. Chapman, Jeremiah Morton and Lewis B. Williams.

freemen unanimously coming forth to do honor to the memory of him, so conspicuous for the purity of his private life, and for his eminent services in the cause of liberty. Yes, coming forth unanimously! What greater eulogium can be pronounced on Madison than that, at the mention of his name, the fell demon of party, that imp from hell, stood rebuked, and consented, while his funeral procession passed, to cease from troubling? His life, his death, the tribute paid his virtues, is a sublime moral spectacle, on which the inhabitants of the heavenly mansions may look with complacency.

That we should unite in this national funeral was most natural. Feeling, in common with all America, the profoundest regard for his public character, there was a peculiar fitness that we, his friends and neighbors, should assemble together to bear testimony to his private virtues, equal to, if not beyond, his public worth.

We are here not to flatter; truth only is worthy freemen. Happily we have no temptation to depart from it; for the truth itself is as high an eulogium as fancy, unaided by the original, could have sketched.

In the solemn temple in which we have convened, and before the God to whose service it is dedicated, we proclaim that his private character was without stain, as his life was without reproach; that, while it was adorned with every active virtue, it was equally exempt from every negative defect.—We know indeed that he was man, and we are not so presumptuous as to say he was perfect: but you will all respond with an according voice to the declaration, that his imperfections were known only to himself and to his God: for by us they were unseen and unsuspected.

It is his private life, one of so much beauty, on which we delight to dwell; to which, as members of a free commonwealth, we would incessantly point, as furnishing an example worthy the imitation of our public servants, and always to inculcate that an approximation to it will be the surest guaranty to their fidelity; for, great capacity, without virtue, has been the ruin of all republics. When vice sits in the highest seats, the contagion becomes general: all history testifies that it descends on the subordinate classes with the increasing rapidity of gravitation. A man dissolute and disorderly in his private life, rarely, if ever, makes a faithful public servant. Let this maxim be indelibly impressed on the mind of every American, and let it be sovereign in regulating his conduct whenever he has to exercise that high privilege of a freeman—the elective franchise.

Our Madison, uniting extraordinary capacity with great virtues, furnished to the world that rare combination of the good and the great man. When contemplating his character as a whole, as parents we are grateful that such a pattern has been left for the imitation of our children; as Americans, we are proud that his name is compatriot with our own; as men, we feel elevated at the exaltation to which he has carried our nature. To trace, minutely, the life of such a man, from its beginning to its end, is an unmixt gratification. But my part, to-day, is to give merely an outline of its more striking features, leaving it to the professed biographer to give a full-length portraiture; for it cannot be doubted that some kindred genius, inspired by the theme, will give so invaluable a treasure to the world.—His materials will be most ample, because, in unfolding the virtues and services of Madison, he would be compelled to write the history of his times. For what great political event occurred in that fruitful period, in which he did act a conspicuous part?

James Madison was born on the 5th March, (O. S.) 1751. We claim him entirely for Orange, though, from a temporary visit of his parents to King George, he was born in that county. His constitution was infirm from his infancy to his death. The opulence of his parents, among the most respectable of our inhabitants, furnished him the means of obtaining a liberal education. After acquiring the rudiments of the English, at the age of twelve he was placed under the tuition of Donald Robertson, a ripe scholar of King and Queen, where he laid the foundations, deep and broad, of those intellectual attainments which in after life distinguished him. At this school he gave an earnest of those rare mental powers, a successful cultivation of which gave such elevation to his character. He finished his preparatory course for college under the Rev. Mr. Martin, who acted as private tutor in his father's house. In 1769 he entered Nassau Hall, then under the direction of the celebrated doctor Witherspoon. Always abreast with the foremost, he soon rose there to distinction. His moral deportment corresponded with his literary proficiency. In 1771 he received the degree of

bachelor of arts. After this he returned home, extremely enfeebled by his too assiduous pursuits while at college. In proof of his extraordinary and persevering assiduity, I may refer to a friendly conversation, in which he told me that, for months together, he had allowed himself only three out of the twenty-four hours for sleep, and, when necessity compelled him to relax, he limited his hours of repose to the least number consistent with his health. In this solitary fact we see a high purpose, and the means of its attainment. On his quitting college, he did not precipitately, as is but too common with our talented young men, commit himself to the turmoil of public life. He continued to dedicate years to reading and reflection. It may be confidently asserted that no man at his age had read more, and that there are few who profited more by their reading. The history of the free states of antiquity was with him a favorite subject. In this he became familiar with those illustrious characters which of themselves constituted epochs, from the influence they exercised on the affairs of their country; and by selecting from the best models, he formed his own. His great mind, tracing effects to their proper causes, enabled him to detect the motives of the statesman, and the follies and passions of the multitude, and led him, with an unerring sagacity, to the sources of the prosperity of those states, as well as to the causes of their decline—a knowledge of the highest value to him, in those important parts which fortune was preparing him to act. But it was not from antiquity alone he drew the means of his superior intelligence. Whatever the wisdom of modern times presented as worth attaining, especially as connected with the polity of states, he made his own by his active and persevering researches. Such was his career till the 25th year of his age, when the revolution opened its great drama, whose paramount influence in human affairs constitutes it the most interesting event in the whole course of backward time. Had our independence been its sole object, it still to us would have been of consequence. But this was altogether insignificant when compared with its more important results. The coming conflict was not to decide whether we should remain under the king of Britain, or set up one for ourselves, but looked to a higher and holier purpose. It was a contest between feudalism and free institutions—between the usurped superiority of the privileged few, and the equal and inalienable rights of man. The omens, indeed, were fearfully inauspicious. Our foe was Britain, whose march to power, for a thousand years, had been onward, till she had arrived at a pinnacle of greatness, from whose heights her orators proudly proclaimed to an admiring world “that the roots of her empire reached from continent to continent, while the dews of both hemispheres watered its branches.” Britain was about to direct this vast power, which, lately guided by Chatham, had brought conquered Europe to her feet, against separate colonies, whose limited population was rendered less efficient by its diffusion over a boundless territory—colonies without government, without armies, and destitute in all things which form the material of war. We had only stout hearts, an unconquerable devotion to liberty, and an assurance in the support of heaven, from the justice of our cause. Well has the contest been likened to that of the shepherd lad, who, with his sling and his pebbles, fearlessly went forth to contend with Goliath and his ponderous staff.—And we may humbly but confidently believe that the same Almighty power controlled the issue of both.

In such a contest, the part Madison naturally took was that of his country. The leaders of the revolution—men of profound capacity—at once resorted to that powerful lever of public opinion—associations in all the counties of their most influential citizens, under the imposing name of “committees of public safety.” Madison was a member of this committee for Orange. The commencement of a public life, which became so distinguished, is an object of great curiosity and interest, and will excuse the particular reference I am about to make. I will not disguise from you that, apart from its legitimate object, I wish to avail myself of the opportunity it affords of presenting a testimonial highly honorable to the ancestors of many of my audience, as well as to my own, and indeed of the whole county of Orange, whose citizens thus early and fearlessly encountered this unequal contest.—This committee convened in the place we now are, on the 9th of May, 1775.

What reflections does a retrospect to these distant scenes awaken! Could the curtain of time have been lifted, and a view of this day revealed to our ancestors, how would their apprehensions have been changed into confidence—their gloom into joy! To Madison the privilege was given, not of anticipating, but, from his length of days, actually

of beholding, the wonders which the intervening period produced. To our ancestors, on whom this privilege was bestowed, their joy was unmixed. I have seen a spectacle, full of the profoundest interest of this kind. I had the good fortune to be at the great festival of laying the corner stone of the monument erected by our New England brethren to the heroes who fell at Bunker's Hill—it might be called indeed a monument to liberty, whose corner stone was carved out on that battle ground. There were between two and three hundred of the veterans of the revolution present; conspicuous, above all, gen. Lafayette, the mention of whose name alone is, with the Americans, eulogy sufficient. Of these, there were some twenty of the surviving heroes of the glorious field, clothed in the same costume in which they had fought, whose many bullet holes evinced alike the fury of the conflict and their own suffering; but the most striking figure in the group was the pious man who, that day fifty years before, had invoked the aid of heaven on his countrymen going forth to peril their lives for liberty, and now returning thanks, and again supplicating heaven for a continuance of its blessings. His white hairs, his shrivelled frame, his palsied hands, all indicated that the narrow line on which he stood between time and eternity was just ready to crumble under him; and it would have been no surprise if his own departing spirit had attended his prayers to the throne of mercy. When the orator of the day, by one of those sublime efforts which are vouchsafed only to superior genius, contrasted the present with the past, and justly ascribed our liberty and happiness to the men of the revolution, this little gallant band rose spontaneously, uncovered themselves—the tears of joy ran profusely down their furrowed cheeks—the appeal was irresistible—all New England (for the thousands who were there justify the expression) burst forth into a rapturous exclamation. I was, indeed, profoundly gratified. I was assured, from what I saw and heard, that liberty had no stronger citadel than New England; and if she be ever lost to America, New England will be one of the last points from which she will wing her flight.

I return to the proceedings of the committee of Orange. (See Girardin's History of Virginia, 4th volume, p. 16.)

The committee for Orange county met on Tuesday, the 9th of May. Taking into their consideration the removal of the powder from the public magazine, and the compensation obtained by the independent company of Hanover, and observing, also, that the receipt given by capt. Patrick Henry to his majesty's receiver general refers the final disposal of the money to the next colony, the convention came into the following resolutions:

1st. That the governor's removal of the powder lodged in the magazine, and set apart for the defence of the country, was fraudulent, unnecessary and extremely provoking to the people of this colony.

2d. That the resentment shown by the Hanover volunteers, and the reprisals they have made on the king's property, highly merit the approbation of the public, and the thanks of this committee.

3d. That, if any attempt should be made at the ensuing convention to have the money returned to his majesty's receiver general, our delegates be, and they are hereby, instructed to exert all their influence in opposing such attempt, and in having the money laid out for the use of the colony.

4th. That the following address be presented to capt. Patrick Henry and the gentlemen Independent of Hanover:

GENTLEMEN: We, the committee for the county of Orange, having been fully informed of your reasonable and spirited proceedings in procuring a compensation for the powder fraudulently taken from the county magazine, by command of lord Dunmore, and which it evidently appears his lordship, notwithstanding his assurances, had no intention to restore, entreat you to accept their cordial thanks for this testimony of your zeal for the honor and interest of your country. We take this occasion, also, to give it as our opinion that the blow struck in the Massachusetts government is a hostile attack on this and every other colony, and a sufficient warrant to use violence and reprisal in all cases where it may be expedient for our security and welfare.

JAMES MADISON, chairman.

Thomas Barbour,	James Taylor,
Rowland Thomas,	Zachariah Burley,
William Moore,	James Madison, jr.
Lawrence Taliaferro,	James Walker,
Thomas Bell,	Henry Scott.

We have no difficulty in ascribing these proceedings to Madison.

The next manifestation of public confidence was his election, in 1776, to the convention. When we

reflect on the magnitude of the interests committed to this body, and the peril of the times, we perceive at once how signal was the honor conferred on so young a man, by this election. The firmness, patriotism and wisdom of the convention are visible in their acts. They acquired deserved renown by boldly declaring, on the 15th May, for independence. On that memorable day they unanimously instructed our delegation in congress to bring forward in that body, for adoption, this important measure. The convention, on the 12th of June, agreed to a declaration of rights, Madison being a member of the committee which prepared it, and, on the 29th of the same month, without a dissenting voice, adopted a constitution, in conformity to its principles, thus anticipating every colony, and the congress of the whole, in this decisive step of declaring independence. Madison has shown me the original draught of the constitution, the work of George Mason, with the particular amendments adopted at his own instance. What can be more curious or interesting? The first written constitution the world had ever seen which proclaimed the equality of man, liberty of speech, and of the press, and of the conscience, and was divested of every taint of hereditary privilege. What conception more august can suggest itself to the human mind than the daring and the achievements of our ancestors, with their long train of blessings? A feeble people, for centuries looking up to Britain with filial affection, connected with her by all those ties which bind societies together; taught to admire her government as the happiest effort of the human mind—an impression strengthened by her power and prosperity; with the universally prevalent opinion among mankind, that republics could exist only in a most limited territory; in despite of these obstacles, and, above all, the vast superiority with which they had to contend, fearlessly dissolving this connexion, boldly encountering every peril, and cheerfully submitting to every sacrifice, with a purpose so unshakable as to be undismayed by disasters the most appalling, and magnanimously pressing on to a final triumph—a triumph not merely of arms, but of liberty. Boldly cancelling the dogma which confined her to a walled town or a narrow territory, they gave her a boundless empire. Her altars, so long desecrated or beaten down, were now, having been lustrated with the blood of patriots, reconstructed, and the undefiled purity of her worship re-established. Such are the glorious works of our ancestors, among whom stands conspicuous the name of Madison.

An incident occurred the ensuing year (1777) which presented a strong and melancholy proof of the fickleness of popularity, and of the facility with which, for a season, a people can be seduced from their allegiance to virtue, intelligence and patriotism. He was rejected by the people of Orange that year from their delegation to the state legislature. Tradition ascribes it to a successful effort to divide and array against each other the poor and the rich, the ready instrument in all times now, as formerly, of the demagogues, a pestilent race! love of the people always on their lips, and treachery at their hearts, who seduce only that they may betray.—What can be more preposterous or more pernicious than such a contest in a country like ours! where the wheel of fortune is perpetually revolving, where the descendants of the rich of this generation are the poor of the next, and where every man may occupy precisely the position to which he is entitled from his talents, his industry and his moral worth? The fidelity of my narrative required that I should refer to this event, humiliating as it may be to my native county. It is the province of truth to record the vices as well as the virtues of mankind. They may both become profitable to posterity; those to avoid, these to imitate. The example before us will not be without its use, if it should teach the people to beware of the wily insinuations of the demagogue, of the sacred importance of a prudent exercise of the elective franchise; for into this the whole mystery of liberty and self-government is resolvable; it is from this head spring their current runs, or else dries up.

This ungrateful return of the people served only to place Madison in a higher sphere of usefulness. The legislature, who, from a knowledge of his talents and worth, were indisposed that the abilities of such a man should be lost to his country at such a period, elected him immediately to the council of state, whose important duty it was, in concert with the governor, to prepare and direct the means of national defence. He continued in this situation till the close of 1779, when he was elected a member of the continental congress, in which body he took his seat in March, 1780. Its journals bear ample testimony to the fidelity and ability with which he discharged his duties; and we know, from other sources, that he was the author of the instructions given in October, 1780, to Jay, maintaining the right of

the United States to the navigation of the Mississippi. He also prepared the address to the states, urging the adoption of some plan to enable the confederacy to meet its various pecuniary engagements; the vast importance of this step I shall have occasion hereafter to refer to.

Time rolled on, delivering itself of great events, till, finally, our independence—the great object of our hopes—to effect which our treasure and our blood had been so profusely poured out, was acknowledged. Thanks to God—thanks to our brave defenders—and thanks to the genius of the great and good man who directed them. Let me add a passing tribute to his memory. His ministry having been fulfilled, in the independence of his country, he eagerly resigned his important command to become a private citizen, and received, as his just reward, by the common voice of human kind, precedence in their ranks. These glorious results, while diffusing joy over all America, attracted the earnest attention of the oppressor and the oppressed throughout the earth. To the former it was as the hand-writing on the wall to Belshazzar. To the latter, the dawning of a day, whose meridian would break the yoke, and make the captive free.

Amid this general joy, the enlightened statesman could not disguise from himself that, in our condition, there were elements which, unless arrested by timely preventives, boded great mischief. The government of the confederation, the pressure of war being removed, dissolved in its own weakness—bankruptcy ensued; equally unable to redeem its foreign engagements, or its more sacred obligations to the war worn veteran, many of whom, reduced to poverty, sunk speedily to a premature grave—and private confidence destroyed. These are the forerunners of civil commotion; the result corresponded with these alarming symptoms. Add to these the state of parties, which was not less ominous. One of them, the ultra friends of state sovereignties, who declared against any material change. The second, its antagonist, inclining to a strong central government, with an executive essentially monarchical, was indisposed to a change then, because, bad as our condition was, they contended that the states were not yet prepared for such a modification of the government as to give to it the necessary efficiency. Between these was the third party, rendered respectable and influential by its leaders, among whom Madison was prominent, which, holding a just medium, was willing to surrender so much power to the federal government as would render it equal to the object of its creation—the regulation of the affairs of the union; while the states should retain the exclusive power of managing their internal concerns, and both to be restrained within their respective spheres by such impassable checks as, it was hoped, would prevent collision. This is the culminating point in Madison's public character, which his country will forever contemplate with affection and with admiration. It was from the heights he occupied that, calmly looking down on the troubled and threatening scene, he called order out of chaos. It is to him more than to any mortal, unless Washington be an exception, that we are indebted for our constitution, and, in consequence, for our union. I have had occasion already to remark that, when first in congress, for he was now a member, he was the author of the address of that body to the states, soliciting an extension of the powers of the federal government. This object he incessantly pursued. While constitutionally ineligible to congress, he consented to become a member of the Virginia legislature, with a view to its furtherance. To do an act of justice to the people of Orange, I will state they have long repented their folly and ingratitude to him, and now most anxiously solicited his services. In that body he pressed, with the whole weight of his character and intelligence, the measure of adding to the powers of the federal government, till, eventually, in January, 1786, he succeeded in obtaining the passage of a resolution appointing deputies, of which he was one, to unite with those who might be appointed by the other states, to effect this great purpose. They met at Annapolis during that year, but, from the smallness of the number of the states represented in that meeting, and from the very limited powers of the deputies, nothing was done but the adoption of an earnest appeal to all the states to appoint afresh deputies, and to enlarge their powers. Still being a member of the legislature, he succeeded in inducing them to ratify this recommendation of the late convention. Washington, Madison and three other distinguished citizens composed the delegation of Virginia. Every state, save Rhode Island, sent deputies to this convention of their most distinguished citizens. For intelligence, patriotism and virtue, they may well challenge comparison with any deliberative body that the whole course of time

had furnished: to them was confided the future fate of their country. They deliberated, amid great difficulties, on a state of affairs without a parallel; there was no precedent on the files of time for their guidance. The orator proclaimed, "We were without a compass, in the vast ocean of human affairs." It was one of those great crisis when the scales of destiny, charged with a large portion of the happiness and misery of the human race, were vibrating in equipoise. It was then that these illustrious men, with Madison as their Palinurus, committing themselves to the polarity of their own superior intelligence, triumphed over every difficulty, and, by forming and recommending our happy constitution, wrought out our deliverance. Wonderful men! Glorious consummation!

The convention had, indeed, done nobly; but their power was limited to the recommendation of the constitution to the American people. It had yet many dangers to encounter: state pride, honest prejudices, real apprehensions, and the efforts of the factious, were still to be surmounted. Madison and his able associates, Hamilton and Jay, addressed a series of essays to the American people, distinguished for their moderation and extensive views, with a simplicity of style and force of argument that wrought great effect. Whether the constitution would be adopted, was yet extremely doubtful. Its fate, it was admitted, depended on Virginia: she then had great weight in the union. The centrality of her position, her numbers, her intelligence, but, above all, the loftiness of her character and her noble and disinterested bearing, whenever liberty was concerned, gave her a moral influence, almost sovereign, over the union. How have the mighty fallen! Who is now so poor as to do her reverence! But I forbear. In opposition to the constitution, was seen a formidable array of talent and patriotism. Henry was among them, like Saul among the prophets—himself a host—exercising, by his eloquence, a dominion over the human mind never before surpassed, increased by his popularity, which struck its roots deep into the revolution, "to whose ball he had given the first impulse." Madison, though aided by powerful auxiliaries, was the leading champion of the constitution. Both were elected to the convention, to which had been referred the adoption or rejection of the constitution. Henry put forth all his vast powers; he astonished and alarmed his audience, by flights of eloquence, sublime and terrible, accompanied by that fearful gesture which no language can describe. His contemporaries delighted to tell of one occasion, as furnishing a signal proof of the promptitude and illimitable range of his genius: Henry was addressing the convention for the last time; the final question was about being put; the issue, in the impassioned language of the orator, involved the fate of both hemispheres. He had already invoked beings of a higher order to his aid, when an angry cloud of such violence passed over as to carry dismay through the hall. It was in this moment of alarm that the towering genius of Henry was seen mingling with the storm, when, by a stroke of inspiration, he audaciously seized the forked lightning itself, and made it obedient to his purpose. Madison was in striking contrast to Henry. Modest even to bashfulness, instead of the strong and melodious voice of Henry, his was inconveniently feeble, so that, when he rose to speak, the members, lest they should lose a word, were accustomed to gather around him. He used little or no gesture; his style of speaking was pure and simple, and without ornament. Yet, modestly confiding in his own vast resources, and strong in the conviction of the righteousness of his cause, day after day, for six weeks, he continued to wrestle successfully with his gigantic opponent. To his eloquence, he opposed a calm appeal to the understanding, sustained by reference to the experience of the past, and more especially that furnished by the free states of antiquity; pointing, with unerring wisdom, to the causes of their fall; furnishing new beacons by which we should profit; demonstrating, with the clearness of a sunbeam, the necessity of a change in the federal government, and, if the union were to be preserved, of imparting to that government more efficient powers. These efforts were the more successful on account of his high character for disinterestedness, awarded him alike by friend and foe—I mean political foe, for private he had none; so that his words fell upon his audience like the responses of an ancient oracle—adored for its truth and wisdom. In fine, the good genius of his country was in him personified; and, surely, it could not have found a purer mortal tenement. The conflict between these giants and their auxiliaries was enacted before an audience to which every quarter of the union had contributed some of its most distinguished citizens; and was so full of interest that, to enjoy it, industry gave up its pursuits, and dissipation for-

bore its indulgences. The constitution was adopted in Virginia by a majority of ten, and by all the states, save Rhode Island and North Carolina. Let us pause here for a moment, to mark well the time of the occurrence of this important measure. It furnishes, we think, a decisive evidence of a kind Providence, whose pleasure it has been so often to stretch out his protecting arm over these states.—In point of time, it was coincident with the commencement of the French revolution; that fearful event in the history of the past, whose beginning, indeed, was illustrated by acts of patriotic devotion exalting to our nature, but whose progress was marked by horrors so atrocious as to have required demons for their actors; a revolution which, acquiring strength in its advance, swept before it principalities, and powers, and kingdoms, till the social edifice of Europe shook like a volcanic mountain in the moment of its throes; when, eventually, its fiery spirit was seen riding on the wave of the Atlantic, coming to disturb our peaceful shores.—There it was met and rebuked, by the genius of our free institutions; consolidated and strengthened by our lately adopted constitution, and by the energy and wisdom of that superior man whom Providence, in its mercy, had granted us for its administration.

The constitution, having been adopted by the states, was to be reduced to practice. Washington, without one dissenting voice, amid the millions of the American people, was called to the chief magistracy. Surely no mortal ever received, or was more worthy of so high an honor. He summoned around him, without regard to party, for these were the virtuous days of the republic, in the composition of his cabinet, men distinguished for their talents, and enjoying the full confidence of their country. The two houses of congress were filled with the most illustrious citizens. Among them Madison, representing this district, had no superior. Under auspices like these, the interesting problem of man's capacity for self-government was to be tested. Intelligence and patriotism, sitting at the helm, directed the vessel of state. Its early progress filled the bosom of every patriot with joy and with hope. The threatening clouds which had so long shadowed our country disappeared, the clamor of faction was hushed, the law ascendant, justice impartially administered, private and public credit re-established; industry enjoyed the fruits of its labor, and peace, liberty and happiness pervaded the utmost borders of the republic. But it seems not to be the lot of man here below to enjoy happiness uninterruptedly long. Time and circumstances produce discord and division: the country became divided into parties; the more conspicuous of these were called federalists and republicans; they were known, indeed, by other names at the time, but decency and justice have long since caused them to be forgotten. Our own experience most unfortunately teaches us how easily offensive epithets are invented by cunning politicians to divide and hoodwink the people so as to dupe them to their purposes, by causing them, in the conflict of parties, to forget their country; and, in consequence, two good honest neighbors, with no wish but for the well-being of their common country, are made to consider each other as traitors to that country. Is it not high time, fellow citizens, that we the people should rather look to the deeds than the names of parties? The federalists were charged by their opponents with seeking, by a latitudinarian interpretation of the constitution, to obtain indirectly this enlargement of the powers of the government, which they had not dared to attempt directly, and that the inevitable tendency of such a course was a consolidated monarchy. While these charges were repelled by the federalists, they in their turn charged their opponents with Utopian doctrines, that could not fail in time so to weaken the government as to render it utterly inadequate to the purposes of its creation. The mighty struggle in Europe tended to increase the exacerbation of the parties.

In now referring to these by-gone events, I have no object but the fidelity of my narrative. That will be my limit. I have no disposition to rekindle those ancient animosities. The real difference between these parties, so far as I have been able to form a correct judgment, was the more or less confidence to be reposed in the virtue and intelligence of the people. The federalists acted on the principle that the government should have an inherent power capable of withstanding those temporary delusions and violent ebullitions to which all free states had hitherto been subject; the republicans, on the other hand, drawing confidence from the age, were willing to confide, without any collateral surety, every thing, and at all times, to the good sense and integrity of the people. There are those who still contend that the solution of this great problem must be left to futurity. The people of the United

States have it in charge. It is a high trust, and their own fate and the fate of the human race depend upon the issue; for if free government fail here, it is lost to the world forever.

Madison's political creed placed him among the republicans. He had an abiding confidence in the people. The constitution as written was to be held sacred and inviolable; the preservation of the rights of the states to the full extent, as prescribed in that instrument, was the first canon of his creed; that the federal government should abstain from the exercise of all doubtful powers, and, if experience should manifest defects, amendments should be made in the manner provided by the constitution. These were the principles for which he contended, when a representative of the people; but after an unsuccessful struggle in congress to arrest the measures of the then dominant party, until 1797, he retired to private life. Here it may be stated as a proof of the high estimation Washington entertained for him, that he was solicited to accept the important mission to France, subsequently filled, on his declining it, by Monroe, and, on the retirement of Jefferson from the state department, that Madison should fill it; to which may be added the late developments in relation to Washington's farewell address. Though in private life he kept an anxious eye on the progress of public affairs. The alien and sedition laws, and a suspected design to involve us unnecessarily in war with our ancient ally, France, produced great excitement through the republic, and more particularly in Virginia. Madison felt as a patriot, and indeed with all the anxiety of a parent, lest these aberrations, against which he had so unsuccessfully contended, should devote the constitution, his own offspring, to a premature sacrifice, or prostitute it to the most pernicious purposes. The eyes of his countrymen, who sympathized with him in these feelings, were naturally turned to him as the anchor of their hopes. By their solicitations, I speak advisedly, for I know the very individual who conveyed these wishes to him, he prepared the resolutions of 1798, which have since become so distinguished. They were presented by Taylor, of Caroline, adopted, and addressed to the legislatures of the states; while by some they were approved, by others they were rejected with a contumely, ill becoming that courteous intercourse which no difference of opinion should interrupt, and which is so indispensable to that harmony without which our union exists only in name.

The principles maintained in these resolutions were not only combatted by many of the states, but the right of a state legislature to express its opinion on the measures of the federal government flatly denied. They were also opposed by a respectable minority in Virginia; among them was Henry, who determined to reappear in the public arena, to counteract their efforts. He was elected to the legislature of 1799 by the county of Charlotte. His retirement had been so long and so profound, that he seemed almost a messenger from the dead; which added to his great powers and great popularity, rendered him indeed a formidable antagonist. Who was to be the champion of the republicans? All agreed it ought to be Madison. I was charged with the duty of communicating to him their unanimous wish. I did so. He consented to suffer his name to be announced to the people of Orange, and his willingness to serve them, if it were their pleasure he should do so. He was elected without opposition. These great men did not meet, Henry dying in June, 1799. The celebrated report and resolutions of the legislature of that year, exclusively the work of Madison, have been so long matter of history, and the subject of so much commentary, as to require of me but few additional remarks. The resolutions of 1798 and 1799 have become the received text book of the politicians of the present generation. I am aware that, in times of great party excitement, interpretations have been given them which the author disavowed, and for which he has been accused by violent partisans with inconsistency. I allude to that portion of them which refers to the rights of the states to interpose in arrest of the constitutional measures of the federal government. The intent and nature of the interposition insisted on in these proceedings, so far as acts were concerned, was explained at the time to be an invitation to the states, and to the American people, to co-operate in a united effort through the ballot box to effect a change; for even this right at that time was stoutly denied by the dissentient states. I can truly say, that though a member of the legislature of 1798, and a member also of a small consultative meeting before the resolutions of that year were presented to the legislature—a member likewise of the legislature of 1799, the colleague of Madison, living with him in the same house, and daily in friendly and fre-

quently confidential intercourse, I never heard a whisper of an interposition by force. The precautionary measures adopted by the legislature of that year, and frequently referred to as explanatory of our views, looked exclusively to defence, and not to aggression. Madison, like the constitution, averted his eye from that extreme case which will justify an appeal to force. This is one of the awful mysteries which we should devoutly pray may never be revealed. If, however, the time should ever come when madness and wickedness shall force upon a portion of the confederacy the necessity of abandoning the union as a lesser evil than a submission to these measures, it will have been in vain to fix the time or the occasion when this fearful step will be justifiable. In such a crisis, the constitution and its reading will be equally unavailing. These will be silent amid arms, and the only logic will be the sword.

In 1800, a majority of the American people responded in accordance with the views of these celebrated state papers; a political revolution ensued, and Jefferson, a name dear to Americans, was elected to the chief magistracy of the union. Madison in 1801 was recalled from his retirement by his appointment as secretary of state. He added much to his reputation by the ability with which he discharged the important duties of his station, and especially by his correspondence in connexion with our foreign relations. These distinguished men, Jefferson and Madison, had long been connected by the strongest ties, both private and political; amongst hundreds of others, reference may be made to the distinguished aid given by Madison to the law of religious freedom, propounded by Jefferson, and which has so deservedly given a lasting renown to his name; and Jefferson has left in his public letters a strong proof of his high veneration for Madison, by declaring that Madison had been to him a pillar of light. On the expiration of Jefferson's second term, Madison was elected his successor, though opposed by two distinguished citizens. This election was truly most honorable to himself, and most creditable to the discernment and integrity of the people. It had not been achieved by cunning manœuvres, nor by the dirty tricks of the demagogue. The people sought him out, not he the people. The election of Madison conformed to the true theory of the constitution; for, to profound wisdom he added great experience. His course had been illustrated by a frank avowal of his principles. He had rendered his country great and distinguished services. He presented that guarantee of fidelity to which I have before referred—a private character of unsullied purity; and he added, in a public man, the best of all traits, disinterestedness. In referring to the illustrious men of past time who have enjoyed the largest share of the approbation of their kind, I see disinterestedness was the leading cause of their elevation, and of its continuance. Madison, in this regard will bear a comparison with any man that ever lived, however distinguished. I remember well his having said to me that, though he had no doubt a princely fortune might be made by purchasing the public securities and the public lands, yet, having prescribed to himself as an inviolable rule on no account to engage in such traffic, he had carefully abstained from dealing in either. Such was his delicacy on this point, that he would not expose himself even to suspicion; and I submit his example as well worthy of imitation by all those who are candidates for popular favor; they may be assured it will take ready hold of the public confidence, and will be their shield and buckler in the rivalries with which they may have to contend. Such were the guarantees he carried with him into the high office of chief magistrate of this great republic. To so virtuous a man how awful must have been his responsibility—how anxious must have been his mind so to discharge his trust as to promote the prosperity of his country, and add to his own renown.

What should be the leading principles on which he was to conduct the administration of public affairs, was a question of profoundest consideration. His high character was our surety in advance, which he fully redeemed, that he considered himself as the head of a nation, and not the mere chief of a party: that, in exercising the appointing power, the pivot on which mainly our virtues and liberties depend, he would rigidly conform to the rule inculcated by his predecessor—Is he honest? is he capable? is he a friend of the constitution? rather than indulge in that detestable and insolent egotism which substitutes itself for the state, and, acknowledging no merit but a servile personal devotion, inflicts the penalties of proscription on every opponent as though he were a traitor to the republic. His magnanimity of character saved him from the degradation of prostituting his high trust to the gratification of private malice, of which he had indeed

none to gratify. His appointment of Monroe, his stout, not to say violent rival for the presidency itself, to the first seat in his cabinet, may be referred to as a signal proof of his highminded and patriotic purpose. His deportment to the other departments of the government was to be characterized by that inviolable respect which was due to that equality assigned them by the constitution. To degrade them into the condition of passive tools to his own purposes, would have been to violate, in a fundamental point, his own work. Cautiously to abstain from the exercise of all doubtful authority, had been with him at all times a cardinal point, as well as to secure to the states and the people thereof their respective rights. In his intercourse with foreign nations, to cherish peace and friendly relations with every people having correspondent dispositions, and to prefer, in all cases, amicable discussion, and reasonable accommodation of differences to a decision of them by an appeal to arms. Such was the noble path he determined to pursue, most honorably to himself, and beneficially to his country: and he redeemed his every promise by his acts.

The period of his entering office was stormy, and the difficulties he had to encounter most serious. The old world was involved in hostilities which might well be termed tremendous, whether we refer to their protracted duration, or to the vast scale on which they were conducted. Britain and France, the principal parties, had all Europe besides for their auxiliaries. In this fearful conflict the neutral rights of America had been outraged by both, with such circumstances of contumely, that to have submitted to them could not fail to tarnish our national honor. The policy of his predecessor had been to withdraw our citizens from the ocean—the theatre of our wrongs: to surrender this highway, the common property of every nation, if not humiliating, was attended: with the most disastrous sacrifices. War, dreadful as it is, was preferable; but it was a real difficulty, to decide against which this measure should be taken. It was finally, after having exhausted the cup of forbearance, and after every invocation to her justice had been rejected, denounced against Britain. The opposition among her own citizens to this step was not inconsiderable: let us be charitable enough to believe it was conscientious; and hence, during the pendency of the question whether it should be declared, it was not obnoxious to a just censure; but it must ever be a matter of regret, after war had been declared—for it is a blot on our national character, that the opposition to it was carried to so criminal an extreme.

When war actually exists, the maxim of every patriot should be that of the chivalrous Decatur—"our country, right or wrong." These divisions, our fiscal embarrassments, the disuse of arms for so long a period, and the unfortunate selection of the essentially superannuated officers of the revolution, from the best of motives but from a most mistaken policy, with the hardships and perils of war, belonged to vigor of manhood. From these various adverse causes, the commencement of the war was attended with some mortifying incidents. Time, however, and the uprised spirit of the nation, gave us victory in many a bloody and well-contested field. Our navy, especially, achieved victories, which, in the language of Madison, were never surpassed in lustre, however much they may have been in magnitude; and it won itself a favor with the American people, the more fortunate, as it is the defence most congenial to our institutions, as, above all, it dispenses with the necessity of standing armies, that leprosy of republics. The war eventually closed with one of those splendid achievements which confer imperishable renown on the victors and their country. We owe this great triumph to the undisciplined but heroic militia of the west, which, directed by the brave Jackson, successfully contended with and overcame the hitherto victorious veterans of Europe. In the narrative I am giving, the means do not exist of electrifying you with descriptions of splendid victories achieved by Madison; if he had so willed, the infirmity of his constitution forbade his encountering the hardships of war: the union of the great virtues and great qualities of the statesman with the attributes of the great captain make the perfect character; but how rare the example! No man would go farther than myself in bestowing appropriate rewards on the man, whether an officer or a private, who goes to peril his life in defence of his country, against the foreign enemy or the domestic usurper; such a one is entitled to our warmest gratitude: but if a comparison be instituted between the enlightened statesman, whose ambition seeks the greatest good of the greatest number of his fellow men, and the conqueror, whose ambition conducts him through the slaughter of his kind to the winning of a

name, how infinitely, in the eye of philanthropy, is the former to be preferred the latter; and yet, in looking into the history of human affairs, how adverse to this has been the decision of mankind. Is this the unalterable law of our nature? If it be, if mankind will minister to the pride of the conqueror, by humbling themselves in the dust before this bloody idol—if they consider the human sacrifices required for his altars as their due, so long will war, the scourge of man, prevail. Let us hope for better things: that the time is approaching when this idol will be broken, his altars overthrown, and, in lieu thereof, that the Christian maxim of peace on earth and good will to man will be set up as alone worthy of our devotion. Let me invoke the reflection of the admirers of military renown, by contrasting the acts, and their effects on the condition of the world, of the greatest captain of ancient or modern times, Napoleon, with our Madison's. Of the former it has been said, "the earthquake voice of victory was the breath of his nostrils." This Colossus of power, of ambition, and of crime, having crushed the liberties of his country, placed one foot on the pillars of Hercules, and sought to stretch the other to the Arctic pole: his sceptre was the besom of desolation: the pedestal of his fame was composed of the carcasses of three millions of his kind, cemented with the blood of his victims, and bedewed with the tears of their widows and orphans: his ministry seemed to be that of a ruthless instrument of vengeance to chastise and humble a guilty world. But mark his end! His mad ambition devoted his country to the horrors of conquest, in part by barbarous hordes who lived beyond civilization: he himself was precipitated to the dust. He is deserted by the multitude, that sycophant of success, whose morality teaches that while misfortune can furnish no excuse, victory, no matter how obtained, is not required to give an account of her actions. Thus abandoned, he becomes an outlaw of the civilized world, and dies a wretched captive in one of Africa's distant isles, loaded with the execrations of the widows and orphans which his ambition has made, and with the curses of a world; while Madison, disinterestedly devoting every fibre of his heart, and every attribute of his mind, to the cause of liberty, and the happiness of his kind—leading a nation through the hitherto untrodden paths of political science, like another Moses conducting his countrymen through the wilderness to the land of promise—laying the foundations of a constitution, which, if his examples and his counsels prevail, will, with the blessing of God, be immortal—finally departed in peace, when every hill and every valley of this vast republic resound with benedictions on his name, and one universal voice proclaims him the benefactor of his kind. Behold the contrast! And yet, if Napoleon had continued successful, the subject of the extraordinary delusion I am encountering would have required the sculptor and the poet to exhaust their art, in perpetuating his name, while they would have suffered Madison's to go down to the grave unwept, unhonored and unsung.

To return to my narrative. An honorable peace ensued. Among other results, in the language of Madison, "it furnished proofs that our political institutions, founded in human rights, and framed for their preservation, were equal to the severest trials of war, as well as adapted to the ordinary periods of repose." But let us not too readily apply this flattering unction. Though our institutions might be entirely safe in war, with a Madison as our chief, yet let us recollect it was in this hotbed that Cromwell and Napoleon sprung up, with unnumbered names of similar traits of character. Let it be continually present to our recollection that in the history of our ancestors, not two centuries ago, Cromwell, the general of the commonwealth, and a pretended apostle of liberty, first reduced to insignificance the representatives of the people, and then with the bayonet expelled from the hall the remaining few, and became a dictator; while, in our own time, Napoleon, amid the cries of his deluded followers—long live liberty, long live the constitution—was, on his march, to overthrow the republican government of his country, whose councils he had divided with this word; which, having achieved to-day, to-morrow, as their master, he inscribed with his sword the future slavery of his country. Man, with a few modifications, is the same every where; the same causes may be attended here with the same effects as elsewhere. What patent from the Almighty have we which exempts us from the great law of cause and effect? Let peace, then, be the object of our devout prayers, and war held as the last sad alternative, to be resorted to only when every effort at accommodation has been tried, and has hopelessly failed.

Among the most beneficent results of his administration was the standard of political morality,

elevated by the force of his character to as high a pitch as the infirmity of our nature permitted.—History tells us of one of the Roman emperors who caused a herald daily to traverse his palace, proclaiming that nothing unholy should enter there—an officer entirely useless with Madison. His character was a continual proclamation to the vicious to stand afar off. They shrunk abashed from so much purity. They felt that there was a daily beauty in his life that made them ugly. No barometer is so infallible by which to test the condition of a republic, as the success or the disgrace of base flatterers, those pests existing in every age. If honor and merit alone find favor with power, be assured that all is well; but if that vile tribe, who fawn for the spoils of the people, are seen hovering around the precincts of the palace, and are taken into favor, ye need ask for no other evidence to convince you that there is something rotten in the state; for they are like ill-omened birds of prey, governed by the same instinct: a tainted atmosphere is the chosen element of both.

The remnant of his second term of office, after the restoration of peace, was employed in repairing the ravages of the war. Ample provision was made for its losses; as far as practicable, the wounded who survived, and the widows and orphans of those who fell, were provided for by the liberality of their country; and efficient means adopted, which, in a short time, were to cancel the debt created, in the language of the day, by the second war of our independence. Shortly before his leaving office, he addressed a valdictory message to congress, which, whether we refer to the matter or the manner, may be pronounced one of the happiest efforts of the human mind; and which, if it stood alone, would place him on the platform of equality with any patriot or any sage that all time has produced. But let it speak for itself.

"The period of my retiring from the public service being at little distance, I shall find no occasion more proper than the present for expressing to my fellow citizens my deep sense of the continued confidence and kind support which I have received from them. My grateful recollections of these distinguished marks of their favorable regard can never cease; and, with the consciousness that, if I have not served my country with greater ability, I have served it with a sincere devotion, will accompany me as a source of unfeigned gratification.

"Happily, I shall carry with me from the public theatre other sources, which those who love their country most will best appreciate. I shall behold it blessed with tranquillity and prosperity at home, and with peace and respect abroad. I can indulge the proud reflection that the American people have reached, in safety and success, their fortieth year as an independent nation; that, for nearly an entire generation, they have had experience of their present constitution, the offspring of their undisturbed deliberations, and of their free choice; that they have found it to bear the trials of adverse as well as prosperous circumstances—to contain, in its combination of the federate and elective principles, a reconciliation of public strength with individual liberty, of national power for the defence of national rights, with a security against wars of injustice, of ambition, and of vain glory, in the fundamental provision which subjects all questions of war to the will of the nation itself, which is to pay its costs, and feel its calamities. Nor is it less a peculiar felicity of this constitution, so dear to us all, that it is found to be capable, without losing its vital energies, of expanding itself over a spacious territory, with the increase and expansion of the community for whose benefit it was established.

"And, may I not be allowed to add to this gratifying spectacle, that I shall read in the character of the American people, in their devotion to true liberty, and to the constitution which is its palladium, sure presages that the destined career of my country will exhibit a government pursuing the public good as its sole object, and regulating its means by the great principles consecrated in its charter, and by those moral principles to which they are so well allied: a government which watches over the purity of elections; the freedom of speech and of the press, the trial by jury, and the equal interdict against encroachments and compacts between religion and the state; which maintains inviolably the maxims of public faith, the security of persons and property, and encourages, in every authorized mode, that general diffusion of knowledge which guarantees to public liberty its permanency, and to those who possess the blessing the true enjoyment of it: a government which avoids intrusion on the internal repose of other nations, and repels them from its own; which does justice to all nations with a readiness equal to the firmness with which it requires justice from them; and which, whilst it refines its domestic code from every in-

gredient not congenial with the precepts of an enlightened age, and the sentiments of a virtuous people, seeks, by appeals to reason, and by its liberal examples, to infuse into the law which governs the civilized world a spirit which may diminish the frequency, or circumscribe the calamities, of war, and meliorate the social and beneficent relations of peace: a government, in a word, whose conduct, within and without, may bespeak the most noble of all ambitions—that of promoting peace on earth, and good-will to man.

"These contemplations, sweetening the remnant of my days, will animate my prayers for the happiness of my beloved country, and a perpetuity of the institutions under which it is enjoyed."

Thus terminated on the 3d of March, 1817, the presidency of Madison, and with it his public life, save a few months of service in our convention in 1829; but its effects were forever to endure. The union cemented by his counsels, the constitution the peculiar offspring of his zeal and wisdom, so long as they endure, will be the pedestal on which will stand the lofty column of his fame.

It was my fixed purpose to avoid mixing up the memory of Madison with the wretched politics of the day; but I am so far driven from my purpose as to be compelled, from the sacredness of the trust which has been assigned me, to vindicate his memory from the aspersions which recently have been thrown upon it in asserting that he approved of the prominent measures pursued in the late course of public affairs. You who have been favored with his confidence distinctly know that such an assertion is a calumny, and, so far from having the least shadow of a foundation, is directly the reverse of the truth. You also know his often expressed wish was, that his quiet in the evening of life should not be disturbed by his name and his opinions becoming the subjects of partisan warfare. While, therefore, he freely but confidentially communicated with his friends on public measures, he abstained with strangers. He was content that his views, whatever they might be worth to his countrymen, might be inferred from the whole course of his life, and from his recorded opinions.

On the termination of his political life he hastened to private retirement, the place of his nativity, and the object of his warmest affections; and which he assured me he had never left at any time but with deep regret, when called off by his public duties. Whatever of fame he had deserved and enjoyed in public life, his happiness was complete only in retirement. He had, in 1794, formed a matrimonial connexion with one of the most attractive and amiable of her sex, who devoted herself so undividedly to his happiness, that she seemed to live only for him, and whose most anxious care was to anticipate his very wish. With a fortune sufficiently opulent to dispense a liberal and elegant hospitality, his house became the resort of the eminent native citizens and enlightened foreigners who came to visit him as the most distinguished of his contemporaries, and listen to his words, so full of wisdom, occasionally enlivened by anecdotes of men and things, which he was wont to tell with a happiness peculiar to himself. There came, also, his neighbor and his friend; with the less intelligent of these he seemed anxious to veil his superiority, and, by kindness and affability, to elevate them to a feeling of equality with himself; and, quick to discern the bent of their minds, he gave to the conversation a congenial direction; and it may be justly said that no one left him without having had the opportunity of becoming a better and a wiser man.

His time not given to his friends was employed in reading, in an extensive correspondence, and in preparing a work which, if I mistake not, will be eagerly read, both in Europe and America. It is the journal of the convention of 1787, that prepared and recommended our constitution. It presents not only all that received the sanction of the convention, but every proposition submitted, with the argument of the mover, whether successful or otherwise. With what profound interest will the statesman trace our organic law to its spring head; with what curiosity will he investigate the first crude suggestion which, elaborated by great minds, resulted in that beautiful symmetry which they finally obtained! Especially it will be most gratifying to him to see in what shape was first proposed that peculiar feature of our government, which so happily blended the conservative principles of a confederacy with the application of the powers of the government to individuals. This forthcoming work will furnish him the means of his gratification.

Madison was distinguished for a serenity of temper, which under no circumstances, in public or private, did I ever see disturbed. Cheerfulness was a predominant feature in his character; and frequently he indulged in a playful attic wit, always without a sting; it was the rose without the thorn.

And, above all, as partaking of the divine purity, I never heard him speak ill of any one. With these personal qualifications, and most happy in his domestic relations, he performed every duty of life with a scrupulous fidelity, as well from a sense of duty as the kindness of his nature; distinguished for his filial piety, whose amiable offices, fortunately for his affectionate spirit, were prolonged to the ninety-seventh year of his venerable mother, and were richly repaid by her repeated declarations that he had never given her cause of regret. He was a devoted husband, a kind brother, a warm friend, a good neighbor and an indulgent master. Many of you were at his funeral; you must have seen his slaves decently attired in attendance, and their orderly deportment; the profound silence was now and then broken by their sobs—they attended the procession to the grave. There are none of us, I fear, who have not drank of the cup of affliction, heavily drugged by the untimely bereavement of a dear child or affectionate companion; such will but too well remember, that so long as the remains continued on earth, the tie that connected us seemed not entirely dissolved; but, while standing on the verge of the grave, and seeing the corpse deposited, and hearing the pious man give utterance to the fearful sentence "dust to dust," whose fulfilment by some friendly hand flung back its hollow and mournful sound, how it pierced our souls; how we felt that the separation was now final—that all was gone. At this part of the service it was not only the body servant, who was standing directly by me, that, by his sobs and sighs, showed how severely he felt his bereavement in the loss of a kind and indulgent master, but the hundred slaves gave vent to their lamentations in one violent burst that rent the air; methought it ascended to heaven, and was heard with joy by the heavenly host, as a redeeming item in that great account which he, in common with all the sons of Adam, had to meet. And I derived consolation at the moment from a belief that if, in that great account, slight blemishes here and there, from the inexorable law of our nature, were to be found, this alone would, in the eye of mercy, be sufficient to blot out the unfriendly character that bore record of his infirmity, to be remembered no more.

Scenes like this give us the true character.—Most men in public seek to act as to escape censure; but it is in the secrecy of private life, where there is no human eye to see, or, seeing, no tongue dares to tell, that the heart, stripped of all disguise, and indulging its propensities, appear to good or ill in its nakedness. Most happy must he have been over whose remains such testimony is furnished, that in his private as in his public life, all was well. What felicity had Madison in his unusually extended age; he had survived all the fathers of the revolution, as well as of the constitution. To him, as was so happily expressed by the great western orator to another illustrious patriot now among the dead—to him was given the high privilege of standing amidst posterity, witnessing their unexampled prosperity, to which he had so largely contributed, and to hear his name daily associated by them with the benefactors of his kind. Thus fortunate and thus honored, his mind in the full enjoyment of its faculties, while sitting in his chair, without a pang or a groan, on the 28th of June, sunk he to eternal rest. All that was mortal of this great and good man sleeps with his fathers, while his disembodied spirit, we humbly but confidently believe, is in the bosom of his God. In the fulness of our hearts we may well exclaim, our Elisha is gone! Did he let fall his mantle? on whom? where is Elisha? Echo answers, where?

People of America, behold your Madison!—Though delineated by a feeble hand, such are the strong and beautiful features of the original. It is hoped this attempt to portray them has not entirely failed.

Let us conclude by supplicating the Great Disposer of events to sanctify this marvellous model of human purity to the most beneficent ends; that it may stand forever as pole-star of the moral and political world, that the rising youth may resort to it, from whence to draw the eternal oracles of virtue, patriotism and wisdom; that statesmen may keep his example forever before their eyes, and learn thence how contemptible are distinctions won by fraud or violence, when compared with the inappreciable fame of Madison; especially that his successors in that high office, to which so much of the happiness of unborn millions is confided, may, like him, in every of their acts, take the constitution as their guide, their country, and nothing but their country, for their end; and, above all, that the American people may be made sensible that the sacred trust committed to them can be preserved only by following in his footsteps; that, like him, they may get knowledge and practise virtue; and thus

calling down the blessing of heaven, our union, our constitution and our liberties may endure forever.

FRANCE AND SWITZERLAND.

The French papers have for the last two or three months, adverted frequently and at some length to difficulties existing between France and the Swiss canton of Berne, but hitherto we have not been able to find any satisfactory explanation of the cause. It was understood to have some relation to parties under political suspicion, living in Switzerland, whose expulsion was desired by France, but farther than this we have hitherto been unable to make discovery. Among our Paris journals received by the Independence, we have found documents, however, which disclose the origin of the trouble; an origin paltry enough, to become the subject of such grave controversy between two enlightened nations.

It seems that an Italian, named Augustus Conseil, was employed by the police of Paris to act as a spy upon certain political refugees, living in Switzerland, and to this end was furnished, immediately after the attempt of Alibaud, with money, a passport under the assumed name of Napoleon Cheli, and instructions to repair to Berne, where he was directed to ingratiate himself with the political refugees, by pretending to have been concerned in the attempts of Alibaud and Fieschi. To facilitate his operations, he was told that instructions would be forwarded to the duke de Montebello, the French ambassador in Switzerland, to demand from the Swiss vorort the expulsion of Augustus Conseil as a conspirator with Fieschi, leaving it to the discretion of Conseil to bring himself within the cognizance of the Swiss authorities, if necessary for the successful accomplishment of his mission. Of course the identity of Napoleon Cheli with Augustus Conseil would not be discovered, unless that personage should himself think proper to reveal it in the prosecution of his espionage.

Unluckily, however, by some unaccountable blunder, it seems that the French police neglected to apprise the duke de Montebello of this arrangement; he was instructed, indeed, to demand the expulsion of Augustus Conseil, and informed that Conseil and Cheli were one and the same individual, *per* passport—but he was not advised that this latter fact was only to be communicated to the Swiss authorities in case of necessity, and under the direction of Conseil himself. Consequently, the duke, on the 19th of July, 1836, addressed a note to the council of state of the republic of Berne, informing them that Conseil, under the name of Cheli, had procured a passport for Switzerland, that he was implicated in the affair of Fieschi, and professed the most dangerous revolutionary opinions, and demanding his immediate arrest and expulsion from the limits of the confederacy. It should be observed that Conseil was expressly instructed, before he left Paris, not to present himself at the embassy in Switzerland.

The demand of the duke de Montebello was communicated to the several cantons on the 23d of July, and on the 6th of August the department of justice and police of the republic of Berne gave orders to the direction of the central police, in case of the arrest of Conseil to make the fact instantly known to the French ambassador, in order that he might take measures for his removal.

On the 10th of August the prefect of Nidau was informed that a suspicious character was among the arrivals at the principal inn; the passports of the strangers, three in number, were accordingly examined, and disclosed the names of Berthola and Migliari, Italians, and of "Francis Hermann, native of Strasbourg, merchant, travelling in Switzerland on affairs of commerce;" this last bearing the attestation of the French embassy, dated November 15th, 1835, and signed "*le charge d'affaires de France, G. de Belleval*." The date of this paper is important, as will hereafter appear.

On examining the papers of the pretended Hermann, two other passports were found; one dated at Ancona, April 22, 1834, bearing the name of Augustus Cheli Conseil, the other dated at Besangon, August 4, 1836, and bearing the name of Corelli.

Conseil, alias Corelli, alias Hermann, was arrested in compliance with the requisition of the duke de Montebello, and immediately declared that he was in the service of the French police. A preliminary investigation took place, and on the 20th of August an act of accusation, or, as we should call it, indictment was found against him, on the charge of using false passports. It appeared from his own declaration that in pursuance of his instructions, he had, on the 10th of July, applied to the police of Berne for a permit of residence, representing himself by the name of Conseil, as a political refugee from France, implicated in the affairs of Fieschi and Alibaud, that the permit had been denied him,

and he had been ordered to leave Berne, but that he had nevertheless, remained until the 22d of July: that he had contrived to make acquaintance with certain Italians, political refugees, and had endeavored to persuade two of them, count Berthola, and a Venitian named Mataxa, to join the "*societe de Familles*," then recently founded at Paris, as an auxiliary to that of "*The Rights of Man*"—thus exceeding his legitimate province of spy, and entering upon that of an inciter to political offences for the purpose of informing.

It also appeared that dreading the researches of the police in Berne, he left that place on the 22d of July, and went to Besangon, where he arrived on the 24th, and immediately wrote to Paris for instructions. On receiving them he went to the prefecture, where the passport bearing the name of Corelli was given him, with orders to return to Berne, and apply for farther instructions to the French embassy. On the 6th of August he arrived at Berne, and on the evening of that day applied at the embassy for instructions. The moment he presented himself to the duke de Montebello the latter told him of the demand that had been made for his arrest and expulsion, on the 19th of July—of the awkward position in which all parties were placed by this *contretemps*—and of the necessity for his immediate departure from Berne; to which end, the duke said, he would give him a passport under another name, with which he must endeavor to make his escape from the researches of the Swiss police. For this purpose he was directed to come again to the embassy on the next evening.

In the meantime the four Italians with whom Conseil had formed an acquaintance, had become suspicious of his real character, and devised a plan to ascertain the truth. They invited him to breakfast with them at a cabaret but little frequented, on the morning of the 7th, locked the door of the room, declared their suspicions, and demanded the key of his trunk. It was given to them and his papers seized, by which the fact of his being a spy was abundantly established.

Upon this, or rather while one of the four was gone to examine the trunk, Conseil, who seems to have united the qualities of fool and knave, made a full confession to the Italians, not only of his connexion with the French police, but also of the embarrassment into which his presence at Berne had thrown the duke de Montebello, and the plan devised by the latter to get out of it, and agreed that two of them, Berthola and Migliari should go with him to the embassy in the evening, and wait at the door until his business with the duke was finished—they were determined not to lose sight of him, if they could help it.

At 9 o'clock, P. M. Conseil went to the embassy, and saw M. de Belleval, the duke's secretary, who, after some conversation, prepared and gave him the passport bearing the name of Francis Hermann, and falsely dated November 15, 1835, although in fact made out on the 7th of August, 1836. With this passport M. de Belleval also gave him money, and a list of eight persons in six different Swiss towns, whom he was especially instructed to watch over, they being political refugees.

From the hotel of the embassy Conseil proceeded at once to join the Italians, and communicated to them, in full, the instructions he had just received, showed them the money de Belleval had given him, and solemnly pledged himself never to betray either of the eight whom he had been specially directed to *surveiller*. Notwithstanding this promise, however, the Italians resolved to "expose the true character of Conseil, and it was through information communicated by one of them, (Migliari), that Conseil was arrested.

Such, very considerably abbreviated, is the history of this affair, given officially, by the committee to which the matter was referred for investigation and report by the Swiss diet; with this statement the committee gave the evidence on which they assume the acts to be established, and which certainly appears conclusive, but as it would occupy more than another column, we have omitted it.

The Swiss vorort of course is highly indignant at the deceptive course pursued by the French ambassador, in order to make the police and government of the cantons auxiliaries of the French police in a system of *espionage*; and out of this feeling, together with the consequent refusal of the Swiss authorities to act against political refugees at the requisition of the French ambassador, their determination to punish Conseil for his violation of the police regulations of Switzerland, (travelling with false passports, &c.) and their loud complaints of the bad faith and misconduct of the duke and his secretary M. de Belleval, have grown the disputes, negotiations, criminations and troubles which have figured so largely among the political occurrences of the times. [N. Y. Com. Adv.]

FOREIGN CHRONICLE.

A sale of property for church dues was lately attempted near Birmingham, England, but placards having been stuck up previously, calling upon the friends of liberty to attend and see justice done but not to bid, the church wardens and auctioneers were obliged to postpone the sale indefinitely, and on retreating were pelted with stones and jostled in the most rude manner. So much for persons being required to pay for a worship which they do not attend.

There is a hill in the neighborhood of Tre Mador Carnarvon, Wales, called Moelly-guest which, on one side presents a profile likeness of the duke of Wellington. The height of the hill is 1,000 feet, and the angle at which the elevation rises is such as to produce the appearance of a person lying on his back with his head resting on a pillow. There is a similar hill in New Hampshire, called the Profile mountain, one of the White mountains, and one at Calton hill, near Edinburgh, where a rocky precipice, viewed from the south of Holyrood palace, presents a likeness of the hero of Trafalgar, a monument to whose memory stands not far above, on the crown of the hill.

M. Biot. The learned and scientific M. Biot has been delivering some very remarkable lectures at the college de France. He has proved, that by means of polarized rays, it is possible to ascertain the chemical action which takes place between bodies held in solution, in various liquids—an action which—has not yet been discovered by less delicate means. This is a new branch of science, created as it were by this great natural philosopher, from which the most important and curious results may be expected.

The most brilliant display of gas in Europe will be that of the Greenwich railway to London bridge.—This track, which it will be recollected, runs on high arches over the street, is shortly to be lighted.

A project is on foot to supply London with sea water for bathing and other purposes. A plan for this purpose has been submitted to the directors of the Thames Haven Dock company, according to which pipes are to be laid along their rail way, which being nearly level, will require but a small force to transmit a sufficient quantity of water to supply the demands of the metropolis.

Slave ships captured. The British sloop of war *Versal*, arrived at Halifax on the 20th ult. with a Portuguese brig, called the *Foriex*, as a prize, which had on board 484 slaves. The sloop of war had previously captured two vessels, with 684 slaves on board.

A goodly sized head. Dr. Klippstein, a celebrated German geologist has lately discovered near Alzei, a little town of the Rhine Hesse, on digging twenty-eight feet beneath the soil, a head of the huge antediluvian animal called the "dinotherium giganteum," in perfect preservation. The head was six feet long and three and a half feet broad! A shoulder bone was found near it, supposed to have belonged to the same animal.

The increase in the annual amount of British exports in eleven years is said to have been twenty-one millions four hundred and seventy-seven thousand and fifteen pounds sterling. The time selected for the comparison is 1831 as contrasted with the year 1819.

The city of Edinburgh is bankrupt. It is indebted the national exchequer and to private creditors to the amount of between £600,000 and £700,000.

The damage done by a recent hail storm in the vicinity of Salisbury, England, is estimated, according to the claims of the sufferers themselves, to be £7,243, or \$35,000.

In the accounts from France it is stated that the falling off, of the wheat crops the present year has not been equalled in that country since 1815.

Teas. The delivery of teas during a single week in London, exceeded 500,000 chests.

It appears that the extent of Texas and the neighboring provinces comprises nine hundred and one thousand square miles, or one hundred and ninety-two millions two hundred and forty thousand English acres; of this amount one hundred and sixty-five square miles, or one hundred and four millions five hundred and sixty thousand English acres belong to Texas, (proper).

Murder of priests. An old priest, who lately arrived in England, having made his escape from Catalonia, Spain, gives a most horrible picture of the present condition of that unhappy country. He states that seven parochial priests had been murdered at Matiomengo.

The French government have determined upon using the iron in preference to the brass cannon.

Numerous family. An Irish paper mentions a man residing in the Claddah, Galway, who had his thirty-eight child baptised on the 5th September.

A friend of Joseph Bonaparte has contradicted (very indignantly and by authority) the report that the ex-king had received permission to visit Corsica; and

says that he never has applied and never will apply for such permission.

The Paris papers announce that the king will soon pardon and set at liberty more than 60 persons confined for political offences. Among them will be perhaps the prisoners at Ham.

A clock maker of Boulogne has successfully applied the elastic force of compressed air, to the propelling of clock machinery.

An antique—a bull's head—equisitely carved in some unknown metal, supposed to be the famous Corinthian brass of the Romans, the composition of which has been lost for many ages, was dug up, lately, in Burgundy.

The health of M. Martin du Nord, minister of commerce, is completely re-established.

There is a clerk in the French war department, who, in various battles, has received no less than 75 wounds, and has been twice trepanned for fractures of the skull. His name, oddly enough, is Laguerre—in English, War.

Sixty-six persons committed suicide in Paris, during the month of September.

At a dinner given by count Mole, on the 6th of October, count Pozzo di Borgo and sir Robert Peel were guests. The dinner was given in honor of the king's birth-day. On that day he was 63 years old.

Five vessels of war have sailed from Toulon for various ports in Spain and Portugal, to protect the French consuls, and afford assistance or a place of refuge to French residents, in case of trouble growing out of the revolution.

The banking interest of Madrid has advanced about £300,000 to the government on the security of the forced loan.

Orchestral instruments. To give a proper effect to full symphonies or overtures, it requires at least thirty violins, eight violas, eight violoncellos, six double-basses, two flutes (or flute and piccolo), two oboes, two clarinets, two bassoons, four horns, two trumpets, three trombones, bass horn or serpent, a pair of kettle drums and sometimes a side drum and triangles, making a total of about seventy instruments; we believe that this is about the strength of the Philharmonic band.

DOMESTIC CHRONICLE.

According to the National Gazette, ninety resignations of officers have taken place in the army since the 1st of July last.

The circumstances as detailed in a Memphis (Tenn.) paper attending a cesarian operation lately performed near that city, are of an affecting character. The mother was a young and lovely woman, who had been married not quite a year—her husband was arrested on a charge of forgery and confined in the county jail, three miles from the place of their residence—as soon as the harrowing fact was communicated to her, she instantly left home for the prison in a gig, drawn by an almost untamed colt, from which she was flung, and instantly killed. Surgical aid was fortunately near at hand, and from the womb of the young, and ill-fated mother, was extracted a healthy female infant.

The mail going north, says the Richmond Compiler, is about to be expedited. It will arrive at that city from the south at half past 3, A. M. by this arrangement passengers will reach Washington at half past 4 o'clock, P. M. where the cars for Baltimore can be taken, they arrive at the latter city about 8 in the evening, thus making the trip from Richmond to Baltimore through in a day. Two daily lines are now in successful operation between Richmond and Washington.

An assessment lately made on the real and personal property in the city of New York shows a grand total of assessable means of \$327,988,780, of which the portion of real estate is \$253,901,191, and of personal \$74,787,589, being an increase of \$20,183,824 over the assessments of 1832 and 1833.

Captain Bradshaw, of the ship *Lagoden*, has brought to Salem a specimen of pumice stone, probably thrown out by a volcanic eruption under the water near the coast of California. He sailed for about 20 miles through a space where the top of the water was thickly covered with these stones.

Twenty-five cent spurious Mexican pieces are now in circulation in New Orleans. The engraving is bad, and the counterfeit can easily be detected. It appears that a number of those pieces were manufactured at the north, of pure brass, and shipped to Mexico, there to be finished off with a little quicksilver.

At a late board of the assistant aldermen of the city of New York a resolution was adopted to apply to the general government for the establishment in that city of a branch of the United States mint, and that their delegates in congress use their efforts to promote the object.

The Boston lyceum on Tuesday evening the 1st inst. commenced its fall campaign, with an audience of 2,500 persons, and an introductory address by the hon. Daniel Webster. This performance was a masterly essay on the progress of popular knowledge, philosophical, profound and every way worthy of the orator; but at the same time happily adapted to the audience and the occasion which called him out.

It is stated that the damage to vessels in and off the harbor of Chicago, during the late gale, is estimated at from \$150,000 to \$200,000. This is ascribed to the supineness of the government in not making the necessary appropriations for the improvement of harbors on Lake Michigan at a seasonable time.

Early pledges. A German in Cecil county, Md. aged sixty-three, but who rejoices in a wife aged seventy, has lately been presented by his spouse with a pair of twins!

A regulation has been recently adopted by the university of N. Carolina by which any native of the state of suitable talents and moral conduct, may, if too indigent to defray college expenses, be admitted, at the discretion of the faculty, to the recitations of the classes free of tuition fees; and also be admitted to such rooms of the college as may not necessarily be occupied by those students who pay.

Rain and snow. A storm of rain began at Boston on Wednesday evening the 4th inst. accompanied with a pretty strong easterly wind. Yesterday morning it began to snow, and continued till afternoon. At one time the flakes were "thick and heavy," but most of it melted in the course of the day.

Powder mill blown up. On Friday afternoon of last week, the powder mill in Southwick, Mass. belonging to Messrs. Tyron & Co. was blown up so as to be a complete wreck. The laborers narrowly escaped, having left the mill only three or four minutes before. Loss estimated at about \$8,000.

The legislature of Arkansas has fixed the salaries of the government officers as follows, viz.—salary of governor, 2,000; secretary of state, \$700, auditor, \$700; treasurer, 600; prosecuting attorney, \$300; judges of the supreme court, \$1,800; circuit judges, \$1,200.

The frigate *Macedonian* having been reconstructed was launched on the 1st inst. from the Gosport navy yard, amid the firing of cannon from the *Java* frigate, and the cheers of a vast concourse of spectators.

The Cleveland (Ohio) Advertiser of the 28th ult. says—"About two o'clock this morning, another attempt was made to blow up the bridge connecting this and Ohio city, which we regret to say, was attended with more success than the former one. It seems that a hole had been made in the solid stone abutment wall, on the Ohio city side, in which was placed a keg of powder, which exploded, throwing a portion of the wall into the river; some of the stones forcing their way up through the plank flooring of the bridge.—The frame work of the bridge is not materially injured, and it is still in a passable state. The shock was so violent as to awaken all those residing near the bridge. Three men were seen by a resident of Ohio city to run past his house, soon after the explosion, from the bridge toward the centre of the city, but there was not light enough to identify them."

For several days previous to the 4th instant, a destructive fire has been raging in the mountains west of Haverstraw, N. Y. Great damage has been done to the wood, timber and fences, and in some instances barns and dwellings have been destroyed.

The People's bank at Bangor has been selected by the secretary of the treasury as a bank of deposit.

A farmer in the neighborhood of Springfield, Ohio, recently excavated thirteen human skeletons, while digging a cellar on the edge of a small prairie. They were probably the remains of Indian "braves," who have fallen in battle.

An ingenious mechanic of Albany has invented what he calls a "milkometer," to test the quality of milk, and tell how great a proportion of chalk, water or lime, it contains. Such an instrument is very much needed.

Coal at home. It is said that excavations have been made in the vicinity of Newburgh, for the purpose of discovering coal, with success. Specimens have been obtained which warrant the belief that a full supply of anthracite of the best quality will be found upon the borders of the Hudson.

The work is to be resumed with vigor by a mining company possessing a large capital.

From a record of the thermometer during a week in October last, the editor of the New York American is led to expect a mild winter this year. It is to be hoped that his anticipations will be realized, but thus far, there has been with us no good reason to form similar opinions. Our autumns usually are much less various in their temperature, and on the whole warmer than the present. Our impressions are not derived from the same accurate sources as those of the New York American, and may be erroneous.

NILES' WEEKLY REGISTER.

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BALTIMORE, NOVEMBER 19, 1836.

[VOL. LI.—WHOLE No 1,312

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED, BY WILLIAM OGDEN NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

¶The hon. Martin Van Buren, vice president of the United States, arrived in Baltimore, on his way to the seat of government, on Thursday last. Thomas W. Veazey, governor of Maryland, arrived in Baltimore on the same day.

¶It will be seen by page 185 that Mr. Linthicum, of Anne Arundel, another of the recusants, has gone into the college, making, in all, *twenty-three members* who have qualified. It is probable that other members will qualify to-day, and a senate be chosen forthwith.

The following notice from the Marlboro' (Prince George's) Gazette, shows the temper with which the governor's proclamation has been responded to in that section of the state.

Pleasant Prospect, Nov. 14th, 1836.

Fellow soldiers: The governor of Maryland in his proclamation of the 8th inst. (after calling upon the civil officers, "calls also upon the military officers and citizens to hold themselves in readiness," &c). Under this clause, I, as major of the 2d cavalry district, call upon you, as good and true lovers of your country, to meet at the court house in Upper Marlboro' on *Saturday next*, the 19th inst. at 11 o'clock, A. M. to organize as volunteers and join with me and offer our services to the executive in case of necessity, in the present critical period of our beloved state.

JOHN CONTEE, major of cavalry.

GEN. GAINES' LETTER to a committee of the citizens of Mobile, who invited him to partake of a public dinner, is inserted in the present sheet. In it he indignantly repels the charges which have been recently preferred against him, and condemns the disposition which has been manifested to prejudice his case, &c.

M. PAGEOT, charge d'affaires from France to the United States, with his family, accompanied by M. SALIGNY and M. MONTHOLON, who reached New York a few days ago in the packet ship *Sylvie de Grasse*, has arrived in Washington.

PRESIDENTIAL ELECTION. The presidential election has terminated in all the states, with the exception of South Carolina, which votes by the legislature—we have not, however, received the official returns from a single state, and must defer our detailed exhibit of the vote in each, until they are received. The following will suffice for the present.

From *Maine* we have but few returns. There is no doubt but that the state has gone for the Van Buren ticket by a large majority.

New Hampshire has gone for the Van Buren ticket by a small vote.

In *Massachusetts* 109 towns had been heard from which gave 23,733 votes for Everett, (W.) and 21,220 for Morton, (V. B.)

Congressional election. In the Suffolk district, Richard Fletcher is elected by 4,622 votes. The opposing candidate, Amasa Walker, had 2,895 votes and there were 13 scattering.

In the 2d district, consisting of the south part of Essex county, Stephen C. Phillips is re-elected by a majority of 226 votes.

In the 3d district, consisting of the north part of Essex county and a part of Middlesex, Cabal Cushing is undoubtedly re-elected.

In the 4th or Middlesex district, Mr. Hoar has probably lost his election, and Mr. Parmenter, the Van Buren candidate, is elected in his place.

In the 8th district, Mr. Hastings, the whig candidate, is supposed to be elected by about 500 majority over Mr. A. H. Everett.

In *Connecticut* the Van Buren majority is stated at 620 and at 694. The vote for members of congress will not vary much from the above. The vote for the recent amendments to the constitution was nearly unanimous.

Vermont has gone for the whig ticket by a large vote.

New York. The last number of the Albany "Argus" received contains returns from all the counties in the state except three, which give a Van Buren majority of 26,471. The vote for the Van Buren candidates for governor and lieutenant governor, will be nearly equal to that received by the electoral ticket.

VOL. LI.—Sis. 12.

The "Argus" says that the house of assembly will consist of about 96 republican members and 32 whigs, and that republican candidates have been elected in six of the eight senatorial districts—in five of them by great majorities.

The following is given as the result of the congressional election as far as heard from.

1st district, Thomas B. Jackson; 2d do. Abraham Vanderveer; 3d do. C. C. Cambreleng, Ely Moore, Edward Curtis, Ogden Hoffman; 4th do. Gouverneur Kemble; 5th do. Obadiah Titus; 6th do. Nathaniel Jones; 7th do. John C. Brodhead; 8th do. Zadock Pratt, Robert McClellan; 9th do. Henry Vail; 10th do. Albert Gallup; 11th do. John I. De Graff; 12th do. Samuel Russell; 13th do. John Palmer; 14th do. James B. Spencer; 15th do. John Edwards; 16th do. Arphaxed Loomis; 17th do. Henry A. Foster, Abraham P. Grant, R. B. Miller, (24th congress); 18th do. Isaac H. Bronson; 19th do. John H. Prentiss; 20th do. Amasa J. Parker; 21st do. John C. Clark; 22d do. Andrew D. W. Bruyn, Hiram Gray; 23d do. William Taylor, Bennet Bicknell; 24th do. William H. Noble; 25th do. Samuel Birdsall; 26th do. Mark H. Sibley; 27th do. John T. Andrews; 28th do. Timothy Child; 29th do. William Patterson; 32d do. Millard Fillmore; 33d do. Charles F. Mitchell. The 30th and 31st districts not heard from. Whigs in italic.

The congressional election in the city of New York resulted as follows:

Whigs.	Van Buren.
Hoffman, 16,421	Cambreleng, 16,416
Curtis, 17,474	McKeon, 15,896
Wagner, 14,588	Moore, 16,617
Wheeler, 15,936	Lee, 16,157

Messrs. Hoffman, Curtis, (whigs), Moore and Cambreleng, (Van Buren), are elected. The present members of congress from New York city are all friends of Mr. Van Buren.

The New York Journal of Commerce says, the following persons are elected to the assembly from the city.

Whigs.	Van Buren.
J. I. Labagh,	Thomas Hertell,
George Zabriskie,	F. B. Cutting,
Henry Andrew,	C. P. Clinch,
Clinton Roosevelt,	Thomas W. Tucker,
Robert Townsend, jr.	Thomas G. Tallmadge,
Anson Wills.	J. M. Valentine.

There is one vacancy, which is to be supplied by a new election. It was occasioned by a tie between Mr. C. Paterson, (W.) and Mr. Stoneall, (V. B.) Relative to the disputed vote supposed to be for Thomas C. Paterson, there was a candidate named Thomas C. Pinckney, and as the vote was a written one and blotted, it could not be ascertained whether it was for Paterson or Pinckney.

The vote in the city for governor stood—Marcy 16,561; whig 16,340. Van Buren majority 1,116. James Buel 15,971. Marcy's majority, 590. On the electoral ticket, the average Van Buren vote was 17,456. Gullick, the whig candidate for register, was elected over the regularly nominated V. B. candidate by a large majority.

New Jersey has chosen Harrison electors by a majority stated at from 500 to 1,000.

In *Pennsylvania* from returns official, and from papers published in the respective counties, and given as official, it appears that Van Buren's majority is about 4,291. The state of parties in the convention is not yet satisfactorily ascertained—but neither party will have a majority of more than one vote.

Delaware. The State Journal of the 18th inst. says the majority of the Harrison electors in this state is precisely 583.

In Sussex, the majority is 587

In Kent 167

In New Castle. Van Buren majority 141

Harrison majority 583

Virginia. Returns from ninety-one counties and cities, composed in part of majorities only—give the following result. Whig 16,292, Van Buren 20,861.

North Carolina. The Raleigh "Register" and other papers place the Van Buren ticket about 1,200 ahead in fifteen counties, comprising some of the strongest Jackson counties in the state.

Georgia. Nineteen counties had been heard from which give—for the White ticket 8,154, Van Buren 6,106.

In *Kentucky* the returns show a considerable majority in favor of the whig ticket.

In *Ohio* the whig majority is stated at from 5 to 7,000.

Indiana. The returns from this state are very imperfect, but both parties consider them favorable.

GEORGIA. The legislature of Georgia assembled at Milledgeville on the 7th inst. Robert M. Echols was elected president, and J. T. Lamar secretary of the senate; and Joseph Day speaker, and Joseph Sturges clerk of the house of representatives. On the 8th instant the governor delivered his annual message, which contains an interesting narrative of the Creek war, and shall have a place in the next "REGISTER."

THE EXPRESS MAIL commenced running on the 15th inst. The offices at which the express mail will be opened are New York, Philadelphia, Wilmington, Baltimore, Washington, Alexandria, Fredericksburg, Richmond, Petersburg, Raleigh, Fayetteville, Columbia, Augusta, Milledgeville, Macon, Columbus, Montgomery, Mobile and New Orleans. The letters intended for this mail must be marked "express mail," and they, including public despatches, will be charged *triple postage*. No free letters or letters containing money, or letters (not public despatches) exceeding half an ounce in weight, or letters for Philadelphia, will be sent by the express mail.

Slips from newspapers, not to exceed two columns of the paper, in each case, may be sent free from one newspaper publisher to another, in exchange.

From the Globe of Thursday.

Express mail. This mail commenced running on Tuesday last. It left Philadelphia at half past two A. M. and reached Baltimore fifteen minutes before ten, being two hours and three quarters less than contract time.

It left Baltimore at one P. M. and arrived in Washington at twenty-five minutes past four, being thirty-five minutes less than contract time.

It arrived from Fredericksburg, Va. at five minutes before two P. M. and left for the south at half after four P. M.

Joseph Mahan is the contractor between Philadelphia and Baltimore, and Messrs. Hammit, Hutchins, Weart and Steele, from Baltimore to Fredericksburg, Va. The promptness of these gentlemen in making their arrangements, and the spirit with which they have commenced the service, argue well for the success of the enterprise, and the advancement of their own reputation. It is hoped that a few days will put it in our power to speak with equal commendation of all the contractors on the line.

THE UNITED STATES AND MEXICO. The New York papers announce that Mr. Gorostiza has embarked, with all his legislation, for Mexico.

The New York Courier des Etats Unis, of Saturday last states that, having in vain insisted upon the withdrawal of the United States troops from the territory of Mexico, Mr. Gorostiza had no alternative left.

The Courier promises, in its next number, a copy of the last despatch of Mr. Gorostiza, and, in the mean time, publishes this important and decisive extract:

"The note of Mr. Dickens left the undersigned no hope. The explanations given to him in the name of the president convinced him, moreover, of how little Mexico has to expect from the United States, since her most sacred rights and dearest interests are sacrificed to the shadow of an imaginary danger. Mexico is insulted and wronged out of pure precaution.

"Under such discouraging circumstances, the undersigned would be wanting in his duty, if, as representative of Mexico, he failed to use the only means left him to express at least how much he is wounded by the wrongs done to his country by the United States; he therefore declares, upon his own responsibility, that, from this moment, he considers his mission at an end."

VACANCIES IN CONGRESS. In Pennsylvania James Black, of Perry county, has been elected to congress, from the thirteenth district, in place of Jesse Miller, appointed first auditor. In Connecticut gen. Orris Holt, (V. B.) has been elected to supply the vacancy occasioned by the resignation of Andrew T. Judson, (V. B.) Horace Everett has been re-elected to congress, from the state of Vermont, and F. O. J. Smith from Maine. The two latter failed at the first election, in consequence of not having a majority of the whole number of votes.

JUDGE WHITE AND A NATIONAL BANK. The following letter was addressed by judge White to col. A. A. Kincannon of Lincoln county, Tenn. in answer to a letter from him requesting the judge's opinion respecting the power of congress to charter a national bank.

Jackson, Sept. 19, 1836.

Dear sir: Your letter dated the 14th instant was handed to me on the evening of the 15th, when on my journey to this place, and I had no convenient opportunity of answering it till my arrival here.

I conceive the question of rechartering the late bank of the United States now at an end. I was opposed to the act granting the charter in the year 1816, when the bill was before congress, and so wrote to Mr. Blount, the then representative in congress from my district. I have been uniformly opposed to it ever since, and have repeatedly expressed the opinion that congress had no power to charter a bank to do business within the limits of the states, and if such power did exist it would be impolitic to exercise it.

The reasons for these opinions I have on more than one occasion publicly assigned, and will now only add that they have not undergone any change.

A national bank, founded on the public funds, has been sometimes spoken of, and may yet be in contemplation. To such an institution I am equally opposed. Indeed were such an institution created, and put under the control of the treasury department, it would, in my opinion, put the liberty of the country entirely at the discretion of the executive of the United States, to which I could never consent.

I flatter myself that if any have entertained doubts as to my opinion at present, on the subject of the bank or a bank, the above statement will remove them. Very respectfully, your obdt. serv't.

HUGH L. WHITE.

Col. A. A. Kincannon.

THE MONEY MARKET. The Boston Atlas of Monday last says:—We are authorised to state, which we do with the greatest satisfaction, that the banks of this city have united in an arrangement by which they will use their best efforts to afford all the relief in their power to the mercantile community under the existing severe pressure in the money market. We understand that they have agreed to discount to an amount which cannot fail to effect this important and highly desirable object.

NAVAL. The changes, notices, &c. as ascertained at the navy department, during the month of July, 1836, are as follows: The vessels attached to the Mediterranean station are, the frigates Constitution, Potomac and United States, the sloop John Adams, and the schooner Shark. To the West India station, the frigate Constellation, the sloop Vandalia, St. Louis, Warren, Concord, Boston and Natchez. To the coast of Brazil, the sloop Erie. To the Pacific, the frigate Brandywine and schooner Boxer. The vessels cruising in the East Indies, are the sloop Peacock and the schooner Enterprise.

The Constitution was at Gibraltar the 20th April, at Mahon 6th May, and sailed from Toulon for Naples on the 1st of June. The Potomac, the John Adams, and the Shark, also sailed from Toulon for Naples on the 1st of June. The United States was spoken on the 22d June, lat. 37, 47, N. long. 46, W. She sailed from New York for the Mediterranean on the 12th of June. The Constellation, commodore Dallas, and the St. Louis, captain Rousseau, were at Pensacola on the 16th July. The Concord was at Tampa Bay, on the 16th July. The Warren sailed from Pensacola on the 24th of June for Tampico and Vera Cruz. The Grampus sailed from Pensacola on the 24th of June for Tampico and Vera Cruz. The Vandalia was, at the last accounts, cruising on the coast of Hayti and Venezuela. The Boston sailed from Boston on the 10th July, and the Natchez will sail from this port for the West Indies in a few days. The Erie was at Rio on the 24th April, and was about to sail for Buenos Ayres, via St. Catharines and Montevideo. The Ontario arrived at New York on the 24th June,

from Rio, whence she sailed on the 22d of April. The Brandywine arrived at Valparaiso on the 19th of March. She was still at Valparaiso on the 6th of April. The Vincennes arrived at Norfolk on the 6th of June. The Porpoise is about to proceed from Boston on special service for the examination of the southern ports of the United States. The Peacock and the Enterprise, were at Batavia Roads on the 15th of February, 1836.

The following notice in reference to the mails is published in the Globe:

"The mails for the Mediterranean can be forwarded by a store ship, (Constellation) to sail from Norfolk for Port Mahon about the 15th August.

For the Pacific, by the packet, as usual, on the 10th of August, from New York, via Kingston, Jamaica.

Navy department, July 30, 1836.

The United States frigate Potomac was spoken on the 1st of October in the straits of Gibraltar, bound home by the way of Africa and the West Indies—officers and crew all well.

Captain Whitney of the bark Gaspar, at Boston, from Canton, June 1, reports at Macao, United States schooner Boxer, captain very sick.

The United States ship Peacock, and U. States schooner Enterprise, arrived at Canton on the 27th of May, and was expected to sail about the 1st of July on a cruise. Died, on board the United States ship Peacock, February 22, 1836, William Lewis, (black), seaman; March 1, Charles Fisher, (black), seaman; April 10, Daniel K. Thomas, seaman; April 12, Sam. Waggoner, marine; May 1, Henry Mount, marine. The sickness prevailing on board the ship is dysentery.

The United States ship Warren arrived at Norfolk on Wednesday the 9th instant, after a two years cruise on the West India station—officers and crew all well.

DEATH OF LIEUT. CAMPBELL. Intelligence has been received by the Horatio at N. York from Canton, of the decease of lieut. Archibald S. Campbell, commander of the United States schooner Enterprise, who died at Macao, June 3d, and also of the demise of Mr. Roberts, United States commercial agent, who died on the 11th of June.

THE WINNEBAGOES. The Galena Advertiser of the 22d ultimo, states that governor Dodge, the commissioner for that purpose, had failed in his negotiation with the Winnebago Indians, for a further cession of their lands to the United States. The same paper says:

"We further learn that on Monday evening last, Mr. Paquette, long and favorably known as an Indian trader and interpreter, was shot by a son of Whirling Thunder, a prominent chief of the tribe."

The Belmont Journal gives the following account of the death of Mr. P. from an eye-witness. "Some of the Indians instigated, it was said, by a family of half breeds, named Greenough, propagated a report that Mr. P. had acted treacherously in his capacity of interpreter. Indignant at having his correctness questioned, the deceased pursued several of the family above alluded to, all of whom fled before him, until he was some considerable distance from the place where the treaty was being held. While returning from the fruitless pursuit, his murderer emerged from a copse of wood, and ordering him to stand, avowed his intention of shooting him. The deceased deliberately bared his bosom, and remarking that he feared not to die, bade him fire. The ball of the Indian passed through his heart, and he almost instantly expired. The author of the deed, with stoical indifference, expressed a perfect willingness to expiate his offence with his own life. Mr. Paquette, we are informed, was a man of noble and generous qualities, and had scarcely an enemy in the world. He was in our service during the Black Hawk war, and distinguished himself by his cool and collected courage in every emergency."

ATTEMPTED REVOLUTION IN CHILI. By an arrival at Baltimore from Valparaiso, we learn that ex-general Freise, formerly president of Chili, fitted out an expedition at Callao, composed of the ship Montaguada and the war brig General Orbegoso, manned chiefly by deserters and disappointed Chilians, amounting in all to about 80 men, and on the 7th of July sailed for the island of Chiloe, in the south part of Chili, for the purpose of effecting a revolution against the existing government. It was Freise's intention to touch at the island of Juan Fernandez, and there release and take into his service the convicts placed there by the Chilean government—but on their passage up, the crew of the ship Montaguada rose on their officers and confined them in irons to the deck, and brought the ship into Valparaiso on the 5th or 6th of Aug.

and gave her up, with the officers on board, to the Chilean government.

This information caused great alarm at Valparaiso and St. Jago; all business was at end, and a revolution expected by many. The Chilean government took very strong and energetic measures to counteract Freise. An embargo was laid on all the ports in the north of Chili on the 30th July, which lasted until the 20th Aug. at Valparaiso, but was still kept on at the other ports. Gun boats were fitted out for the protection of Valparaiso harbor, and martial law proclaimed. Troops were immediately despatched south, and all the naval force put in requisition and despatched in pursuit of Freise, who at the last advices had made good his landing at Chiloe.

Business had begun to resume its usual activity after the embargo was raised and tranquillity was restored at Valparaiso. It was generally believed in Valparaiso, and also by the Chilean government, that the government of Peru had secretly assisted Freise in this expedition against Chili, and it was thought by many that there would be a war between Chili and Peru. A great many vessels were detained at Valparaiso during the embargo.

PENNSYLVANIA SCHOOL FUND. The following is the distribution of the common school fund of the present school year, showing the amount which each county will receive under the new school law, including the United States bank money.

Adams	\$3,345 20	Lancaster	11,102 58
Allegheny	7,664 14	Lebanon	2,865 10
Armstrong	2,947 68	Lehigh	3,466 92
Bradford	3,056 46	Luzerne	2,948 24
Beaver	3,440 48	Lycoming	2,846 04
Bedford	3,050 62	McKean	318 52
Berks	7,602 64	Mercer	3,363 98
Bucks	6,765 52	Mifflin	6,337 22
Butler	2,798 14	Montgomery	1,560 92
Cambria	1,237 86	Northampton	5,963 36
Crawford	3,343 20	Northumberland	2,546 28
Clearfield	903 14	Perry	1,904 70
Centre	3,046 10	Pike	906 62
Chester	7,563 14	Potter	359 96
Columbia	3,919 24	Philadelphia	25,623 54
Cumberland	3,914 94	Somerset	2,355 94
Dauphin	3,565 98	Susquehanna	2,325 52
Delaware	2,524 98	Schuylkill	3,042 86
Erie	3,937 60	Tioga	1,673 56
Franklin	4,570 76	Union	2,817 20
Fayette	3,945 86	Venango	1,951 32
Greene	2,166 90	Warren	1,035 86
Huntingdon	3,990 24	Washington	5,433 62
Indiana	2,067 20	Wayne	1,379 53
Jefferson	883 96	Westmoreland	4,323 72
Juniatta	1,336 92	York	6,188 66

THE NIGHT DEFENDED. The New York Star publishes the following communication from capt. Brown, of the brig Barbara, recently arrived at that port from Malaga:

While the brig John L. Hudgens, captain Turby of Philadelphia, was lying in the port of Malaga in September last, one of her crew deserted and went on board the English man-of-war brig Jasseur, capt. Hackett, also lying in the same port. The man, returning for his clothes, was detained on board the brig from which he had deserted, by the mate, the master being on shore. A boat from the Jasseur, with a midshipman, was sent for the man; but the mate refused to give him up. Immediately another boat with 8 or 10 men under charge of a lieutenant, was despatched, when he was seized by force, and, together with his clothes taken on board the English vessel. The mate entered a complaint to our consul, George P. Barrell, esq. who promptly sent him, with his vice consul, in charge of a note to the commanding officer, on board the man-of-war. No attention whatever was paid to either of these gentlemen, or the note, and although a request was made to see the first lieutenant, who was below, he would not come on deck, and they were suffered to remain nearly half an hour, when they returned on shore. Thus the affair remained during the day, and as the Jasseur was on the point of sailing, another note was sent to captain Hackett by the United States consul, which was not answered; but Mr. Barrell was informed by the first lieutenant that captain Hackett was undecided about giving up the man. Mr. Barrell then, as a dernier resort, despatched another note to captain Hackett, with orders for the bearer to wait for an answer, stating that unless the man was returned on board the American brig with all his clothes in a given time, he would despatch a messenger to Madrid, and lay the case before the American ambassador. No answer was given; but within the time specified, the man with his baggage was returned on board the vessel whence he had deserted, and the Jasseur left the port.

In consequence of a desire to manifest their "unqualified approbation of the energetic manner in which Mr. Barrell resented the insult offered the American flag, by the commander of the English brig-of-war," the American residents at Malaga, together with the masters of forty American vessels then in port, wrote him a letter of approbation, and invited him to dinner, which he, however, declined, assigning, as a leading motive, "a confident opinion that a public dinner given to him just at that moment might result in the ruin of the commander of the brig, and a full belief that the officer in question did the act in a moment of thoughtlessness, and not premeditated design, and that he deeply regretted it."

BRITISH REVENUE. *London, Oct. 11.* The official returns of the revenue for the quarter ended last night, show a considerable improvement in the receipts of the customs upon the year and quarter, as compared with the corresponding periods of 1835. The increase is £1,758,705 upon the year, and £999,790 upon the quarter. In the excise there is a decrease of £145,346 upon the quarter, but an increase of £606,976 upon the year. The joint increase under these two heads is therefore £2,365,681 upon the year. The produce of the stamps, too, has increased by £73,537 upon the quarter, and £291,215 upon the year; and the post office has proved more productive by £27,000 upon the quarter, and £90,000 upon the year. The assessed taxes have decreased £20,233 upon the quarter, and £63,290 upon the year.

In the miscellaneous taxes there has been a falling off of £10,273 upon the quarter, and £24,204 upon the year. The increase upon the whole year, as compared with the last, is £2,727,693, and upon the quarter £1,026,459. The amount of exchequer bills which will probably be wanted for the service of the current year is fixed at £3,335,071.

PARTIES IN AMERICA. The London Quarterly Review, for September, quotes the following language from a recent writer upon America:

"In the absence of great parties, the U. States abound with lesser controversies, and public opinion is divided into a thousand minute shades of difference upon questions of very little moment. The pains which are taken to create parties are inconceivable. In the United States there is no religious animosity, because all religion is respected and no sect is predominant; there is no jealousy of rank, because the people is every thing, and no one can contest its authority; lastly, there is no public misery to serve as a means of agitation, because the physical position of the country opens so wide a field to industry, that man is able to accomplish the most surprising undertakings with his native resources. . . . But since ambitious men find it difficult to eject a person from power upon the mere ground that his place is coveted by others, they are obliged to create parties; and in this disturbing process lies their chief talent. It is owing to this cause that the domestic controversies of the Americans appear to a stranger so puerile, and often totally incomprehensible. He knows not at first whether to pity the people who busy themselves with such arant trifles, or to envy the happiness which enables them to discuss such things seriously. But in process of time he discovers that they have all a definite object. One party labors, and labors in vain, to limit the popular authority; the other, with triumphant success, seeks to extend its influence."

WHALE FISHERY. Mr. Parmenter has published a directory for the town of New Bedford, Mass. and to give additional size and interest to his volume, he has made out a list of vessels sailing from different parts of the United States, in the whale fishery, in which are mentioned 158 ships and barks, 5 brigs and 3 schooners, belonging to the ports of New Bedford; 35 ships and barks belonging to Fairhaven; 2 barks and 2 brigs from Westport; 3 ships and barks and 5 brigs to Rochester; 9 ships and barks to Falmouth; 8 ships and 1 brig to Edgartown; 1 ship from Holmes Hole; 71 ships and 1 bark from Nantucket; 8 ships and 2 brigs from Fall river; 4 ships and barks from Plymouth; 1 brig and 1 schooner from Provincetown; 4 ships and barks from Dorchester; 5 ships from Lynn; 8 ships, 5 barks, 1 brig and 2 schooners from Salem; 4 ships from Newburyport; add to these 1 brig and 4 schooners from Nantucket, and we thence perceive, that from Massachusetts alone there are engaged in the whale fishery 321 ships and barks, 19 brigs and 10 schooners—in all, 350 sail.

From other ports in the United States, we have the following enumeration: from Portsmouth, N. H. 3 ships; from Portland, Me. 1 ship; from New-

port, R. I. 11 ships and barks and 2 schooners; from Bristol, 16 ships, 2 brigs; from Warren, 15 ships, 2 brigs; from Providence, 2 ships; from Stonington, Conn. 9 ships; from New London, 33 ships and barks, 1 brig; from Bridgeport, 2 ships; from Mystic, 3; from Norwich, 1; from E. Haddam, 1 brig; from Newark, N. J. 2 ships; from Sagharbor, N. Y. 25 ships, 1 bark; from Greenport, 4 ships; from New York city, 2 ships, 4 barks, 1 brig; from Newburg, 3 ships; from Poughkeepsie, 4 ships, 1 bark; from Hudson, 9 ships, 1 bark—These, including one or two ships from Wilmington, Del. make 140 ships and barks, 7 brigs and 2 schooners. Grand total, from the United States, say 400 sail, averaging 300 tons each: aggregate tonnage, 120,000—number of seamen, about 12,000.

The list must be incomplete; as for example, one or two vessels are allowed to Wilmington, Del. whereas the Wilmington company has, we believe, four ships "on the seas." [*Philad. U. S. Gaz.*]

METEORS OF THE 12TH AND 13TH INSTANT. From the *New York American*. The annual recurrence of this phenomenon being a subject of much interest, and one in which observation from year to year can alone decide the question, the undersigned kept a careful watch on the night of Saturday and morning of Sunday last, and is gratified in being able to announce the reappearance of this phenomenon with considerable brilliancy.

During the evening but few meteors were observed, but from 8 o'clock until near dawn, successive flashes were observed in the east, supposed by some to be lightning. At 9 o'clock, a very beautiful auroral light was seen of a pinkish hue. This continued for a short time only, though a general luminous appearance in the north remained during the whole night.

About 2 o'clock in the morning, several meteors were seen to dart across the Great Bear, and from this time constant watch was kept until dawn.

From 2 till 3 o'clock 93 meteors were counted, some being small, but the greater number of great size and brilliancy, resembling a rocket both in the explosion and trail left behind them; their trails lasting in some instances for nearly two minutes.

With two or three exceptions the course of the meteors was divergent from a point in Leo, dec. 20° R. A. 150° nearly. The place of this point was fully confirmed during the night.

From 3 till 4 o'clock 150 meteors were counted, and 300 in all were enumerated; after this time we kept no account of the number, though many more appeared.

From the situation of the observer it is probable that more than half escaped notice.

Several were seen in the clear light of dawn; and Jupiter, Venus and Mars, all shining with great brilliancy, were alternately outshone by these transient rivals. The night was one of uncommon beauty and mildness, and the opportunity for observation remarkably fine. No doubt now exists in the mind of the observer as to the distinct and peculiar character of this phenomenon; for, though an attentive observer of such matters, he has never seen any thing bearing the slightest resemblance to this display, except on the night of November 12th and 13th, 1832, when he had the good fortune to observe the same appearance while at sea, off the harbor of Pernambuco, one year before the far famed "shower of stars" in 1833, generally supposed to be the first time of its appearance.

G. O. S.

The meteors. The "meteoric shower" was noticed this morning, but was far inferior to what has been described on former occasions. At half past three, there were a few light clouds in the south east, from which flashes of lightning were seen in rapid succession—the stars were brilliant, occasionally obscured, in part, by thin floating vapor. At eighteen minutes before four o'clock, a large meteor darted from the north; it was quite luminous, and in size apparently equal to one-half the full moon. This was succeeded by many smaller meteors, and twenty-three were counted by me, during an hour and a half; several were seen by other persons in the room, which escaped my notice. During this time, one was observed of great brilliancy, having a luminous train apparently a yard in length. The lightning continued the whole time, and there was considerable appearance of aurora borealis.

W.

Cambridge, (Mass.) Nov. 13th, 1836.

SOLIDIFIED AIR. At a late meeting of the academy of sciences, a chemist named Thilorier exhibited some carbonic acid gas, changed to the state of a solid substance. This experiment has been performed on a small scale already, but in this instance several pounds were produced. The agents employed to effect the result are cold and compression;

the chemical energy thus developed may be judged by the fact, that half a pound of quicksilver placed in contact with the solidified gas, was frozen in a few seconds into a solid mass which required a heavy blow from a hammer to break it. M. Thilorier obtains this solid carbonic acid in an enormous cast iron cylinder, capable of resisting the pressure of sixty atmospheres. The degree of strength is of course needed to resist the tendency of the solidified gas to dissolve and pass again into the æriform state. By allowing a small quantity to escape through a minute aperture, it is even to diffuse itself in the form of a snowy vapour; this vapour being directed in a jet into a box of tin unites, and forms a mass which may be pressed together like common snow, and so transferred to a vessel of glass. In this form the gas was presented to the institute by M. Dulong, to whom M. Thilorier successively furnished several masses obtained by his apparatus in a laboratory adjoining the place of meeting. This must be a dangerous amusement.

The same learned body has had under examination a newly invented writing paper, the peculiarity of which consists in its sensibility to the action of chemical agents, so that any attempt to expunge or falsify the writing, would necessarily, discolour the paper and thus betray the design. In the course of the discussion it was mentioned that the same subject, the inalterability of manuscripts, had engaged the attention of the academy five years since. The plan then proposed was to use a fluid made by suspending the common Indian ink in acidulated water. This simple expedient, however, has never been adopted, principally because the ink thus obtained is less fluid, and not so well adapted to the employment of metallic pens as the article in common use. The ink, therefore, remaining the same, the question remains how to accomplish the object in view by a modification of the paper. For this purpose, besides the article above mentioned, it has been suggested to use a flagre paper in which are impressed, by means of a cylinder very fine lines, and delicate drawings, which disappear when any attempt is made to falsify the writing—some samples of which were submitted.

[*Philadelphia Herald.*]

OUR CONSULS ABROAD. Among the objects well worthy the attention of congress, but which have been lost sight of, or rather have been borne down by the superior importance of the struggles between the advocates and opponents of prerogative power, during several years past, is the regulation of the duties and compensations of the consuls of the United States in foreign countries. The attention of our readers was invited to the subject some months ago, by a writer who understood it well.—The republication of the following notice, on the same subject, which appeared in the *Baltimore Patriot*, some time ago, may, it is thought, advantageously revive it in the minds of the legislators of our country. [*Nat. Int.*]

"American consuls in foreign countries. Some of our late travellers in Europe complain, as it appears, that the American consuls exact a fee for a certificate verifying passes, although these consuls receive no other compensation than such fees, and those relating to merchandise; and though it would be scarcely possible the officers of police should be able to verify the signature of the American minister at Washington, or of any other authorized officer, out of the place at which the passes may be presented. Much has been said of the great vexation caused by exhibiting passes at so many towns and places as are visited by our travellers, because they have not been accustomed to the practice at home, which is, however, the real cause why they are seldom molested or cheated in their journeys among a dense population of strangers, ready enough to inflict greater vexations than that complained of, if they were not subjected to such a measure of police. There is no doubt that a better plan would be, to pay our consuls, at least in all the principal seaports, competent salaries, and a smaller fee in other places; for, by the vexations alluded to, the man of science, or artist, who may have but a short time to travel, or little money to spare in procuring information abroad, may be compelled to stay at home, an imperfect judge. Another consequence of our present system is no less burdensome, and that is, the consuls of other nations in the United States, though they cannot exact fees of their own countrymen, being paid salaries by their own governments, take the same fee of us here which their countrymen pay to American consuls."

AN OLD CONSUL."

HORRIBLE ACCIDENT. On Monday week the store of Otis C. Bolster, esq. in Ramfoid, was blown up by a cask of powder being set on fire.—

Mr. Bolster had just been getting a stock of goods in his store, and among the articles was a cask of powder. His customers had been trying the powder, and had left some particles upon the top of the cask. Mr. Bolster's boy, nine years old; in order to amuse himself, and in the absence of his father, took a coal of fire, and thus set the particles in a blaze. Two other young lads were also in the store. The whole cask of powder immediately ignited. Half of the store was blown into the Androscoggin, and the other half into the street, the roof tumbling down in the middle. Mr. Bolster's boy was immediately killed. One of the other young lads had his arm broken, and the third was badly burnt. The goods in the store were greatly damaged. The accident will be very sincerely regretted, as Mr. Bolster is highly respected throughout the county of Oxford. [Portland Ado.]

THE RUSSIAN SOLDIER. The Russians when disciplined become excellent soldiers. They are locomotive machines, which may be moved in any direction at the will of the officers. The Russian soldier has no opinion of his own—his *passive obedience and ability of suffering* under protracted physical inconveniences, are almost unexampled. He conceives it to be his duty to obey his officers under any circumstances, regardless of peril, or even death. Many anecdotes might be related to illustrate the blind obedience of the Russian soldier.—The following is from a work entitled *Resources of Russia*:

"Peter the Great, at an interview with the kings of Denmark and Poland, hearing them boast of the superiority of their soldiers, instead of disputing the point with them, proposed an experiment, which was immediately assented to, and which was, to order a grenadier to jump out of a third floor window. The king of Denmark tried the experiment on one of his bravest and most loyal soldiers, who on his knees refused compliance. The king of Poland waived the trial altogether, conceiving it to be hopeless; when Peter ordered one of his soldiers, the least promising that could be picked out, to descend the window. The soldier merely crossed himself, touched his hat according to form, boldly marched to the window, and had already one of his legs out, when the emperor stopped him, and told him he was satisfied. The kings were astonished, and each made the soldier a present of 100 ducats, requesting Peter to promote him to the rank of officer. The Czar answered that he would do so to oblige them, but not to reward the soldier; for all his soldiers would do as much, and by rewarding them in the same way he would have no soldiers at all."

Sir Robert Wilson, in his "Campaigns in Poland," relates that on one occasion a detachment, being ordered by prince Potemkin to take possession of a particular post, was met on the way by another detachment in full retreat, and bringing the information that the post was already pre-occupied by a numerous enemy, and that to advance was certain death. "Prince Potemkin must look out for that," exclaimed the gallant band, and proceeded to destruction; for not a single man escaped.

[Boston Journal.]

NATIONAL TYPOGRAPHICAL CONVENTION. The *Globe* of the 9th inst. says:—"Agreeably to the notice previously given, the members from the respective societies assembled at the City Hall, in this city, on yesterday, at 10 o'clock. They proceeded to organize the convention, by the appointment of Mr. Wm. Holliday, of Baltimore, as president; J. L. Brown, of New York, as vice president; and Wm. W. Curran, as secretary."

CLEVELAND AND OHIO CITY. Serious disturbances have arisen in consequence of several attempts to destroy the Columbus street bridge, which connects the two places. On the 1st inst. an assault was made by a mob on the Ohio city side, who began cutting away the timbers. The sheriff and citizens of Cleveland interposed and prevented the total destruction of the bridge. During the affray the sheriff was knocked down by a club, after which fire arms were resorted to, and several wounded on both sides, one man dangerously.

GOVERNOR MARCY'S FARM. A correspondent of the *Troy Whig* says that seventy-one masted vessels, five steamboats and sixteen tow-boats were counted aground on the overslaugh, on Wednesday afternoon.

"The bar, or overslaugh, in the Hudson, a few miles below Albany, is called by the papers 'Marcy's farm,' from the circumstance of Mr. M. having, when he was in congress, opposed an appropriation for removing this impediment to the free navigation to Albany."

SLEEPING WITH THE AGED. It is said by *Copland*, in his *Medical Dictionary*, that children are apt to sustain a loss of vital power, by sleeping with the aged. The writer of the article to which I refer, at the commencement of his remarks on this point, relates the following anecdote, and adds that he has met with several similar cases:

"I was a few years since consulted about a pale, sickly and thin boy, of about five or six years of age. He appeared to have no special ailment, but there was a slow and remarkable decline of flesh and strength, and of the energy of all the functions—what his mother very aptly termed a *gradual blight*. After inquiring into the history of his case, it appeared that he had been a very robust and plethoric child up to his third year, when his grandmother, a very aged person, took him to sleep with her; that he soon after lost his good looks, and that he had continued to decline progressively, ever since, notwithstanding medical treatment. I directed him to sleep apart from his aged parent, and prescribed the tonics, change of air, &c. and his recovery was rapid."

The opinion of this writer, as we happen to know, is very generally received; but for ourselves, we have many doubts of its correctness. We know indeed that sleeping together, under any circumstances whatever, were it not somewhat difficult to avoid it, is not very desirable. For it is not the lungs alone which contaminate the air, and this too, at a most rapid rate. The skin performs, in some small degree, the same office with the lungs, and renders the air unfit for respiration, as may be easily shown by placing a lighted candle under the bed clothes, where a person has been sleeping, in which case it will be extinguished. But though we know all this, we are quite at a loss to understand why the practice of sleeping with the aged should be much more pernicious than that of sleeping with young people.

Much of the evil which results to mankind from sleeping together might be prevented by having bedsteads made wider than is usual. Thus we might at least avoid breathing the air which our neighbor had but a moment before ejected, poisoned, from his lungs; for before it could reach us, it would become mixed with a portion of better air from the surrounding atmosphere.

WIFE. There is no combination of letters in the English language which excites more pleasing and interesting associations in the mind of man than the word *wife*. There is magic in this little word. It presents to the mind's eye a cheerful companion, a disinterested adviser, a nurse in sickness, a comforter in misfortune, and a faithful and ever affectionate friend. It conjures up the image of a lovely and confiding woman, who cheerfully undertakes to contribute to your happiness—to partake with you the cup, whether of weal or woe, which destiny may offer. This word *wife* is synonymous with the *greatest earthly blessing*; and we pity the unfortunate wight, who is condemned, by fate's severe decree, to trudge along through life's dull pilgrimage without one.

THE COUNT DE SURVILLIERS. The *Courrier de Etats Unis* of Saturday last, gives the following extract from a letter written by Joseph Bonaparte on the 29th of September, to a friend in the city of New York.

"My sister is now in Paris, but she has rejected all advances made to her. Do not believe a word of the story put forth in the Paris journals, about my voyage to Corsica, under the permission of Louis Philippe. All these paragraphs respecting my family are miserable inventions. You will sooner see me in New York than in Corsica, or any other part of France, so long as a Bourbon sits upon the throne."

The present movements of the Bonaparte family may be explained by the following note from a Paris paper:

The *Diari di Roma* contains, under the date of Dec. 9, a judicial edict or order, given at the request of count de Survilliers, (Joseph Bonaparte), to summon the prince of Canino, (Lucien Bonaparte), the count de Saint Leu, (Louis Bonaparte), the prince de Montfort, (Jerome Bonaparte), the countess Lipano, (widow of Murat), the countess Bacciocchi-Camesada and her husband, Ludovico Polenziana, in his character of executor of the will of Mme. Letitia Bonaparte, their mother, to come to Rome, in order to be present at the opening of the will of the latter personage.

The ambassador of Austria, in full dress, and accompanied by all the individuals composing his embassy, went yesterday morning to present his respects to the illustrious sister of Napoleon.

FOREIGN NEWS.

Since the publication of our last abstract there have been several arrivals at N. York, bringing late dates from London and Paris. The chief item relates to France and Switzerland, between which governments there appears to have been a complete rupture, the causes of which are stated in an article in the last "REGISTER." The French government, after considerable discussion, determined upon an ultimatum, requiring the Swiss directory to act against the refugees, which was communicated to the directory on the 27th of Sept. by the duke de Montebello, with a long "note," declaring the diplomatic relations between France and Switzerland suspended until the ultimatum is complied with. In this note the duke pronounces the affair of Conseil a miserable plot to involve the French embassy, and his pretended confessions all a string of lies, by which the Swiss authorities have been completely duped.

The Swiss papers are not merely severe but savage upon the ultimatum of France. The *Nouveliste*, of Vand, pronounces it a libel, execrable for the falsehood of its assertions, the atrocity of its calumnies, and the perfidy of its intentions. The *Amide la Constitution* says that if the members of the extraordinary diet have common sense, however destitute of courage they may be, they will not yield to the menaces put forth in it.

The extraordinary diet is called to deliberate on the course to be pursued. The councils were summoned, in the different cantons, for the election of deputies to this diet—to meet in October. It is probable that the resolution of the directory, relative to this affair of Conseil, will be adhered to, but that a mediation by some foreign power will be authorized and suggested to France. The Swiss cannot be mad enough to go to war with France, knowing as they must, that Austria and Prussia will be against them also.

The Swiss charge at Paris had received orders from the directory to quit Paris, and had accordingly demanded his passports. Indisposition, however, would detain him (very conveniently) for some weeks.

FROM RUSSIA

We learn that the emperor had his collar-bone broken by an overturn of his carriage, but had perfectly recovered at the date of the latest advices.—By this accident his intended visit to Warsaw was prevented. Some say that instead of having his collar-bone broken by being overturned, he was shot by a Russian officer, &c.

SPAIN.

The victory of the troops under the command of Alaix of the queen of Spain, at Villarrobledo, on the 20th September, has been confirmed. The Carlists lost 1,276 prisoners, among whom were 55 officers, as also a great part of their arms and baggage. The loss on the queen's side was only 4 killed and 61 wounded. It was reported at Paris on the 8th of October that Gomez had effected his escape, with the remnants of his arm, to the passes of the Sierra Morena.

The charges d'affaires of Austria, Sardinia and Naples, and the ambassadors of Russia and Prussia, had left Madrid for their respective kingdoms—in consequence, no doubt, of the revolution. The French ambassador, count Latour Mauberg, arrived at Bayonne on the 5th, on his way to Madrid.

The Carlists made an assault upon the British legion, in line before St. Sebastian, on the 1st, but were repulsed with a heavy loss. The British steamboats fired upon the Carlists, by order of lord John Hay.

Captain Brown, of the barque *Ganges*, arrived at Boston, from Malaga, October 10, informs Messrs. Topliff, that 6,000 men of the Carlist army were within one day's march of Malaga when he sailed, and great consternation pervaded all ranks in that city. The shipping in harbor was crowded with men, women and children, for protection. As the progress of the Carlists had been marked by every excess, and as they wreaked their vengeance more particularly upon those places which had proclaimed the constitution or were in favor of it, the inhabitants of Malaga had every reason to fear the worst consequences, should the Carlists enter the city.—Every preparation was making to defend the place. About 5,000 militia were enrolled, but had no leaders in whom they had confidence; consequently, great alarm existed and business was at a stand.

PORTUGAL.

The late revolution, effected at Lisbon, does not seem to be approved in the kingdom generally; and it is even said that those who effected it in the capital, are now much inclined to undo their work. The Portuguese auxiliaries in Spain have refused to swear to the constitution of 1820.

The queen was suffering from illness at the date of the latest advices.

Prince Ferdinand, the queen's husband, has resigned the chief command of the army, his appointment to which had excited some discontent.

The queen has issued a decree prohibiting the bull-fights; said to be the most unpopular act of her reign.

LATER NEWS.

By the ship *Poland*, at New York, dates have been received to the 14th of October inclusive.

His royal highness the duke of Nemours, was to accompany the expedition to Constantine, (Africa).

The ship *Pierre Corneille* from Rome to Cayenne, had foundered at sea in a gale off Havre.

M. Thiers, the expremier, was shortly expected back from Italy, on account of the cholera there.

The Seine has experienced another inundation, so that the stone quays where it runs through Paris, were nearly submerged.

The Rhone at Avignon, Oct. 9th, had swollen to a frightful height. Most of that town, with the barracks, grave yard, &c. were completely overflowed, and boats were sailing in all the streets.

King William the fourth, who will be hereafter called by the name of the pacificator, has it is confidently asserted, generously offered his mediation in the difficulties between France and Switzerland. Baron Rothschild is again the principal negotiator, and has had an interview with the Swiss chieftain.

The grand council of Berne has adopted resolutions of a very conciliatory tenor, with regard to the course to be pursued by the deputies of that republic in the extraordinary diet.

Abdel Kader, the Arab chief, has again reappeared with his Bedouins at Oran, to the consternation of the French commander.

Andalusia in Spain, in consequence of the daring encroachments and the accumulating members of the rebel Carlists, was declared by gen. Espinoza, in state of siege, September 6th. Gomez was approaching on Seville, September 24th.

Portugal continues quiet.

The government of Donna Maria at Mosambique was overthrown by the insurgents in June last, but immediately after the place was recaptured by the bravery of lieut. Bosanquet, of his majesty's brig *Leveret*, who happened to enter the port at this juncture. The governor was reinstated, and tranquillity restored.

The celebrated Russian gen. Clatow, commander of the Cossacks is dead.

Letters from Madrid of the 10th of October, and previous state that the late result of the election will place in the chamber of procuradors a large majority of those men who under the ministry of Isturiz composed the opposition, reinforced by other members of a still more liberal cast.

Gomez at the last dates was at Montero, ready to repass the Guadalquivir to throw himself into the mountains of Toledo, in consequence of the demonstrations of the captain general of Seville, who had assembled on the 28th of September 4,000 men at Carthagena. Sanz was six leagues from Oviedo, which was occupied by 2,000 regulars and militia, determined to resist him. The Portuguese brigade was proceeding on the 2d of October by forced marches to sea.

By the recent accounts from Adrianople it appears that the plague is making terrible ravages there. About 110 die daily. According to intelligence from Constantinople of the 21st of September, there is open enmity between the ulemas and the sultan, as great, it is said, as that which formerly existed between the sultan and the janizaires. The ulemas are in a state of great irritation, and sanguinary measures against them are expected. The English fleet under admiral Rowley had arrived at Vourla.

From Vienna, under the date of October 5th, it is said that the emperor of Austria will be crowned in March, at Milan.

CHINA.

By the arrival of the barque *Gaspar*, at Boston, the editors of the *Commercial Advertiser* have received a file of the *Canton Register* to the 24th of May inclusive.

The *Register* of the 24th remarks, in noticing some recent executions of Chinese criminals, that the acquittal of a prisoner is one of the rarest occurrences—the trial, conviction and punishment, appear to be inseparable. It would be well, perhaps, if the same observation could be made, with a nearer approximation to truth than now, in our own country.

The foreign commercial residents in Canton, especially the British and Americans, are still urging the necessity of more vigorous and decisive measures by the British government, to correct the intolerance and prevent the extortions of the Chinese functionaries. There must be a blow-up there one of these days.

The Singapore papers (to the 7th of May) are still filled with accounts of piracies in the straits of Malacca, and of the endeavors to suppress them.—The Wolf captured a piratical proa on the 23d of April, off Delhi. On the 30th the British Indianman *Mary Anne* was attacked by a number of large proas filled with men, but succeeded in beating them off much damaged. The ship's rigging was very much cut to pieces. About the beginning of May, a government falwa (a large open boat) armed with one twenty-four pounder and four swivels, manned by forty-three Tagalas, and commanded by lieut. Elliott, of the Spanish colonial service, was unexpectedly attacked near Cape Capones, by twenty-six double-banked Malay proas, each containing about forty men armed with muskets.—Lieutenant Elliott and his forty-three natives behaved like heroes. Bearing down upon the largest proa, they gave her the full charge of the twenty-four pounder within fifty yards, and down she went; they then administered a similar dose to another, with the like effect. The remaining twenty-four took to flight, hotly pursued by the falwa, which fired the long gun sixty-two times, with terrible effect, before the proas could make good their escape. The falwa had four men killed and ten wounded.—On receiving intelligence of this gallant affair, the governor of Manila promoted lieutenant Elliott (an Englishman) to the captaincy, and liberally rewarded his crew. A letter from Manila, dated May 10th, gives a terrible account of the outrages committed by the pirates on the coasts of Pangasinan and Yloco; burning villages and destroying crops, and carrying off men, women and children as prisoners.

The principal resident British and American merchants at Canton, presented a memorial to the governor on the 23d of April, remonstrating against the extortions practised upon them by the hoppo, in the levying of duties, and the great inconveniences and losses occasioned by the fluctuations in the rates, which are regulated, it seems, pretty much according to the pleasure of the hoppo; and asking for an authentic list of the duties on importations, by which they might be guided in their calculations.

Mr. Tang, the governor, in reply, was gracious enough to inform the memorialists that

"The celestial empire grants permission to the outer barbarians to trade, solely from feelings of tenderness toward far-travelled foreigners, and from a regard for the livelihood of the people of your various nations. It looks on the few hundreds of thousands of revenue [arising therefrom] as alike undeserving of contempt or of regard."

He added that he would consult the hoppo, (the official whose extortions were complained of), and let them know his pleasure at some future day.—The hoppo accordingly issued his proclamation on the 5th of May.

LATEST FROM FLORIDA.

A slip from the office of the St. Augustine Herald, dated on the 29th ult. containing the following particulars has been received at Charleston.

By an express which left Fort Drane on the 27th instant, we learn that general Read arrived at the Wythlacochee on the 22d with the steamboats *Energy* and *Superior*, under the direction of captain Wood, whose active zeal, skill and superior judgment are highly spoken of. Another steamboat, the *U. States*, was wrecked at the mouth of the river.

We now learn with great satisfaction, that there are a plenty of provisions and forage at the mouth of the river, and a considerable quantity at Graham's camp and more on transportation there.

General Jesur was supposed to be at Tampa Bay with 750 regulars and marines; and two companies of mounted Alabama volunteers. Captain ALVORD's company from Key West and McINTOSH's from Fort Mitchell, 4th infantry, are with general READ.

The governor is in feeble health, but he is determined to enter the field and make every sacrifice, in order to insure success. He has appointed major PIERCE colonel, and given him the command of the Creek volunteers. This gallant officer has received from the president the brevet rank of lieutenant colonel as a reward for his meritorious services.

Major PIERCE has returned from Charleston with several steamboats and schooners, which have arrived in the St. Johns with a large number of horses, &c. for the army.

The campaign will open immediately and be prosecuted with vigor. In a few days we shall hear of something decisive.

The Jacksonville Courier of the 4th inst. says:—"Mrs Jane Johns, who was so barbarously scalped a short time since in this vicinity, is convalescing rapidly. Her health is sufficiently restored to en-

able her to leave her room. Her suffering has been extreme, though much relieved by the praiseworthy attention and skill of Dr. Welch. She had been married nearly a year, when her husband was inhumanly butchered."

The Indians made their appearance a short time since on Key Tavinier, where they surprised the schooner *Mary*, captain Bethell, burnt the vessel, and slightly wounded some of the crew before they could make their escape.

Lieut. Powell, of the U. S. sloop of war *Vincennes*, lying at Key West, went in pursuit of them with 170 men, accompanied by the U. S. cutter *Washington* and eight row boats. He succeeded in coming within sight of the encampment of Indians who were cooking their breakfast, but their eyes were open, they discovered the boats in time to make their escape in the woods where they could not be pursued—but they lost their canoes and every thing they left behind, which was immediately destroyed.

CAPE FLORIDA LIGHT HOUSE.

To the editors of the *Charleston Courier*:

GENTLEMEN: As many misrepresentations have been made concerning the burning of the light house at Cape Florida, the undersigned feels it his duty to state facts; it would have been published at Key West, but at the time I left no paper was printed at that place. Respectfully,

JOHN W. B. THOMPSON.

On the 23d July last, about 4 P. M. as I was going from the kitchen to the dwelling house, I discovered a large body of Indians within 20 yards of me back of the kitchen, I ran for the light house and called out to the old negro man that was with me to run for the Indians are here, at that moment they discharged a volley of rifle balls, which cut my clothes and hat and perforated the door in many places. We got in and as I was turning the key, the savages had hold of the door. I stationed the negro at the door with orders to let me know if they attempted to break in; I then took my three muskets, which were loaded with ball and buck shot, and went to the second window, seeing a large body of them opposite the dwelling house, I discharged my muskets in succession amongst them, which put them in some confusion; they then for the second time began their horrid yells, and in a minute no sash or glass was left at that window, for they vented all their rage at that spot. I fired at them from some of the other windows and from the top of the house; in fact I fired whenever I could get an Indian for a mark. I kept them from the house until dark. They then poured in a heavy fire at all the windows and lantern, that was the time that they set fire to the door and window even with the ground; the window was boarded up with plank and filled up with stones inside, but the flames spread fast, being fed with yellow pine wood. Their balls had perforated the tin tanks of oil, consisting of 225 gallons, my bedding, clothing, and in fact every thing I had was soaked in oil. I stooped at the door until driven away by the flames. I then took a keg of gunpowder, my balls and one musket to the top of the house, then went below and began to cut away the stairs about half way up from the bottom; I had great difficulty in getting the old negro man up the space I had already cut, but the flames now drove me from my labor, and I retreated to the top of the house. I covered over the skuttle that leads to the lantern, which kept the fire from me for some time; at last the awful moment arrived, the crackling flames burst around me, the savages at the same time began their hellish yells, my poor old negro looked up to me with tears in his eyes he could not speak; we went out of the lantern and layed down on the edge of the platform, two feet wide, the lantern now was full of flames the lamps and glasses bursting and flying in all directions, my clothes on fire, and to move from the place where I was would be instant death from their rifles; my flesh was roasting and to put an end to my horrible suffering, I got up, threw the keg of gunpowder down the skuttle, instantly it exploded and shook the tower from the top to the bottom; it had not the desired effect of blowing me to eternity, but it threw down the stairs and all the wooden work near the top of the house, it damped the fire for a moment but soon blazed as fierce as ever; the negro man said he was wounded, which was the last word he ever spoke. By this time I had received some wounds myself, and finding no chance for my life, for I was roasting alive, I took the determination to jump off, I got up, went outside the iron railing, recommending my soul to God, and was on the point of going head foremost on the rocks below, when something dictated to me to return and lay down again; I did so, and in two minutes the fire fell to the bottom of

the house. It is a remarkable circumstance that not one ball struck me when I stood up out side the railing, although they were flying all around me like hail stones. I found the old negro man dead, being shot in seven places and literally roasted. A few minutes after the fire fell, a stiff breeze sprung up from the southward, which was a great blessing to me. I had to lay where I was, for I could not walk, having received six rifle balls three in each foot. The Indians thinking me dead left the light house, and set fire to the dwelling house, kitchen and other out houses and began to carry their plunder to the beach; they took all the empty barrels, the drawers of the bureaus, and in fact every thing that would act as a vessel to hold any thing; my provisions were in the light house except a barrel of flour, which they took off. The next morning they hauled out of the light house by means of a pole, the tin that composed the oil tanks, no doubt to make graters to manufacture the county root into what we call arrow root. After loading my little sloop about ten or twelve went into her, the rest took to the beach to meet at the other end of the island; this happened, as I judge, about 10 A. M. My eyes being much affected prevented me from knowing their actual force, but I judge there were from forty to fifty, perhaps more. I was now almost as bad off as before, a burning fever on me, my feet shot to pieces, no clothes to cover me, nothing to eat or drink, a hot sun over my head, a dead man by my side, no friend near or any to expect, and placed between seventy and eighty feet from the earth and no chance of getting down, my situation was truly horrible; about 12 o'clock I thought I could perceive a vessel not far off, I took a piece of the old negro's trousers that had escaped the flames by being wet with blood, and made a signal; sometime in the afternoon I saw two boats with my sloop in tow coming to the landing, I had no doubt but they were the Indians having seen my signal, and returned to finish their murderous designs, but it proved to be boats of the United States schooner *Motto*, captain Armstrong, with a detachment of seamen and marines, under the command of lieutenant Lloyd, of the sloop of war *Concord*; they had retaken my sloop after the Indians had stripped her of her sails and rigging and every thing of consequence belonging to her; they informed me they heard my explosion twelve miles off and ran down to my assistance, but did not expect to find me alive; those gentlemen did all in their power to relieve me, but night coming on, they returned on board the *Motto* after assuring me of their assistance in the morning. Next morning, Monday, July 5th, three boats landed, amongst them captain Cole, of the schooner *Pee Dee*, from New York—they had made a kite during the night to get a line to me, but without effect—they then fired twine from their muskets made fast to a ramrod which I received, and hauled up a tail block and made fast round an iron stanchion, rove the twine through the block, and they below by that means rove a two inch rope and hoisted up two men who soon landed me on terra firma. I must state here that the Indians had made a ladder by lashing pieces of wood across the lightning rod, near forty feet from the ground as if to have my scalp volens; this happened on the 4th. After I got on board the *Motto*, every man from the captain to the cook tried to alleviate my sufferings. On the 7th I was received in the military hospital through the politeness of lieutenant Alvord, of the 4th regiment of United States infantry; he has done every thing to make my situation as comfortable as possible.

I must not omit here to return my thanks to the citizens of Key West generally, for their sympathy and kind offers of any thing I would wish, that was in their power to bestow. Before I left Key West, two balls were extracted, and one remains in my right leg; but since I am under the care of Dr. Ramsey, who has paid every attention to me, he will know best whether to extract it or not.

These lines were written to let my friends know that I am still in the land of the living, and am now in Charleston, S. C. where every attention is paid me—although a cripple I can eat my allowance, and walk about without the use of a cane. Respectfully, yours,

JOHN W. B. THOMPSON.

ALL SAINTS DAY IN NEW ORLEANS.

New Orleans, November 2.

Yesterday being the holiday celebrated among the professors of the Catholic faith as All Saints Day, we with the rest of our good citizens, sallied forth to witness in the Catholic cemetery, the observances and ceremonies usual on this occasion. Burial grounds have often been termed "cities of the dead," but we have never seen any to which the term, could so appropriately be applied as to those

of New Orleans. From the low and marshy situation of the grounds, the earth being thoroughly saturated with water, inhumation in the proper sense of the term is impossible, and recourse is necessarily had in all cases to tombs and cells on the surface of the ground for the depositing of the dead. The cemeteries are therefore laid out in regular squares, with broad gravel walks intervening and traversing the whole extent, and along these walks the tombs and cells are erected in continuous rows, often to the height of several layers or stories, presenting in reality the appearance of a city in miniature.

They are composed chiefly of brick, neatly stuccoed and whitewashed or painted, and have generally encased in the centre a black or gray tablet of polished stone with a gilded inscription. Many, however, are fronted with elegantly carved marble, and occasionally one is seen composed of marble entirely, or of granite or fine sand stone, indicating by its isolated position, superior altitude, or greater magnificence, the resting place of the mortal remains of some wealthy inhabitant of olden times. Before the approach of All Saints Day, those of the tombs which have suffered any injury from time or accident, are repaired and the whole are newly white washed or painted, and on this occasion they are beautifully ornamented with wreaths of cypress and garlands of flowers. In the afternoon, a procession of priests accompanied by a train of youths clothed in white, and bearing in their hands long flambeaux enter the sacred enclosure and offer in some conspicuous place prayers for the souls of the departed. During this service, rows of lighted tapers are every where burning in front of the tombs, and the friends of the deceased are seen engaged in deep and solemn communion, invoking the blessings of heaven upon the disembodied spirits of their relatives. The whole scene is one of great interest and solemnity, well calculated to inspire the minds of the thousands of spectators who throng along the walls with a feeling of veneration and awe.

The custom of this annually repairing and decorating the monuments of the dead, is we believe peculiar to the Catholic church, but is certainly worthy of the imitation of all sects and denominations. It is useful not only in perpetuating the monuments of those who once lived and acted their parts in the great drama of life, but it has another salutary effect upon the feelings and hearts of those who are interested. Old associations are revived, the treasured remembrances of the dead are called up, and the history of their virtues and excellencies freshened in the memory. Man is periodically reminded, too, that this is not his abiding place, that his stay upon earth is transient, and that in a few short years at most his survivors will be called upon to perform the same kind offices to his earthly remains.

In an ever active and bustling community like ours where the mind is continually employed in the multifarious pursuits and occupations of life, without one moment to devote uninterruptedly to the consideration of a future state, of the brief duration of the present existence, some solemn and deeply impressive ceremony is essentially requisite, to tear away for a time our thoughts from worldly cares, and yield them to meditations of a loftier and more spiritual character; to force upon us the humiliating lesson of mortality, and to wean us, if possible, from the absorbing attachments to earthly gains and possessions. [Be.]

THE NORTH AND THE SOUTH.

The following is an interesting sketch of the recent speech of Mr. Senator Preston, at a public meeting at Columbia, in reference to the Charleston and Cincinnati rail road, in which he took occasion to bear honorable testimony, from personal observation, to the character, the enterprise and public spirit of the north.

Mr. Preston, in his speech concerning the rail road, on Monday last drew a very striking contrast between the difference of character of the people of the northern and of the southern parts of the union, and the consequently opposite condition of the countries that they inhabit.

He said that no southern man can journey, (as he had lately done), through the northern states, and witness the prosperity, the industry, the public spirit, which they exhibit, the sedulous cultivation of all those arts by which life is rendered comfortable and respectable, without feelings of deep sadness and shame, as he remembers his own neglected and desolate home. There, no dwelling is to be seen abandoned, no farm uncultivated, no man idle, no waterfall, even, unemployed. Every person and every thing performs a part towards the grand result, and the whole land is covered with fertile fields, with manufactories, and canals, and rail roads, and public edifices, and towns and cities.

Along the route of the great New York canal, (that glorious monument of the glorious memory of De Witt Clinton), a canal, a rail road, and a turnpike, are to be seen in the width of perhaps a hundred yards, each of them crowded with travel, or overflowing with commerce. Throughout their course, lands that before their construction would scarcely command five dollars the acre, now sell for fifty, seventy-five or a hundred. Passing along it, you see no space of three miles without a town or village, and you are never out of the sound of a church bell.

We of the south are mistaken in the character of these people, when we think of them only as peddlers in horn flints and bark nutmegs. Their energy and enterprise are directed to all objects, great and small, within their reach. At the fall of a scanty rivulet, they set up their little manufactory of wooden buttons or combs; they plant a barren hill side with broom corn, and make it into brooms at the bottom—and on its top they erect a windmill. Thus, at a single spot you may see the air, the earth and the water, all working for them. But, at the same time, the ocean is whitened to its extremities with the sails of their ships, and the land is covered with their works of art and usefulness.

Massachusetts is perhaps the most flourishing of the northern states. Yet, of natural productions, she exports but two articles—granite and ice. Absolutely nothing but rock and ice! Every thing else of her commerce, from which she derives so much, is artificial—the work of her own hands.

All this is done, in a region with a bleak climate and sterile soil, by the energy and intelligence of the people. Each man knows that the public good is his individual advantage. The number of rail roads, and other modes of expeditions intercommunication, knits the whole country into a closely compacted mass, through which the productions of commerce and of the press, the comforts of life, and the means of knowledge, are universally diffused; while the close intercourse of travel and business makes all men neighbors, and promotes a common interest and common sympathy. In a community thus connected, a single flash of thought pervades the whole land, almost as rapidly as thought itself can fly. The population becomes, as it were, a single set of muscles, animated by one heart, and directed by a common sensorium.

How different the condition of things in the south! Here, the face of the country wears the aspect of premature old age and decay. No improvement is seen going on, nothing is done for posterity, no man thinks of any thing beyond the present moment. Our lands are yearly tasked to their utmost capacity of production, and, when exhausted, are abandoned for the youthful west. Because nature has been prodigal to us, we seem to think it unnecessary to do any thing for ourselves. The industry and skill that have converted the inclement and barren hills of New England into a garden, in the genial climate and fertile soil of the south, would create almost a paradise. Our natural advantages are among the greatest with which Providence has blessed mankind, but we lack the spirit to enjoy and improve them. The rich ore is beneath our feet, yet we dig not for it. The golden fruit hangs from the bough, and we lift not our hands to gather it. The cask of delicious liquor is before our eyes, but we are too lazy even to broach it. In thinking, in writing and in talking, we are equal to any people on the face of the earth; but we do nothing but think, write and talk.

HESSIAN FLY.

The annexed article relative to the habits and progress of this destructive insect, is from the pen of a gentleman in this vicinity, who carefully and minutely watched it through all its stages during the past year. We have reason to think it is a faithful narration of its history through all its stages and changes. He adverts to a probable remedy to destroy the insect before doing mischief to the young wheat, but that is in some degree conjectural. The individual who can introduce a certain and effectual remedy against the ravages of the fly, will indeed be a blessing to his species and a benefactor to his country. The subject is deserving great consideration and attention, and should awaken a spirit of inquiry among our agricultural friends at this season of leisure. [Bucks county Intelligencer.]

The fly itself is a small insect with long bluish wings, and may be seen hovering about over a wheat field in a warm day in the fall, after the wheat is up and has got into stooking—it then deposits its eggs, from one to five or six, on the lower leaf where it joins the stock. The eggs, when first laid, are about the size of a point of a pin and white; they grow until they become of the size and shape of a flax seed, when they change their color to a brown, and appear in shape and color of a flax

seed. While in the white state they appear to extract nourishment from the stock of wheat, from their wounding it, the eggs continue in the flax seed state in the stock at the junction of the lower leaf, until the next spring, and every stock that has an egg in it turns to a dark green and perishes before the next spring. In the spring, after the wheat begins to grow, no eggs can be found in the live wheat, but on examining, there will be found dead stools of wheat, and on taking these up you will find the egg at the root of the stool where it was deposited, appearing like a flax seed. When the weather becomes warm in the spring these eggs hatch, and the little creature crawls up out of the ground, and begins to lay eggs on the surviving wheat close to the stock on the lower leaf, where the egg remains, going through its changes until fall, when it comes out a fly again, and commences on the new sown wheat.

The fly will lay its egg in rye, but the rye stock grows strong and fast, and bursts open the husk leaf where the egg is laid and the egg falls out and perishes. It will lay its eggs in oats and timothy, but not to do much injury. This fly is a very different insect from the fly that has lately made its appearance in New England and New York state, or the Maryland fly—in both these last cases the fly lays its egg in the grain while in the milk state, and the worm eats the milk and meal out of the grain, but in no case has the grain been eaten by the Hessian fly or found in it—but all these flies may depredate in the same field in their own way. What is the remedy? It cannot be in applying anything to seed before sowing, as the fly lives on the root or near it, instead of the ear or grain. Even good tillage has failed this last season as well as late sowing—Will not lime do it if properly applied, as a very small portion of lime is a quick and certain death to many insects? A pint of quick lime mixed with 100 bushels of wheat will destroy every weevil in it, and if blown from a fan into a barn it will destroy or drive them all out.

Lime is a certain and quick death to flees, &c., and it is said that by sowing over the grain it will destroy the egg in the grain. Supposing a farmer when he found the fly was in his wheat depositing its eggs should sow half a bushel of lime while warm after slacking upon an acre, in a still morning while the dew is on—the lime being light and fine will spread and settle down on the leaves of the wheat, and reach the egg while in the soft and white state and most likely to destroy it. Where the stubble is full of the egg, by plowing deep in the fall or early in the spring, the egg will be buried so deep that it will perish. In the fall one or two frosts will destroy most of the fly, as late sowing has in some cases. BUCKS.

THE AMERICAN PRESS.

We find the following circular in the New York Observer.

CIRCULAR.

New York, Aug. 1, 1836.

SIR: A meeting of citizens has recently been held in this city, for the purpose of considering the present condition of the American press, the prospects of our country, as likely to be affected by its influence; and the practicability and expediency of establishing a national institution, on an extended scale, for the diffusion of knowledge, in connection with pure and salutary principles, similar in its structure and design to European societies for the same purpose. A committee was appointed at that meeting to draft a constitution for such a society, and to take measures to secure extensively the union and systematic co-operation of wise and good men in every section of our country, in furtherance of the principles and objects it is designed to promote. As that committee, we take the liberty of addressing you, respectfully inviting your attention to this subject, and your counsel and aid in the great work proposed.

It is universally acknowledged that the press is the most powerful agent now acting on the human mind. That our country is to be a field where its power will be pre-eminently exerted, is equally clear: the extensive circulation of newspapers, magazines and other publications of every description, is creating among our population a general habit of reading hitherto unparalleled in the history of nations; and it inevitably follows, that individual and national character will, in a great measure, be formed by the kind of publications which gain the most general circulation among us; and that consequently the destinies of our country, and its influence on other nations, will very much depend on the direction which may now be given to the press.

The principle, adopted by the committee, is, that the universal diffusion of knowledge, imbued with the spirit of Christianity, is indispensable for bringing any people to the full enjoyment of the best ci-

vil and social institutions. And that, in a country, whose institutions depend for their prosperity and stability, not on the arm of power, but solely on the elevating and conservative influence of a pure, enlightened and well regulated public mind, where the voice of the people is supreme law, the importance of diffusing information connected with sound and virtuous principles cannot be overrated. Intelligence and Christian principle constitute the palladium of American liberty.

Among the incidental advantages that may be expected to follow from the labors of this society, will be the increased attention it will naturally excite towards the cause of education. Already a deep interest throughout our land, in the subject of universal education, based upon the principles of the Bible, has begun to appear, and the importance of a more liberal and expansive provision for the wants of our rising population is imperatively felt. The mass of uncultivated minds rising up among us, of foreign as well as of native origin, indicates the necessity of some more adequate system for the mental and moral improvement of the community.

It is known that a large proportion of our juvenile population is coming forward with the rapidity of time, to exercise the rights and perform the duties of American citizens, without an adequate culture either of mind or heart. With multitudes of such characters about to exert their influence on the state of society, what can be expected, but that they will fill our cities and villages with crime, and our whole land with the evils and sorrows attending an ignorant, vicious and unprincipled population.

In some other countries less favored than ours, may be found a far more liberal and generous provision for the instruction of the people, than exists among us, if we take into view the whole extent of our territory and the aggregate of our population; and the committee feel convinced, that the most favored portions of our land, is below the standard which is requisite for the permanent prosperity of our republican institutions. To extend, therefore, the means of diffusing widely among our people, USEFUL KNOWLEDGE, the committee cannot but regard as an imperative duty devolving on every good citizen, as a patriot, philanthropist and Christian.

In view of such considerations, it is proposed to establish a NATIONAL INSTITUTION on the plan developed in the subjoined constitution, to which the committee particularly invite your attention. They also solicit your views of the principles it involves; your opinion of the probable reception, by the community at large of publications to be issued under such sanctions; and of the sympathy and co-operation, both of a literary and pecuniary nature, in your district of country, which such an enterprise may be likely to secure.

A more extended meeting, for the consideration of this subject, the adoption of the constitution, and the organization of the society, will be held at a future day. A reply to this communication, at the earliest possible period, with your observations on the general object, and the best means of promoting it, is particularly requested. We are, respectfully,

Stephen Van Rensselaer, John McVickar,
Albert Gallatin, Gorham D. Abbott,
Benjamin F. Butler, Peter G. Stuyvesant,
R. Hyde Walworth, John Knox,
W. B. Crosby, Samuel Ward,
Hugh Maxwell, Henry Cary,
S. V. S. Wilder, William A. Duer,
John A. Stevens, William Bard,
Gabriel P. Disosway, John Proudft,
Joseph Holdich, John T. Gilchrist,
J. Goodhue, A. P. Halsey,
A. W. Ives, Valentine Mott,
Leonard Woods, jr. John Griscom,
J. E. Cogswell, W. R. Williams,
W. A. Tomlinson, Timothy R. Green.

N. B. Answers to be directed to

JOHN McVICKAR, Columbia college, N. York, or
GORHAM D. ABBOTT, 20 Clinton Place, N. York.

DANIEL WEBSTER'S LECTURE.

Daniel Webster delivered the introductory lecture on Tuesday evening the 1st inst. before the Boston lyceum. The Odeon was crowded with auditors. The subject which he selected was one which his vigorous and philosophic mind was well calculated to grasp, involving some of the most important principles in political economy. He spoke of the wonderful process of popular knowledge in the present age—of the vast accession within a few years to the number of proficient in morals, politics, science, art and literature. He conceived that this hastened knowledge was not the result of a slow measured pace in the progress of society, but owing to some active causes, which have been in operation only a few years. The physical wants

of mankind which require the earliest attention, are food, raiment, shelter and fuel. These must be supplied before man has leisure to attend to the cultivation of his mind. In all civilized countries, particularly in this country, the thirst for knowledge is great and increasing—and must be ascribed to some great change and improvement in the mass of mankind. Food, shelter and clothing are objects of easier attainment than formerly—and it thus appears that the rapid progress of popular knowledge is caused by the increase of the comforts, and the ability to provide for the wants of the great mass of society.

He next inquired into the causes of this rapid improvement in the condition of mankind—and ascribed them to the successful application of science to art, or in other words to scientific art, which has been so extensively brought forward within a few years to aid the industry of man. Writers on political economy have generally considered that labor is the only productive source of wealth. Any augmentation of labor must of course increase in a corresponding degree the productions of the earth, and it has been the purpose of scientific art to create an active agency which may in a philosophical view be regarded as labor. It has sought to accomplish this work by bringing in the elements to assist in performing labors which were once executed solely by man—and in this way labor-saving machines or more properly speaking labor-doing machines have multiplied throughout the land. This work of machinery should be regarded in all senses as labor, as purely as if it was the work of slaves—with this difference, that the labor-saving machines are non-consumers, having no wants to supply.—Mr. Webster stated that the aggregate amount of labor executed by means of water or steam defied all calculation. The era of this successful application of science to art was commenced by Richard Arkwright and Robert Fulton. These two eminent men succeeded in bringing theory into practice—and by dint of their untiring perseverance and skill succeeded in producing results, which have been immensely beneficial to their respective countries and to mankind. From this period may be dated the commencement of increased zeal for popular knowledge. These mighty results have changed the face of society, and the mighty agency of which we have only seen the beginning and progress is the consequence of the application of science to art.

Mr. W. spoke of the salutary effect which this agency has produced on commerce and agriculture—and of the vast wealth which it added to countries where it was duly appreciated and encouraged—the earnings by the labor of this kind of machinery, in England alone, produced on exported manufactured articles, being estimated at \$30,000,000 a year. And this augmentation of the wealth and comfort of mankind is in its nature inclusive, embracing all conditions and reaching every station in society. It is beneficial to the rich and the poor—and generally far more beneficial to the poor man than to the rich. Its mighty consequences are seen in the improved condition of all classes—in their dwellings, in their modes of living and other comforts which add to their happiness.

Mr. Webster next adverted to the importance of wealth in carrying on large manufacturing establishments—and the necessity for partnerships of individuals for this purpose, under the restraints and protection of the laws. The tendency of these incorporated companies is not merely to amass property—but to diffuse it. And the present unexampled prosperity and happiness of New England may be attributed in a great measure to the diligent employment of our citizens. He also exposed in the most triumphant manner the popular fallacy, that capital is an enemy to labor—and showed that while aggregated wealth has for years been steadily employed in the application of science to art, the price of labor has been constantly increasing—and is now higher in this country, than has ever before been known—thus contradicting the favorite dogmas of the writers on political economy. Labor with us is free—and is constantly accumulating for all, owing to the enterprise of our citizens, and the skill with which capital is employed. In Europe, the laborer is always a laborer—but not so in New England. Here capital and labor are less distinctly divided. There is no class which owns all the capital, and another which owns all the labor. Industrious and sober young men, who are laborers to-day, may reasonably expect to become capitalists to-morrow.

Mr. Webster next entered into the inquiry of what effect this great accumulation of labor by means of scientific art, and the thirst of knowledge which is characteristic of the age in which we live, would have on the morals and religious feelings of mankind. He thought the effect produced must be

a good one. It was against the nature of man and the order of Providence, that increased knowledge should lead to vice—and accordingly it is found that no age, but this which is so strongly characterized for the diffusion of popular knowledge, has produced such great improvements in morals. We have moral teaching multiplied from our lecture rooms, from the pulpit and the mouths of admonishing friends—from the press and from nature, whose lecture room is the whole universe. The facilities for diffusing moral and religious instruction is now very great—and we already experience its effects in the progress of the temperance reform—the flourishing state of our Sunday schools, and other institutions. This increase of knowledge doubtless gives man a higher estimate of his religious relations. Within a few years, copies of the Bible have multiplied to a great extent—missions have gone forth into all parts of Christendom, and into pagan lands—large sums have been collected for the support of the clergy, and for the erection of houses of public worship—and various other circumstances show that piety keeps pace with the increasing knowledge of the people. And it is to be hoped that religion, virtue, benevolence and philanthropy will now and at all times, here and hereafter, attend the progress of popular knowledge.

It will be seen from the above brief and imperfect synopsis that Mr. Webster on this occasion selected a subject particularly suited to his extraordinary mental powers and habits of thinking. It was treated in a masterly manner and may be said to have been every way worthy of Daniel Webster.—There were probably more than two thousand persons present at the Odeon on this occasion, notwithstanding the inclemency of the weather.

[Boston Journal.]

DINNER TO GEN. GAINES.

Mobile, October 18th, 1836.

To maj. gen. E. P. Gaines, of the U. S. army:

The undersigned, members of a committee appointed at a meeting of their fellow citizens of Mobile, on the 24th day of March last, to offer you a public dinner for your distinguished services in the Seminole war, whilst you were allowed to conduct its operations, beg leave to tender you their friendly congratulations on your return to the bosom of your family, and to renew in behalf of our fellow citizens the assurance of their unabated regard and continuance of the high admiration and grateful sense of your services as a soldier in the cause of your country. Charged by the government of that country with the arduous and delicate trust of preserving the neutrality of the United States in the contest now waging between Mexico and Texas, in which the highest principles and the most sacred rights of man are involved, we cannot omit the opportunity which this occasion presents of making known to you our individual approbation of your military conduct, and of the high admiration with which the public is still impressed of your distinguished services in the Florida campaign, notwithstanding the many efforts which have been made to disparage your conduct both in Florida and upon the western frontier.

To the invitation which we had the honor to extend to you in the name of the people of this city, to whose freedom and hospitalities you were welcomed with so much enthusiasm, you replied that your public duties required you to postpone the acceptance to some future time. The undersigned are happy that your presence in this city now affords them the opportunity of renewing that invitation and respectfully request that you will appoint such day as may be most agreeable to you to meet your fellow citizens of Mobile round the festive board. We beg you to accept the assurances of our individual regard and high personal esteem.

JOHN F. EVERITT, JOS. BATES, JR.
F. S. BLOUNT, SAM'L A. ROBERTS,
Geo. WALTON, JOHN MILTON,
W. JEFFERSON JONES, committee.

Mobile, Oct. 25, 1836.

GENTLEMEN: I should sooner have attended to the kind and cordial welcome with which you have honored my return to this place, had not the dangerous illness of my beloved wife required my constant attention near her. The distressing malady with which her life has been threatened during the last two weeks, though now apparently yielding in some degree to the judicious treatment of her physician, aided by the present season of health, with the mild and meliorating climate of Mobile, still requires my constant attention; inasmuch as to oblige me to deny myself the pleasure which I had fondly anticipated, of meeting my fellow citizens of Mobile at a public dinner to which they were pleased, through you, to invite me on my return from Florida, and to renew the invitation on the 18th inst.

I owe to the citizens of Mobile a debt of gratitude which no time, nor any change of circumstances can ever cancel, for the honors they have conferred on me, in the "freedom of the city," as well as in the prompt and efficient measures which they have taken to repel the lawless efforts of a band of political gladiators, influenced by the spirit of party, to misrepresent my conduct; because, owning as I do, allegiance to the United States, I disdain to pay homage to an intolerant party.

Hundreds of irresponsible and anonymous pens have been employed against me, to misrepresent my conduct:—First, in my campaign to East Florida—and secondly, in my recent measures to maintain the neutrality of our country, and protect from the perils of an exterminating war among our ferocious red and white neighbors of the west, the most vital, and the most vulnerable section of our national frontier.

I was first charged with disobedience of orders, and neglect of duty, in not having shut my eyes against the outbreak of war and devastation upon the frontier of East Florida, within the known limits of my department; and in having attempted to afford protection to the exposed and bleeding citizens of that frontier, who had been authorised to look to me as their protector; and in not abandoning my command to an officer far distant from me. I was thus charged by persons supposed to have some claim to military knowledge, notwithstanding they knew full well that every official act of mine in East Florida took place before the officer appointed to relieve me, had found his way to the theatre of war in Florida, within the limits of my department; the only place at which I could, upon any sound principle of military law, or without dishonor to myself and the army, have abandoned my command, or suffered myself to be relieved by a junior, or any other officer, until after I had subdued the enemy; which I had the happiness to accomplish, thanks to the chivalry of the officers and men, Louisiana volunteers and regulars, who accompanied me. This is in sober truth, the full extent of my offending in Florida, if indeed I committed offence. In this view of the subject, I feel convinced that I have said nothing more than will, whenever required by the proper authorities, be established by the concurrent testimony of every intelligent officer and soldier who served with me in Florida, and who had the means of knowing the facts connected with my measures and conduct.

My calumniators have principally, as far as I can learn, abandoned their first charges, mortified and ashamed that they ever had the weakness to array them against me; as no intelligent soldier or citizen can be found base enough to assert that it was not as much my bounden duty promptly to collect force, and fly to the rescue of the suffering pioneers of the wilderness, authorised to rely on me as their protector, though residing out of the reach of my eye, as if they had been the most fashionable of my calumniators, and living within my sight, even if it had exposed me and my young warriors to the sad dilemma of being a little hungry, or even of being quite without rations for a few days. He who enters the military service of his country, must have spent his time at school most unprofitably if he has not learned that occasional privation of food and comfort, can seldom fail to attend the labors of an active campaign; and more especially when in conflict with a savage foe.

The degrading and afflictive scenes which followed my campaign in East Florida, need no comment from me. They cannot fail to receive the attention of the people of the United States, through their public functionaries, whenever the turmoil of party struggles shall subside.

I take great pleasure in the belief that the Tennessee and Florida volunteers, aided by the few regulars now in Florida, will speedily terminate the war; and that no vain or visionary votary of European plans, will again be found to renew its horrors.

If in my humble efforts to preserve the south western frontier from the heart-rending scenes of savage war and desolation, such as have covered Florida with deep mourning—and such as must penetrate the heart and awaken the sensibilities and sympathies of every patriot of our country, I have incurred the censure of a high public functionary placed over me, I have the satisfaction to know that I have acted in strict obedience to the law of the land prescribing the oath which I have taken, and in obedience to which I have probably seen as much hard service as any man in the United States now living—an oath which requires me to bear true faith and allegiance to the United States of America, and to serve them honestly and faithfully against their enemies or opposers whomsoever, and to observe and obey the orders of the president of the United States, and the orders of the officers appoint-

ed over me, according to the rules and articles of war.

I have been actuated by the same zeal in my efforts to protect the people of the western frontier, as that with which I was animated and sustained 21 years past, in the protection of the people of the great and magnanimous state of New York.

I was aware that my measures and my plan of operations, were unfashionable and unpopular, because they were drawn from the experience of such men as Washington, and Wayne, and Shelby, and G. R. Clark, and Adair, and Campbell, and Sevier, Robertson, Coffee, &c. &c. and not from the splendid systems of Napoleon, which, though admirable in Europe, during the last, and a few years of the present century, are wholly inapplicable to our purposes at the present time—more especially for our operations against Indians. My plans were, as they had long been, predicated upon the supposition that whenever there is good reason to calculate on a war with a savage foe, it is proper instantly to place between the red man and the white man an effective force—and thus to commence the work of protection, if possible before the work of desolation shall have begun. By this means protection is afforded to the living citizens, rather than, as in Florida, to the ashes of the slain. This is what I deem to be that protection which the constitution of the United States guarantees to all the people of the United States.

I am well aware that if by this kind of protection, the frontier is preserved from attack, there will always be found in our beloved land of freedom, managers of elections, and other interested men, ready and willing to swear there was no danger.

For example, suppose I had a year ago proclaimed that the people of East Florida could not be protected without two battalions being added to the slender force then scattered over the extensive frontier of that territory, separated by a wilderness of near twenty thousand square miles in extent; I should have been deemed crazy—at least by those who were unwilling to incur the expense or trouble of an occasional military movement, until the progress of the war leaves little or nothing to protect but an extended ruin—a howling wilderness! Or, if I had failed to fly to the assistance of the frontier, after hearing of the murders of December last, is it not more than probable that the persons who have been pleased to censure me, would have felt themselves equally authorised to disapprove and censure my omission?

I will only add that, if I did not hold myself always ready to risk my popularity, and my life in the honest discharge of my duty in the national defence, I should feel that I was unworthy the trust reposed in me, and unworthy of being a citizen of the United States, or a citizen of Virginia, of Tennessee, or of Mobile.

I am happy to have it in my power to inform you that my health has never been better than it has been during the last five months. I was afflicted with a bad cold for a few days during the early part of May, but I have never been confined to my tent, or to a room, five days, by sickness of any kind during the last ten years. And it was a mistake, unintentional, I am sure, that I have ever applied for a furlough to visit any springs for the benefit of my own health. I did apply for permission to accompany my wife to the springs, when I believed the frontier to be in no danger. Your friend and fellow citizen,

EDMUND P. GAINES.

To Messrs. Jno. F. Everett, F. S. Blount, George Walton, W. Jefferson Jones, Jos. Bates, jr. Sam'l A. Roberts, and John Milton, committee, &c. &c. Mobile.

"REFORM OR REVOLUTION" IN MARYLAND.

From the Maryland Republican of Saturday, 12th inst. CORRESPONDENCE.

The following correspondence between John S. Sellman, esq. one of the electors of senate for Anne Arundel county, and the other electors who were attending the college of electors at the period, was handed us for publication on Friday evening, too late to enable us to get it in our Saturday's publication—though in attempting to do so, we lost the opportunity of mailing that publication to our subscribers by the Washington mail of Friday night, which closed before we got them through the press. To gratify public curiosity, we anticipate our next publication, without waiting to make a single comment.

Annapolis, Oct. 29, 1836.

GENTLEMEN: Having qualified as an elector of the senate of Maryland, and expressed my willingness to attend the electoral college, whenever my presence might be required, I take the liberty of addressing you on the all important subject of the election of a senate. It is needless to refer to the

past. The present situation of things is what I look at. From the position that parties have assumed, it is in my opinion worse than useless even to anticipate the election of a senate without a compromise of conflicting interests. The intention of this letter is most respectfully to inquire of the members of the college who are in attendance at the seat of government, whether any compromise will be offered; and if any, what is its character and the principles on which it is based.

Sincerely anxious that a senate may be elected on the grounds of an honorable compromise, whereby the honest fears and anticipations of the community may be tranquillized, I have deemed it a sacred duty I owe to a confiding people to make one more exertion to promote so desirable an object. I know of no means so well calculated as a free interchange of sentiment. In this matter I act on my sole responsibility—but with an intention of submitting my conduct to the supervision of my constituents—I therefore neither make a confidential communication—nor expect a confidential answer. Hoping from the bottom of my soul that all our state difficulties may be amicably arranged, and the great body of our constituents may be gratified, I remain, most respectfully, gentlemen, your obedient servant,

JOHN S. SELLMAN.

To Messrs. Leigh, Dalrymple, Pratt and Beall.

Senate chamber, Annapolis, Oct. 29, 1836.

To John S. Sellman, esq.

SIR: We have received your letter of this date, and although we regret that you should have adopted this mode of communication rather than a personal interview, which those of the undersigned to whom that letter is addressed were led to anticipate from their conversation with you on yesterday, we are yet not indisposed to meet you in the spirit which we are inclined to believe mutually actuates us in the discharge of our duty as electors.

It must be unnecessary to say that we are as sincerely desirous of restoring tranquillity to the state as you can be, and we assure you that there is nothing which we would not be willing to do to accomplish that object, consistently with our sense of duty and principle. In the conversation held with you last evening we distinctly understood you to disclaim all party views in desiring the information, which you then informed us you intended to ask at our hands. We were pleased to learn from you that you intended to meet us this morning with the sole view of consulting with us for the advantage of the state, and of asking of us our opinions and the opinions of our colleagues, in regard to the election of a senate favorable to constitutional reform. We stated to you in the conversation referred to, that we not only recognized your right to participate in our deliberations, but that we should be gratified to have the benefit of your opinions and advice.

We also understood you to say that you had no propositions to make, but that you desired to know from us whether a senate would be elected favorable to constitutional reform, because you believed that information upon this subject might have the effect to induce the attendance of a sufficient number of the electors to form a senate.

We now have pleasure in informing you that in our opinion (should the required electoral quorum be obtained), a senate will be elected favorable to constitutional reform, and that such would have been the case at any time since the period fixed by the constitution for the meeting of the college.

We are convinced that upon this subject we correctly state the opinions and intentions of our colleagues not only from personal conferences with them, but also from their views expressed in the address of the twenty-one electors, to the people of Maryland, as published in September last.

In conclusion we cannot refrain from expressing the hope and expectation that you will now join us in the meetings of the college, and co-operate with us in our efforts to save the state from the dangers which unhappily threaten her. With respectful consideration, we are your ob't serv'ts,

THOMAS G. PRATT,
GEORGE S. LEIGH,
RICH'D BEALL,
JAS. A. D. DALRYMPLE,
SAMUEL J. K. HANDY,
GEORGE DUDLEY,

Annapolis, Oct. 31, 1836.

GENTLEMEN: I acknowledge the receipt of your letter of the 29th inst. in reply to mine of the same date, and have to express my unfeigned regret that an answer was not tendered in the same spirit in which my communication was worded. I deem it an act of justice to myself, to state that the meeting alluded to in your letter, was purely accidental, and that the conversation between us was regarded by myself as frank and unreserved. As a reference,

however, has been made to it in the shape of a detailed statement, I beg leave to say, that the impression left on my mind, differs in some respect from the account of it in your letter. I did state that I was not authorized to make any propositions, but that I was anxious to know whether any compromise was contemplated—because, if any was contemplated, I might be the means of communicating it to the other eighteen gentlemen, as I was certain it would receive from them the most respectful consideration. I expressed no belief that they would attend, only my hope that under certain circumstances they would do so. It is true that a wish was expressed and acceded to, that I would meet you again on the following day, but on consideration I thought a respectful communication in writing would be better and more suited to the importance of the subject, and I therefore adopted that course, with the propriety of which I am fully satisfied. I did state that I was not influenced by party views in the adjustment of this question—the statement I again reiterate, but I am certain that I made no disclaimer in reference to any information that I might seek at your hands, because I know I have too much self-respect and regard for my own character, to seek any thing at the hands of political opponents, which could, by the most fastidious, be construed into a breach of honor, or dereliction of duty. Whatever, gentlemen, you may be inclined to believe actuated me in the discharge of my duty as an elector, I can only say I am actuated by a single and sincere desire to give stability to our institutions, to inspire a just confidence in the people, that a reasonable and satisfactory reform will be obtained, so that this great and vital question may be speedily, honorably and amicably arranged. But to produce this desirable result, I say in the spirit of candor, and under the highest obligation of duty, that it is my solemn conviction, that no electoral quorum will ever be obtained, unless some stronger assurance than that of constitutional reform, unaccompanied with a statement of what is intended to be reform, is made. The term in itself is vague and indefinite—by some it might be regarded as a restriction on the right of suffrage, while by others it might be construed as giving a representation according to population.

My temporary residence in Annapolis is entirely owing to domestic considerations. Private business will more or less occupy my attention every day, during the short time that I shall remain. Having failed, I fear, in the great object that I have so much at heart, I can see no advantage in availing myself of your polite invitation, of joining you in the meetings of the college. I remain, gentlemen, most respectfully, your obedient servant,

JOHN S. SELLMAN.

To Messrs. Beall, Handy, Dudley, Pratt, Leigh and Dalrymple.

Senate chamber, Annapolis, Nov. 2, 1836.

To John S. Sellman, esq. member of the electoral college:

SIR: We should have deemed an answer to your letter of the 31st ultimo, unnecessary, except that you appear to misapprehend both the meaning of our letter, to which yours is a reply, and the spirit with which it was written. We have not been, and we beg to assure you, that we are incapable of being "fastidious" in our consideration, or action upon a question of such momentous importance, as the one which has been the subject of our correspondence.

We think we have evinced in our reply to yours of the 29th ultimo, a temper altogether conciliatory, and a disposition to say and do every thing, consistently with our sense of duty, to remove the unhappy and calamitous position in which the government of our state now stands. Such, at any rate, has been the only spirit which has actuated us in our personal intercourse and written correspondence with you.

It is unnecessary to cavil about the relative correctness of our recollections of the conversations referred to in this correspondence. In your letter of the 29th ultimo, you say that "from the position that parties have assumed, it is, in my opinion, worse than useless, even to anticipate the election of a senate without a compromise of conflicting interests," and in yours of the 31st ultimo, you say "I did state that I was not influenced by party views in the adjustment of this question, the statement I again reiterate, but I am certain I made no disclaimer in reference to any information that I might seek at your hands." We were unwilling to believe, that you intended in speaking of a compromise of conflicting interests, to refer to party interests, or that you could suppose it possible that we could have any intention to elect to the senate persons entertaining sentiments in regard to general politics, adverse to those of the party by which we were elected.—

As we are now forced by a review of your two letters to a different conclusion, we at once without concealment, and at the same time with perfect respect, inform you that such a proposition can never be made by us, or entertained by us, if intended to be made by you. The same proposition was made by the 19 electors as appeared by their communication to the public in September last. It never would have been concurred in by the 21 electors and we candidly believe does not receive the sanction of the reflecting portion of the party to which you are attached. We sincerely regret that you still are of the opinion that "no electoral quorum will ever be obtained unless some stronger assurance than that of constitutional reform, unaccompanied with a statement of what is intended to be reformed, is made." We had indulged the hope that our assurance that a state government would at all times have been formed, and that such a senate would still be elected, if an electoral quorum should attend, would have been entirely satisfactory. We confidently believe that the impossibility of our specifying the particular features of reform which would be deemed proper by the senate to be elected by us, would be apparent to yourself and to the whole people of the state. You are aware, every man in Maryland must be aware, that no such specification could be made without assuming to ourselves the authority of forming the constitution of the state according to our views of propriety, so far at least as the action of one branch of the legislature is connected therewith, a purpose altogether foreign to that for which we were elected, and the exercise of which would, in our opinion, involve a direct violation of our official duty. We did suppose that you and those who think with you upon this subject, would not only have been willing, but would have seen the absolute necessity of leaving the adjustment of the details of the conflicting views of the different portions of the state, to the body by which the work is to be done.

When we speak of reform, we do not mean to "hold the word of promise to the ear and break it to the hope;" we are ready to elect for senators, men whose sentiments, high moral worth and intelligence shall be a guarantee of their entire willingness and ability to gratify the wants of the people of Maryland in regard to reform, whenever those wants shall be properly ascertained and made known to the legislature. We have never disguised this purpose.

In conclusion therefore permit us to say that we still hope that our expectations of producing a happy result will not be disappointed, and that after all that has passed you will not withhold from us your assistance in our efforts to arrest the impending evils, because we feel the impossibility of settling in advance the many and conflicting questions, which can only be adjusted by future concessions and compromise through wise and deliberate legislation. We have the honor to be your obedient servants,

GEORGE S. LEIGH,
SAMUEL J. K. HANDY,
RICHARD BEALL,
GEORGE DUDLEY,
THOS. G. PRATT.

Mr. Linthicum, of Anne Arundel county, another of the recusants, has addressed the following to the electors with whom he united in their refusal to enter the electoral college. Should another of the recusants resolve to enter the college, the constitutional majority (24) will be complete, and a senate elected before the meeting of the legislature called by the governor's proclamation on Monday next.

Elk Ridge, Nov. 12th, 1836.

To Messrs. McGill, Wason, Quinn, Fisher, Ellicott, Bell, Vansant, Harwood, Hope, Sutton, Keene, Fountain, Evans, G. A. Thomas, Duvall, J. B. Thomas and George.

GENTLEMEN: Believing that the course we adopted in seceding from the electoral college was expressive of the wishes of a majority of the people of Maryland, but not having been sustained by that majority, and being at all times willing to submit to the will of the people, I have determined to obey this will as expressed by the votes of the November election, and shall repair to Annapolis on Friday, the 18th inst. and on the 19th qualify as an elector of the senate, and I invite you to meet me there, for the purpose of joining in making a quorum.

I am, with much respect, your ob'd serv't,

WESLEY LINTHICUM.

On Wednesday last a meeting was held in Baltimore of the persons chosen to the extending convention, which is to convene at Annapolis on Monday next. All that has transpired as to the design of this preliminary meeting is stated in the following circular. The words in brackets were erased in the original circular.

"SIR: The undersigned, nominated [appointed] delegates to a convention proposed to be held at Annapolis, on the 21st of November having had a conference with each other, are of opinion that under the present circumstances, that convention would have no power to act as a convention of the people, but that they recommend that a meeting [convention] of the friends of reform, should be held, [at the above mentioned day and place] composed of those persons who have been appointed by the friends of the cause in the several counties of the state on the 7th inst. In order, therefore, to have a free conference as to the best mode of forwarding the cause, they respectfully propose a [preliminary] meeting in Baltimore, on Wednesday next [Saturday] 19th [18th] inst. at ten o'clock, to which they invite you and hope you will concur with them in the propriety of the measure.

(Signed)

B. C. HOWARD,
WM. KREBS,
ROBT. HOWARD.
A. CONSTABLE,
WM. F. GILES.

Baltimore, Nov. 11, 1836.

To —

Meeting in St. Mary's county.

At a meeting of the citizens of Saint Mary's county, held at the court house, in Leonard Town, on Tuesday the 8th November, agreeably to notice previously given, the following proceedings were had:

The meeting was called to order by Wm. J. Blakistone. Peter Gough, esq. was unanimously appointed chairman, and William Coad, esq. secretary. Wm. J. Blakistone presented a series of resolutions, accompanied by an address. H. G. S. Key followed next, moving a preamble and resolutions as a substitute. Judge Dorsey addressed the chair, and presented several propositions. John M. S. Causin also addressed the meeting and presented several propositions. George S. Leigh and Benedict J. Heard, esqrs. made some explanatory remarks.

The several propositions were then referred to a committee of five, consisting of Messrs. H. G. S. Key, Richard Thomas, William J. Blakistone, Richard H. Miles and John M. S. Causin, who unanimously reported the following resolutions to the meeting, all of which being considered by the meeting, were unanimously adopted.

Resolved, That this meeting deeply regret the course pursued by the nineteen recalcitrant electors of the senate of Maryland, who were elected for the performance of a specific duty, which duty they have refused to perform.

Resolved, That this meeting respectfully request the said electors to retrace their steps, and unite in the election of a senate, as in the opinion of this meeting it is their duty to do.

Resolved, That this meeting approve the course pursued by the twenty-one electors in proceeding to qualify, in conformity with the constitution, and continuing to keep the college open awaiting the decision of public opinion.

Resolved, That this meeting are ready and willing to meet their fellow citizens of the several counties and cities of this state, in a spirit of friendly compromise upon the subject of state reform, in the mode prescribed by the constitution.

Wm. J. Blakistone submitted the following order, which was unanimously adopted:

Ordered, That the proceedings of this meeting be signed by the chairman and secretary, and published in the several newspapers in this state, and in the National Intelligencer and the Globe.

PETER GOUGH, chairman.

WILLIAM COAD, secretary.

MR. BRECKINRIDGE'S LETTER TO DR. WARDLAW.

Soon after the discussion, at Glasgow, between the rev. R. J. Breckinridge and George Thompson, a meeting of the Glasgow Emancipation society was held, at which resolutions were adopted, approving of Mr. Thompson's course, arguments, &c. and in no modest terms condemning America, including her clergy and institutions. Dr. Wardlaw made himself prominent at this meeting by a speech, which called forth the following letter from Mr. Breckinridge. It will be read with interest. We have seldom seen a better specimen of a man foiling his antagonist with his own weapons. In every point of view, we think Mr. Breckinridge has well and nobly vindicated his country, and acquired new honor for himself.

[Philadelphia Press.

To the rev. Ralph Wardlaw, D. D. of Glasgow:

SIR: I observed in the London Patriot, of last week, an abstract of the proceedings of the Glas-

gow Emancipation society on the first of this month, at a public meeting held "for the purpose of expressing the sentiments of the society in reference to the recent discussion on American slavery, between the rev. R. J. Breckinridge and Mr. George Thompson." The greater portion of the report before me is occupied with a speech made by you on that occasion, in proposing to the meeting the following resolution, viz: "That, in the deliberate judgment of this meeting, the wish announced by Mr. George Thompson, to meet publicly any antagonist, especially any minister of the gospel from the United States on the subject of American slavery, or on any one of the branches of that subject, was dictated by a well-founded consciousness of the integrity of his purpose, and assurance of the correctness of his facts; and that the recent discussion in this city between him and the rev. R. J. Breckinridge, of Baltimore, has left, not merely unshaken, but confirmed and augmented, their confidence in the rectitude of his principles, the purity of his motives, the propriety of his measures, the fidelity of his statements, and the straightforward honesty and undaunted intrepidity of his zeal." This motion was seconded by the venerable and respected Dr. Kidstone, whose speech on the occasion is but briefly reported. Other resolutions, some of similar import, some of a general character, were offered and seconded by Dr. Heugh, and Messrs. Eadie, King, McLaren and Kettle. But, above all, the proceedings bear the signature of Robert Grahame, of Whitehill, whose venerable name is dear to every good man.

These proceedings, sir, have relieved me from a state of great and painful anxiety, as to the view my countrymen might take of the propriety of my taking any notice, more or less, of Mr. George Thompson. For, while nothing is further from my purpose than to wound the feelings of any friend of that individual, it is necessary to say that, in America, every one who is not an abolitionist, or, in other words, ninety-nine hundredths of the people, consider him not only unworthy of credit, but unworthy of notice. At length, I have a tangible proof by which to make my countrymen feel that persons of the utmost respectability, excellence, and piety in Britain, not only concur in all the principles and proceedings, but partake of all the prejudices and ignorance of this individual, and openly defend his flagitious course.

From this day forth, I deem myself fully acquitted on the only part of the subject which filled me with personal anxiety. For although you have not hesitated to speak in terms sufficiently disparaging of my humble efforts to defend this truth, yet, as you have given no reasons for the judgment you have delivered, those who read for themselves may escape the influence even of your authority; and as you have been pleased to decide on the whole merits of the case, as well as on the merits of the parties involved in it, I escape, of course, from the whole blame of having damaged the truth by feeble advocacy.

In this state of the case, it cannot surprise you that I turn with delight from those who have hitherto assailed me, and address myself to you; that I avail myself of the right arising from your free and repeated use of my name, and your judgments both upon my character and acts, to speak freely in return. Let us not forget the miserable trifling of Mr. Robert Bernard Hall. Let us pass over poor Moses Roper, who, it is but just to say, has written the most modest and sensible attack yet made on me. Let us even be moderate, in having absolutely silenced the garrulity of Mr. Thompson, who begs in his last note, which has just reached me in the Patriot of the 17th instant, I have that to say which you have not only invited, but challenged me to utter, and to which I ask your serious regard.

I have manifested my deference to the judgment of a Christian people, by discussing at its bar, questions purely national and personal, into which, under erroneous pretexts, they had interfered in a manner the most vexatious. I believed they were in great error; I presumed they were sincerely disposed to do good; I knew they were really doing us, and themselves, and the world harm; and challenged and forced into the matter, I have discussed it on its mere merits, admitting you and your people to be all you profess to be, and only endeavoring to prove that we were not as evil as you made us out. So far as you and those who can influence are concerned, you have declared that you remain more firmly than ever settled in your harsh judgments of us, and your fixed purpose to follow out all your offensive courses. Nay, you plainly declare that, rather than alter a tittle of your conduct, principles, opinions or demands on this subject, you prefer that all fellowship between us and you should terminate. That argument and conclusion,

then, being complete and final, we need say no more. I am content to wait and see whether the American people will, at your suggestion, change their national constitution; or whether, in the event of the adequate majority for that purpose not being attainable, they will, at the inference of your argument, break up the confederacy, to regain your good opinion.

There is, as I have said, quite another view of the whole case. You say, in the course of your speech, "if our American brethren saw any thing in us which they thought, and justly thought, was an evil of sufficient magnitude to induce their kind offices for its suppression, we ought to feel obliged by their using their endeavors to stir us up to a due consideration of it, and to practical efforts for its removal." And in the context you are somewhat pointed in enforcing this idea, as containing in it a great rule of duty. In general, we have considered the ill-doing of this delicate office more hurtful than its omission. In particular, it has appeared to us as a pretext liable to infinite abuse, and practically resorted to most by those who had least ground and least right to display it. But, sir, I can hardly, either in faithfulness or honor, abstain any longer from its use. And the main object of this communication is to point out, in the actual condition of considerable portions of the British empire, evils, which really are, or which your party has declared to be, of so palpable and so monstrous a description, that decency would seem to require you to repress them, or be very modest in rebuking others while they exist.

1. To come at once to the grand cause of outcry against us—the unhappy and indefensible existence of slavery in many of the states. Will you be so good as to turn your eyes to the map of Africa, and fix them on a spot longer than half of western Europe? At its southern extremity find Cape Town. Then find the speech of Dr. Phillip, delivered in Exeter Hall ten days after you delivered yours. In that town and neighborhood are 9,000 British slaves!! Scattered over that vast peninsula are many thousand more of British slaves!! And yet the ear of day is dull with being told that, in the British empire, there were no slaves; and the very speech that has elicited these remarks was made at a meeting on the anniversary devoted to a glorious fact that never occurred, namely, "slave emancipation in the British colonies."

2. Turn, now, I pray you, to the map of Asia, and find the vast dominions which God has lent you there, embracing a population of one hundred and thirty millions of souls. Then look over a file of papers, and read a conversation that occurred in the commons house of parliament, but a short time back, between the honorable Mr. Buxton and sir J. Hobhouse, on the subject of British slavery in India!! There you will find it admitted that "domestic slavery prevails to a great extent" in India, "especially in Bengal." There you will find proof that no direct effort was ever made to abolish it, and reasons urged by the government why it cannot now be abolished, and why treaties now existing seem to render its future abolition impossible!

3. Turn your attention, next, to the western side of the Atlantic ocean, and see nearly a million of apprentices in the West India islands; and then remember what you have yourself said and written on the subject of this system; and call to mind the innumerable declarations made weekly, up and down the country, by those who belong to your party, and who, (at the Houdsworth Anti-Slavery society, on the 3d of this month) denounced it "as aggravated slavery, under the delusive name of apprenticeship," and denounce every "proposal of government" as only calculated to excite suspicion.

Do I draw an inference at all strained when I say that the subjects of a monarch, whose dominions in three quarters of the globe are, by their own showing, and by irrefragable proofs, covered with slaves, should deal somewhat gently with other nations who may chance to be in the same unhappy condition? Do I say too much when I caution such people to be more guarded in boastful assertions, which are contradicted by the fact and the record of the case? Do I give needless offence when I beg you to remember that your parliament is omnipotent over this subject, and is therefore responsible for all the evils which exist, either through their negligence or by their consent? Alas, sir, it is an ancient habit, to be bitter against our brother for a mote, when a beam is in our own eye.

But I have more to add. We have been spoken against with great severity for neglect of the spiritual welfare of the colored population of the U. States; and you have, in an unhappy hour, said you believed and approved these hard sayings. I have in vain denied; in vain disproved them. My

object now is, to show the condition of the country whose people bring and credit them, still keeping the line of duty indicated by your suggestion.

4. Let me beg you, then, to look at the condition of Lower Canada, where the Roman Catholic religion is established by treaty and by law, where annual grants of public money are made to support it, and where it has had free course, until the people are so ignorant that by statute law the grand jurors and the school commissioners are allowed the privilege of making their marks instead of signing their names, and where, according to the belief of the whole universe, except Papists, a system of idolatrous worship is guaranteed by the power of the British realm.

5. Then look over the votes in the committee of supply in the present parliament, and you will see £3,928 "for the Roman Catholic college at Maynooth," (which is just about the sum the vilified Americans pay annually to promote the religion of Jesus Christ in Western Africa, through the Colonization society), and I ask you as a Christian, to resolve the questions, which of these enterprises you deem most injurious to true religion? which you and your party have most actively opposed? and which is most under your eye and control? Heaven and earth are moved to prevent the spread of the gospel in Africa, through the Colonization society; and not a whisper is heard to prevent the increase of idolatry in your own land, through governmental patronage.

6. But a more frightful case remains. Remember that you have one hundred millions of heathen alone in your Indian possessions; then read the noble speech of the rev. W. Campbell, a missionary from Bangalore, delivered at Exeter hall, at the last annual meeting of the London Missionary society. There, sir, you will find positive proof that the horrid system of Hindoo idolatry, in all its cruelty and corruption, is upheld, partaken of, and made a source of gain by the British authorities in India! Temples are supported by the government; priests and dancing women are paid a monthly allowance out of the public revenue; magistrates are present and aiding officially at their brutal ceremonies; military officers do their peculiar honors to the abominable thing; and British functionaries collect the wages of iniquity. And now, sir, what can the eagerness of party zeal find, in all its false allegations against us, equal to the naked deformity of these facts?

7. But pass again to another portion of your wide empire. In multitudes of publications I have seen our alleged neglect of the religious instruction of the colored population of America made the basis of insinuations against the sincerity of our religious profession. If you will read the speech of Dr. Phillip, already alluded to, you will find the following sentence: "Boteman, a Caffre chief, and others, have been petitioning me for missionaries, by every messenger through whom they could convey to me a verbal communication, for the last twelve years; and I have not yet been able to send them one." Gracious heaven! what an account will the twenty thousand Protestant ministers of Great Britain have to render for the souls of these poor Caffres, whom so many of them have forgotten, to abuse their brethren in America for neglecting a population amongst whom a larger proportion hear the gospel, than of the inhabitants of the capital of the British empire.

Let us look at London, the seat of your wealth, power and civilization; the abode of your sovereign; the seat of your parliament; the see of a bishop, whose income would support a hundred missionaries. Listen to what the bishop says of so much of his diocese as is contained in the metropolis. "There are," says he, "thirty-four parishes, containing above 10,000 souls each, (omitting all notice of those which contain less), and in the aggregate 1,137,000 souls: but there is church room for only 101,682—less than one-tenth of the whole! Allow one church for every 3,000 souls, and 379 churches would be required; while in fact there are but 69: or if consecrated chapels be added, only 100." That is, above 1,000,000 souls in a single city, and that city the seat of your glory, utterly unprovided for by the nation and the established church.—Now, if we should add what is done by dissenters of all classes, and add also the destitute of the small parishes, the result might be varied a little; but still, make the best of it you can, and you are left with more people destitute of the means of grace in London alone, than in all the United States! If you doubt these statements of the lord bishop of London, consult the proceedings of the last annual meeting of the city missions; and then ponder whether the hundreds of pounds squandered on Mr. Thompson's trip to the United States, and in printing his slanders of that country, and the ad-

ditional hundreds which I see Dr. Heugh urged the people of Glasgow to give him by way of "testimonial fund," might not have been fully as well laid out in sending the gospel to the British capital?

8. Besides, the accusations now made your own, on the general subjects of slavery in itself considered, and neglect of the religious instruction of the natives—the remaining charges which we have been arraigned upon—may, to a certain extent, fall under the general head of severity, injustice and deep-rooted prejudice against the blacks.—These things may be true, or they may be false. The statements and evidence on both sides are in reach of the public. You have vouched for their truth, and it is not now my design to show the contrary, but to show who they are that are so ready to magnify real errors, and to allege false crimes upon their neighbors.

9. Pray, sir, were you ever in Ireland? If you were, you saw a land fertile and beautiful; a people handsome, intelligent and active; a climate more genial than any other in so high a northern latitude; in short, every thing that should make its teeming population rich, happy and powerful. I was there; I saw hundreds of people who had no fixed abodes. I saw the majority of the houses of the lower classes to be worse than the stables and cowhouses in England; I saw thousands in rags; hundreds naked; and hundreds more naked, except a piece of a single old garment. I looked at the third report on the expediency of a poor law for Ireland, made by order of parliament, and I found that 2,835,000 souls are out of work, have nothing to depend on, and are in distress for thirty weeks every year. It is a settled, indisputable truth, that one-third of the Irish people beg their bread two-thirds of every year. And yet enormous quantities of grain and live stock, and all sorts of provisions, are exported from Ireland. And yet, in defiance of all this tremendous, long-continued and periodical suffering, there is no poor law, nor any sort of general provision by law, for the poor of that island. But there are forty-nine regiments of horse and foot, and a constabulary force of about equal magnitude, ready to stay the people's stomachs with lead at night and steel in the morning. This is the happy consummation of six hundred years of British authority! And how can you, sir, look any human being in the face, and charge his country with wrong, till you have strained every effort to redress this vast hereditary guilt? Or if you fail, how can you speak, *nationally*, in the hearing of earth or heaven, about human wrongs?

10. Look for the last time to the vast plains of South Africa, wet with the blood of murdered nations. Read the clear and masterly speech of Dr. Phillip, already twice referred to. "If a traveller, who had visited that country twenty-five years ago, were to take his stand on the banks of the Keiskamma river, and ask what had become of the natives whom he saw there on his former visit; if he took his stand on the rocks of the Sondago river, and looked towards a country seventy miles in breadth before him, he might ask the same question; if he were to take his stand again on the Fish river, and then extend his views to Caffraria, he might ask the same question; and were he to take his stand on the Snow mountain, called Graaf Reinet, (he would have before him a country containing 40,000 square miles), and ask where was the immense concourse he saw there twenty-five years ago, no man could tell him where they were!"—Ask lord Glenelg, his majesty's principal secretary for the colonies, and he will admit that the system of treachery, plunder and butchery, by which these brave and upright savages have been wasted in exterminating oppression, constitutes perhaps the most degrading of all the chapters of the history of mankind! It is a chapter written in the tears and blood of slaughtered tribes, and is hardly yet dry upon the paper that records it for the execration of posterity! It is a chapter that had not been fully enacted when you were concocting plans and arranging agencies by which to make illustrious the benign sway of universal freedom, justice and benevolence in your *monarchy*—and to brand upon our *republic* reproaches which all coming generations could not efface.

But why need I multiply particulars? When these things are set right, and you seek from us another list, we will say to you concerning your polity, in nearly all its parts, things which you will then be better able to hear. We will point out how you may establish real freedom amongst yourselves, and thereby show your acquaintance with its sacred principles; how you can make your laws just, equal and humane, and thereby manifest in practice your devotion to principles commended for others. At present, such a proceeding could only irritate, and is the more readily forborne, because it is not as an American or a republican, but

as a Christian, my mission brought me to you. The assurance, too, that the party with which you act is, in point of numbers, a very small minority of the British nation, makes me the more willing to adhere to this view of my duty. Indeed, it is chiefly because your party has much of its strength in that sect to which I was more particularly sent, that it seemed clearly necessary for me to take part at all in these discussions.

I readily admit that time, patience, sacrifices and much labor, are needful for the redress of the evils I have pointed out. I know that the present generation is not responsible, in such a sense, for most of them, as past generations have been. I am convinced that multitudes of Englishmen deplore, and would gladly remove them. I am satisfied that it is by the silent influence of example, and the kind and clear exposition of general principles, rather than rude and harsh personal or national assaults, that we can do you good, in these or similar cases. And I gladly declare my belief, that the Christians of America, as such, can and ought to hold Christian intercourse and sympathy with the Christians of Britain, notwithstanding that the British nation may be responsible in the matters alleged; and that we can and ought to do it—without perpetual vituperation and insult, even for what is true—not to say without gross perversions of the facts and merits of the case. Such, sir, are my views of the subject. I deeply regret that yours are so widely different. And I humbly beseech you to imagine the whole course of your proceedings and arguments—embracing of course the mission of Mr. Thompson, and his conduct since his return—made ours, and our case made yours; and then decide what would by this time have been the feelings of your people towards us, if we had treated you as you have treated us. I declare, in the presence of God, my firm belief, that if things go on much longer as they have progressed for the last two years, there will not be found on earth men more estranged from each other than the professors of religion in the two countries. I have already witnessed the spectacle of a part of the religious press in England urging forward the government of the country to an intervention, if necessary, with arms, against the progress of liberty in Texas, upon the false and ignorant pretext that the government of the United States, unless prevented by force, would possess itself of that country, and introduce slavery there!—The people generally of America are long ago roused to the highest pitch of indignation against your proceedings in this whole business. You have now reduced the Christians of that country to a position, where, if they act with you, or admit your previous statements or principles, they become, on your own showing, infamous! You may now behold in the preceding statement the posture in which all the world but yourselves have viewed you during all this terrible affair!

Was it ignorance of your real condition, or was it ignorance still more gross of ours, or was it national vanity and prejudice, or was it all these unitedly, that impelled the abolition party in Britain to pursue the course they have adopted? It is not my desire to give offence, and I will not, therefore, attempt to decide. Your party profess to have full and accurate information about us; though it is very odd that, at your meeting, Dr. Heugh moved and Mr. Eadie seconded, and your "very numerous and highly respectable meeting" unanimously voted, that our national constitution contained a very important principle, which is not only not in it at all, but which the very discussion you were pronouncing on, *ex cathedra*, proved not to be in it! Well-informed gentlemen, not to say just judges, should be more cautious. It does not become me to say that your party are ignorant of the condition of their own country; but if they knew the facts now commended to their notice, it is not easy to reconcile their singular disregard of them, with their rampant benevolence on the other side of the water; and if they were unacquainted with them, they had better stay at Jericho till their beards be grown. Upon the delicate and painful subject of national prejudice, it is difficult to speak properly at all; but especially so to gentlemen whose passion lies in surmounting all prejudice whatever. The *John Bull* newspaper is said to represent the views and feelings of the extreme high church and tory party; the *Record* is the reputed vehicle for low church sentiments; the *Patriot*, I am told, stands in the same relations to the congregational dissenters, embracing both Baptists and Independents, who are generally whigs and radicals; the *Times*, which, from its great ability, must always wield a vast influence, is considered the organ of the Independent conservative interest. I am very likely to be mistaken; but I have tried to inform myself of your condition—and this is what I learn. Be so good, sir, as to read any editorial article in either of these

papers, for the last four months, in which it was necessary to express opinions or feelings in regard to the United States, and you will at once catch my present drift. But to aid such as have neither time nor opportunity for such a review, excuse the following sample from a late number of the last named paper: "In short, this is just the wretched 'colonization scheme,' to which those pious slave owners, the Baptists, Independents and Presbyterians of the United States, have betaken themselves, as a plaster to their consciences, rank and rotten with hypocrisy; and though that holy American humbug may command a congenial support from the canting zealots of liberty and lashes, hallelujahs and horse-whippings, bibles and brutality, missions and murders, religious revivals merging in slave auctions, and love feasts terminating in Lynch law," &c. &c. It is but justice to say that I have seen equal grossness only in the *John Bull*, and in Mr. Thompson's speeches, to some of which latter this has a most suspicious resemblance. It is my duty also to declare, which I do with sincere pleasure, that the present foreign secretary of the king (lord Palmerston) and the journals which speak the sentiments of the government, are by far better informed, and more candid in regard to American affairs in general, than any others whose published views have come to my knowledge.

I may, in the end, be permitted to suggest that perhaps too much has been said in relation to the existing and prospective intercourse between the churches of the two countries; and, possibly, too much consequence attached to it by myself, as well as others. I have uttered the sentiments of those who sent me, in their name, and endeavored to enforce them by such considerations as appeared to me just and appropriate. But I am not aware of any thing having transpired which would justify the supposition that America, or her churches, looked for any advantage which was not likely to be reciprocal, in being permitted to hold this intercourse. Still less can I conceive that any one could be justified in demanding of our churches, as conditions of it, not only adhesion to moral principles which we reject, but the procurement of political changes which are impossible. Yet, if I comprehend the drift of all British abolitionism, it stops not a whit short of this.

It was the world, more than America, we sought to benefit. We had no purpose of attempting a revolution in Britain; nor did it enter into our conceptions that the revolution in America, of the most terrible event, would be dictated to us in terms hardly supportable. It was the benighted heathen for whose good we were laying plans; and the thought of personal advantage, or honor, or enjoyment, to any portion of ourselves, had never place for a moment, nor even ground for exercise; and, therefore, we must needs be proof against all discriminating threats. It is quite gratuitous for the sects of England to decline receiving our delegates, except they be abolitionists—which many individuals and some public meetings have recommended—which the Baptists, if I am rightfully informed, have virtually done, and which seems nothing beyond the compass of your argument.

Indeed, this aspect of the case is so very far from the one which the facts exhibit, that I am greatly surprised that wisdom, if not kindness, did not prevent its presentation. For I believe no delegate who has gone from Britain to America has been assailed, in public and private, on any of the great evils at which I have hinted in this communication, as every delegate who has come from America to Britain has been assailed on the subject of slavery. I believe, too, you would search in vain in America for any man who had received from any sect or institution in Britain any token of respect or esteem; while it will be equally hard to find in Britain any man amongst any sect to which any delegate from America has ever come, who is not indebted to us for all the consequence he has derived from literary and theological distinctions denied to him at home, but bestowed by the kinder or more discerning spirit of strangers!

For my own part, without intending to commit the folly of depreciating a great nation, I am obliged to say that the thing which surprised me most in England was the universal ignorance which prevails in regard to America; while the thing which grieved me most was the almost equally universal prejudice against us.

You do not know us. You have little sympathy with us. You do us wrong in all your thoughts.—In regard to all these points, I believe there is but one mind amongst all Americans, not being abolitionists, who have been in England. And if you have been pleased to express the hope that I would return to America materially changed in many of my views and principles, I have only to say in reply, that, so profound is my sense of the false es-

timate you put on every thing national, as between us and you, my visit to England has opened a new source of devotion, in gratitude to God that he permitted your ancestors to persecute ours out of it.—So little impression of the kind you expect has all that I have been forced to hear in England against my country and my brethren produced, that when I return to embrace again those beloved men, I shall revere them more, as I measure them by all I have known elsewhere; and when my weary feet touch that sacred land, I shall rejoice in the very "dust and stones thereof," as more precious than the pearls of all lands beside!

If I may not call you my fellow Christian without offence, I can at least sign myself your fellow sinner,
R. J. BRECKINRIDGE.

Paris, Aug. 20, 1836.

POLITICS OF THE DAY.

From the (*Ravenna*) *Ohio Star*.

CORRESPONDENCE.

Ravenna, Oct. 15, 1836.

DEAR SIR: The leaders of the Van Buren party are every where circulating reports that our distinguished citizen, general Harrison, while a member of the general assembly, voted in favor of a bill to sell poor debtors into slavery. This is the last and most malicious slander invented to render general Harrison unpopular with the people, and it ought to be refuted before it shall poison the public mind.

I have been informed that you were a member of the legislature during the pendency of the bill in question before the legislature, and that you are acquainted with the origin, nature and history of the bill. If such be the case, I should be happy to receive a communication from you upon the subject, as it would enable me to subvert the cause of the people in this country, in the great contest now going on between the people and the office holders, by vindicating the conduct and reputation of an individual, who, both as a statesman in the halls of legislation, and a soldier upon the tented field, has expended his time, money and energies in behalf of his country. Very respectfully, yours,
WM. S. C. OTIS.

Hon. Elisha Whittlesey.

Canfield, Oct. 17, 1836.

DEAR SIR: Your favor of the 15th was received last evening. You refer to the slanderous reports in circulation, charging general Harrison with having voted to sell poor debtors, "and having been a member of the house of representatives, you ask me to state what was the origin, nature, object and history of the bill in question."

I never knew there was a bill to sell, "poor debtors," nor any provision in a bill for that purpose.—The persons who first gave circulation to the slanders knew their statements were false.

I am obliged to leave home immediately, in conformity with an arrangement made last week to attend to business, which will probably detain me several days, and I cannot go as fully into the history of the bill as I would if time permitted.

If the public, however, will not be convinced that the accusation is basely false by the clear and lucid statements made by gen. Harrison, about the time when a similar charge was brought against him, it will not be convinced by any statement that any other person can make, nor by the record itself. The 1st session of the 19th general assembly commenced on the 4th of December, 1820. At that time property possessed, perhaps, less value than at any other period of our history. Land had fallen to a nominal price, and the produce of the farmers was valueless beyond the quantity consumed here. Emigration was at a stand, and there were no markets abroad, and, if there had been, the expense of transportation to any eastern or northern market would have been greater than the value of the produce.

That legislature found the state in debt about \$30,000, and, from the great scarcity of money, an unusual defalcation in the payment of taxes.

The penitentiary system was in operation, but so far from the convicts maintaining the institution, no more than 10,925 62 was received from that source when the auditor made his first report.

The more aggravated offences (less than murder in the first degree) were punished in the penitentiary, which left a very numerous class to be punished by imprisonment in the county jails, and by fine.

Most of the counties were deeply involved in debt, and their orders were selling for from fifty to seventy-five cents on the dollar, and, by being demanded, were put on interest at their full amount.

It was in this state of things, and in this condition of the county, that the "act entitled an act supplementary to the act for the punishment of certain offences therein named," was brought for-

ward, discussed and finally passed. "An act for the punishment of crimes," was passed at the same session.

The question was presented to the members of the legislature whether they should further tax their constituents to sustain convicts in idleness, or put it within their power to maintain themselves, and, if they would not willingly do it, then to vest discretionary power in the court of common pleas to compel them to do it.

I voted for the section in the house, which general Harrison and Mr. Baldwin voted against striking out in the senate. I thought I was right then, and I am convinced now of having been in an error.

I have thus far in life acted on the principle that labor is not disgraceful to any person. And if it is not to a man who has violated no moral municipal law, I have not been able to perceive why it is to a person who is polluted with crime.

By looking into the act, it will be found that the sixteenth section permitted the person who should be sentenced to pay a fine under its provisions, or under the provisions of the act to which it was supplementary, to discharge the fine by labor on the highway in the township in which the convict resided.

The seventeenth section authorized any two judges of the court of common pleas to put a convict, sentenced to imprisonment alone, to hard labor, and for that purpose to take him from jail, and to direct that he be so secured as to prevent an escape.

These sections formed a part of the law as it passed, and yet no exception is taken to them.

The sixteenth section merely permitted the convict to labor on the highway to pay his fine, when the nineteenth section, as it went from the house, authorized the court, in its discretion, to make it a part of the sentence, that the sheriff might sell the labor of the person at public vendue to pay his fine. The section was draughted on the principle that, if the court should find a case where they thought it would be safe to take a man from jail and let him labor to pay his fine, it might so direct. The court could not determine what his labor would be worth. The labor of one man might be worth fifty cents, when the labor of another man might be worth two dollars a day. The sheriff ought not to determine the price, for he might put the convict to work with a friend at a less compensation than his labor was worth. The convict was the one most deeply interested in having his labor put up at sale, and hence the provision that the sale of the labor should be after ten days' advertised notice, and at public vendue. To secure the rights of the convict, and to prevent a purchaser from tyrannizing over him, he was to be placed on the footing of an apprentice.

A court cannot liberate a convict from jail to pay his fine, without being authorized by law, notwithstanding he may himself most ardently desire it. I justify the section on the ground, first, that if the convict should wish to be liberated, to work to pay a fine, he should be permitted to do it; and, secondly, if he should be unwilling, but able to work, he should be compelled to do it, in suitable cases.

I will not tax a man who has to work daily to maintain himself and family, to support a stout healthy man in jail, under the idea that a convict is too much of a gentleman to labor. The tendency is mischievous enough to permit a gentleman dandy to live on the hard earnings of others.

The object of the section was, humanity towards the convict, and justice towards the community and himself.

The law, in its tenderness as well as in its justice and policy, has fully provided for the protection of an apprentice in all his rights. A convict is not disgraced by having his rights protected by a similar law. Very respectfully, yours,

E. WHITTLESEY.

Wm. S. C. Otis, esq.

Zanesville, Tuesday evening, Nov. 1st, 1836.

To gen. W. H. Harrison:

The undersigned a portion of your fellow citizens of the county of Muskingum, had expected to yield you a warm support at the coming election of president of the United States, under the impression made by various public declarations that you are a politician of the old Virginia school.

In your address, this afternoon, you were understood to say that you had supported the tariff and internal improvement system, and that you are still in favor of it. If it were your intention to declare yourself favorable to the compromise law, which is now in existence, and which calmed that agitated state of our country, to which the American System gave rise, we concur with you altogether, and shall be happy if such be the fact. But if it be your opi-

nion that the American System should be revived, and that a tariff should be laid for the purpose of protecting manufactures, and making internal improvements, instead of raising a revenue merely sufficient to meet the wants of the government we cannot concur with you.

Acting under the influence of that freedom of inquiry, which you so eloquently urged in the close of your address, we respectfully ask an explanation of your views on this subject,

H. W. DOSTER,	JOHN TAYLOR, JR.
ISRAEL HODGE,	J. WATKINS,
J. G. HILTON,	SAM. SULLIVAN,
J. RAGUET,	DAN. D'YARMETT,
E. T. COX,	THOS. ANDERSON,
S. J. COX,	JOHN A. TURNER,
B. VAN HORNE,	ANTHONY WILKINS,
JAMES L. COX,	ALEXR. SULLIVAN,
D. BRUSH,	WM. GALIGHER.
JAMES TAYLOR, JR.	

Zanesville, 2d November, 1836.

GENTLEMEN: I had the honor, this moment, to receive your communication of yesterday. I regret that my remarks of yesterday were misunderstood in relation to the tariff system. What I mean to convey was, that I had been a warm advocate for that system, upon its first adoption, that I still believed in the benefits it had conferred upon the country. But I certainly never had, nor never could have any idea of reviving it. What I said was, that I would not agree to the repeal as it now stands. In other words, I am for supporting the compromise act, and never will agree to its being altered or repealed.

In relation to the internal improvement system I refer you for my sentiments, to my letter to the hon. Sherrod Williams.

I am, in great haste, with great respect, your fellow citizen,

W. H. HARRISON.

Messrs. Doster, Taylor and others.

TEXAS.

MESSAGE OF THE PRESIDENT, TO THE FIRST CONGRESS OF THE REPUBLIC OF TEXAS.

Fellow citizens of the senate and house of representatives:

The assembling of the elect representatives of a free and sovereign people, within the late department of Texas, is an event that calls for the warmest gratulations of every patriot heart. But mutual felicitations alone, would be inadequate to express the high sentiments that ought to pervade our bosoms on this solemn and interesting occasion. Hotter and loftier feelings become us; for it is meet that we raise our thoughts and our thanksgivings to that omnipotent Being who rules the universe, directs the affairs of empires, and guides the destiny of all.

Among the many revolutions that have varied the political condition of men, few have exemplified more clearly, than that in which we are now engaged, the controlling supervision, and the high approbation of a beneficent Providence. We have realized by actual demonstration, that "the battle is not always with the strong." The enemy came upon us, a well marshalled host—with great vigor and might: but he was repelled by a mere handful of patriots, and the flush of his confidence, inspired by numbers, was turned to paleness and trembling. It therefore behoves us, in the spring-time of our national existence, to lift up our hearts with devout gratitude to the God of battles, that peradventure He may continue his blessings and vouchsafe to us a happy issue to all our labors.

On you, fellow citizens, members of the first congress of the republic of Texas, labors of the most arduous, the most interesting, and the most important character devolve. To you is committed the beginning of legislation; and as you shall lay the foundation, so will be reared the superstructure.—On you, therefore, rests the high responsibility of giving political character, and moral reputation, to one just born into the family of nations. The present generation will feel and exhibit the impress of your doings, and our prosperity will transmit it to generations unborn. I pray, therefore, that in all your deliberations, you may be so guided by a spirit of wisdom, of justice, and of truth, that when the star of Texas shall culminate in all its brightness, it may shed forth a glorious and beneficent light. And whether she takes her situation among the illustrious constellation of the north, or revolve on her own axes and within her own sphere, that she may display, not only the goodness of God, but the wisdom and prescience of her early legislators.

On me rests the duty of presenting to your considerations a brief exhibit of our present political condition; and to suggest such measures as may be best adapted to supply the wants, secure the well-being, and develop the resources of our beautiful

country. In the execution of this task, there is much to excite embarrassment and apprehension; but more to animate our hopes and foster a spirit of perseverance. Many difficulties have been overcome, and many remain to be subdued. But a sincere devotion to the public weal, will easily surmount them all; and Texas will soon be enabled to assert a legitimate claim to be received among the nations of the earth.

The government ad interim, over which I have the honor to preside, has hitherto conducted its labors under every imaginable difficulty. At the institution of that government, the forces of the enemy were rapidly advancing into the country, with an imposing array. The means of repelling the formidable invasion were not of sufficient power to inspire general confidence, and many families had abandoned their homes and were fleeing from the approaching devastation. The entire settlements from the Nueces to the Colorado had been broken up, and the fall of the Alamo, where the gallant Travis and his brave associates consecrated their lives to the liberty of Texas, had spread dismay even to the line of the Brazos. Our military force in the field was greatly inferior in numbers to that of the host which was marching against us; and were it not that there was a vast discrepancy between the military capacities of the opposing armies, the subjugation of Texas would have appeared inevitable. But that discrepancy had constituted an important ground of confidence in the secession, that it was worthy of all estimation; for it was a discrepancy not of military prowess, but of moral attributes and of political knowledge.

The administration which had been organized at the town of Washington, deemed it expedient to change its location to Harrisburg, from which point it could possess an easier access to foreign countries, from whence our chief supplies of munitions were to be obtained, and a more direct supervision of the naval and other maritime concerns. Such removal was accordingly effected with in a few days after the government was created.

At this gloomy period, the financial affairs of the country were in a condition more deplorable than its military equipments. The commissioners, Messrs. Austin, Archer and Wharton, appointed by the late provisional government, had negotiated a loan for two hundred thousand dollars, and another for fifty thousand, with sundry individuals in the city of New Orleans. It was doubtless the best arrangement that could be made at that period. Mr. Robert Triplett a principal subscriber to each of the above loans, presented himself to the government of Harrisburg. Twenty thousand dollars had been paid in on the first loan, and the whole of the second was advanced. The ratification of these loans had been submitted to the convention, and by them was referred to the executive government.—On inspecting the terms of the loans, some of the conditions were considered inadmissible. The exclusive right to an immediate location of the scrip, was a privilege, which it was believed would cause infinite dissatisfaction in the country, and be especially obnoxious to the volunteers of the army; the nature of whose service, would seem to preclude any right of priority of location in others. For no species of public service is considered more onerous, or more entitled to recompense, than that which is rendered in the field of battle. Under these impressions, we proposed to Mr. Triplett a modification of the loans, and agreed to reduce the price of the land, or rather to make a donation of thirty-two leagues of land, to be distributed *pro rata* among the stockholders, in consideration of a relinquishment of the right of priority of location, conceded to them, by the terms of the original contract. The modification was accepted by Mr. Triplett for himself. He was not vested with authority to bind his co-lenders; but he expressed an opinion that they also would accede to it. From the first loan, the government confidently anticipated a fiscal aid of some importance, in the then pressing emergency, but as the sequel will disclose, they were unhappily disappointed. Mr. Triplett, on his return to the United States presented his modified contract to his associate stockholders, and to our surprise they unanimously voted against its reception, and declined advancing the residuum of the loan.

Some disappointment resulted from the decision of the lenders; and the government felt the inconvenience of an illusory anticipation. A new proposition has been made to the lenders, to adjust the amounts advanced, on the principles of the modified contract, but no definite answer has been had to that overture. The presumption is, that it will not be accepted, and that the settlement of the whole transaction will devolve on congress, for I have long since determined to submit the whole matter to your decision.

The result of this negotiation afforded conclusive evidence of the impracticability of anticipating the wants of the country, by ordinary loans. Some other course was necessary, and the government resolved to issue scrip for land considering the public domain as the most available and the least objectionable source of public revenue. Accordingly, the agent appointed in New Orleans, Thomas Toby, esq. a gentleman who had already made considerable advances on account of the government, and had manifested a warm sympathy in our behalf, was authorized to issue scrip to the amount of five hundred thousand acres of land, to be located on the public domain of Texas; and to dispose of it, at the established minimum price of fifty cents per acre. He has subsequently been empowered to extend his issues to one million of acres.

The finances of the country is a subject of vast importance, and will commend itself to the early and serious attention of congress. The adoption of a plan for a permanent and certain revenue is indispensable; and I trust your combined intelligence will suggest such a system as will answer the great purposes intended, and will afford a general satisfaction to your constituents. The principal points to be observed in drawing contributions from the people, for the support of the government, are equality of burden, and facility and cheapness of collection. Unequal taxation is one of the most odious features of despotism.

A number of patriotic citizens have voluntarily executed their bonds for various sums, and tendered them to the government, with a view to relieve the present exigencies of the country. These bonds, amounting in the aggregate to one hundred and twenty thousand dollars, have been transmitted to the agents, Messrs. T. Toby and Brother, by the quarter master general, and a hope is entertained that they will prove a present convenience.

Duties on imports and in some cases on exports, constitute a convenient and economical mode of supplying the public necessities, and are less onerous to individuals than almost any other impost. They therefore form a part of the financial resources of all countries. The idea of a free international commerce is a modern improvement, that reflects great credit on the philanthropy of the present age; and it is much to be regretted that the entanglements of ancient institutions, and the inveteracy of confirmed habits, have prevented its adoption by the principal nations of the earth. While these oppose it by cordons of custom houses and ponderous codes of revenue laws, it would be vain and ineffective, for a nation just springing into existence, to attempt its practical establishment. When the abundant intrinsic resources of our country shall be fully developed, then it may be the peculiar glory of Texas, to invite the kindred nations of the earth, to an unembarrassed intercommunion of their diversified products. The effect of such a system, on the peace and happiness of nations, and on the comforts and enjoyments of individuals, would transcend all that has heretofore been accomplished, by the straightened and selfish spirit of commerce; and that spirit, parsimonious and jealous as it is, has done much to meliorate the condition of man, by dispensing the munificent and various benefactions of Providence, to and from the remotest climes. The institution of a tariff is a matter of great delicacy, requiring a minute attention to the smallest concerns of domestic life. An excessive or disproportionate charge, upon one necessary article of merchandise, would violate the grand principle of equalization; and I trust you will be enabled, so to order the assessments, so as to avoid that evil. The experience of the nation from which we have seceded, affords abundant testimony of the pernicious consequences of an overcharged tariff. An exorbitant rate of duty, not only defeats itself, by presenting allurements to evasions of the law, but it has a tendency to demoralize a valuable portion of the community. It is one of the most interesting purposes of legislation, to purify and elevate the standard of moral sentiment among the people.

The military organization of the country is defective in many respects, and will require your early attention. The law offering a bounty in lands to volunteers, expired by its own limitation, on the first of July, and since that period a number of volunteers have arrived in the country to aid in its defence. Common justice would seem to require, that the same remuneration be conceded to them, that is rendered to their predecessors in the chivalrous enterprise, for they were doubtless actuated by similar motives, and stimulated by similar inducements.

From the present aspect of our foreign relations, we have every reason to believe that a farther accession of these generous champions of liberty,

may be desirable, and arrangements are made which I trust will be adequate to all our wants in this respect. But I would recommend to your consideration the propriety of withholding all inducements to enlistments for short periods of time; for it is very apparent that a volunteer for three or six months can scarcely be familiarized with the ordinary duties of a camp, before his term of service expires. The continuation of the land bounty system, is perhaps expedient, but it is also desirable that it be made as effective as possible, in the grand purpose of its creation.

The report of the secretary of war will inform you of the present condition of the army. Its numerical strength has been fluctuating on account of the frequent accessions and discharges of volunteers under short enlistments. A more permanent establishment will obviate this, with many other and more serious evils.

The army has suffered, and is still suffering some privations; but considering the very limited financial resources of the government, their supplies have been as abundant and as regularly administered, as could reasonably be expected. The executive government has been anxiously and assiduously intent upon rendering them as comfortable as possible, and if occasional failures have occurred, they are attributable to inevitable circumstances. The quarter master general has been sent to New Orleans, for the purpose of facilitating the procurement of supplies from that quarter. The approach of winter admonishes us of the great necessity of obtaining comfortable clothing, and ample provisions for our gallant troops, whose exposures in the tented field, will command your earliest and most active solicitudes. Orders to a large amount have been transmitted, for provisions, clothes and other requisites; and a hope is entertained that an adequate supply will be speedily obtained. But orders had previously issued of a similar character, and owing to the want of means, they have resulted in disappointment.

The present condition of the navy, is by no means commensurate with the importance of that arm of the public defence. The defect of means has restrained the executive government from effecting any actual increase of its strength. Some efforts have been made to improve its organization. Conceiving it of importance that an immediate and responsible commander-in-chief should be created, who was himself a practical man, and practically engaged in the service, I appointed, with the advice and consent of the cabinet, Charles E. Hawkins, esq. a gentleman whose gallantry and nautical science, would grace any service, to that high office, with the rank of commodore. The operations of the navy have been as efficient as could have been expected. They have prevented any depredations on our coast, by the enemy, and have expelled his maritime forces from the gulf. The want of one or more vessels, of a larger class than any in the service, is sensibly felt, and no efforts should be untried, to accomplish the important acquisition. One brig of 18 guns, in conjunction with our present force, would secure to us the command of the gulf, and greatly facilitate the operations of our own army, while it would enable us to embarrass every military operation of the enemy.

The judicial department of the government is in a very imperfect state. By the constitution, the old system is abolished and an entirely new judiciary created: but it was not considered advisable, by the executive government, to make any further innovation upon the established courts, than necessity imperiously demanded. The courts were closed to civil business, and they were thought to be adequate to the conservation of the public peace of the country. But I am apprehensive that opinion is illusory, and that a more energetic administration of criminal justice, is indispensable. The increase of crime, is an inevitable concomitant of population. Under the existing system, there was no tribunal in the country, vested with maritime jurisdiction, and consequently, none competent to adjudicate questions, arising from captures on sea.—Some prizes had already been taken, and it was due to the character of the navy and of the country, that a regular and lawful disposition, should be made of them. The government, therefore, concluded to appoint a district judge for the district of Brazos; within which, it was probable, all prizes taken, would be brought, or to which they could easily be transported. I accordingly appointed Benjamin C. Franklin, esq. to that office. It remains for the wisdom of congress to determine how soon the new organization shall be perfected.

The recent and much lamented decease of the honorable Bailey Hardeman, whose devoted patriotism and inflexible integrity are well known, and who has been with me through all the vicissi-

tudes of the times, deprives me of the pleasure of presenting to you a regular report from the treasury department. The principal intelligence in my power to convey, you will find in the auditor's expose, herewith transmitted. The importance of filling the vacancy in that interesting department of the government, induced me to invite to it, Bernard E. Bee, esq. a gentleman of high character, to whom I had previously designed tendering the office of secretary of state, to which office I have nominated him.

The post office department, created by the late provisional government, ceased its operations soon after the advance of the enemy within our settlements, and they have not been resumed. The great importance of instituting the means of transmitting intelligence throughout the country, scarcely involves a question: and I doubt not you will render an early attention to this interesting subject. The want of such means has been seriously felt by the present administration.

It will be recollected that the powers conferred on the government ad interim were extraordinary; that they comprised the plenary attributes of sovereignty, the legislative and judicial functions excepted. The circumstances under which that government has been administered have been equally extraordinary. Sometime, when Texas was a moving mass of fugitives, they have been without "a local habitation," and scattered to the cardinal points; again they have been on Galveston island, without a shelter, and almost without subsistence; and never have they been in circumstances of comfort and convenience, suitable to the orderly conducting of the grave and momentous business committed to their charge. That errors should have been committed, and that duties should have been omitted, under such circumstances, will not surprise those who have an honest consciousness of their own fallibilities. But that those extraordinary powers have not been perverted to any sinister purpose; to the damage of the country; to personal aggrandizement; or to the creation or advancement of a party, or to the success of a speculation; I assert with a modest but a firm and assured confidence.

Soon after the battle of San Jacinto, the executive government commenced a treaty with the captive president of Mexico. The negotiation was protracted to the 14th of May, when two treaties, one open, the other secret, were executed between this government and the president Santa Anna.—Copies of those treaties are herewith transmitted. Some stipulations of the treaty, regarding the negotiation as one, have been complied with on the part of the Mexican president; and this government essayed to execute that engagement which relates to his transportation to Vera Cruz. The treaty was made in good faith, and was intended, on the part of this government, to be faithfully executed. But a highly exasperated popular commotion, aided and sustained by the interposition of the army, imposed an absolute necessity upon the government to suspend their compliance with that article of the treaty and to remand the captive president to his confinement. General Santa Anna was subsequently confined to the custody of capt. Wm. H. Patton, who had been despatched by the army for the purpose of taking him in charge; and from that period he has been regarded as the prisoner of the army. The civil government has exercised no control over him, and has felt no official responsibility in relation to his person.

The battle of San Jacinto is one of those illustrious events which not only throw a grace of intense interest into the pages of history, but sometimes determine the fate of nations. It was a triumph not only of arms, but of soul: not of mere animal power, but of intellectual and moral impulse. The relative numbers of the combatants, was of minor importance; for had the enemy possessed three times his actual superiority, the result would have been the same, or somewhat more brilliant.—It was feeling, determination, an indomitable resolution to conquer, that achieved the conquest.—Such feelings are the highest possible exemplification of patriotism; and acts of a high and magnanimous patriotism, constitute the best and strongest claims to a nation's gratitude. It has become a proverb and a reproach, that republics are ungrateful. Let not the unkind censure fix itself upon Texas. The heroes of San Jacinto afford you a happy opportunity, to falsify the proverb and repel the reproach; and I recommend to your consideration the propriety of making a suitable expression of the public gratitude, by donations of lands, to the officers and soldiers, who had the proud gratification of participating in the glories of that memorable day.

Young as we are in existence, we have accumulated a debt of gratitude which all the goods in the

world can never cancel. The generous exertions that have been made in our behalf, by many citizens of that glorious land from which we claim a common parentage; the active sympathy they have manifested in our cause and our sufferings; the many and valuable benefits they have conferred upon us, constitute obligations which nothing in our power to confer upon them, can cancel. The best and most acceptable requital we can make is an abundant evidence that their sympathies have been worthily bestowed; that the fruits of their liberality have been appropriated to the diffusion of the great principles of '76; and that our generous benefactors have contributed to the establishment of an enlightened, liberal and virtuous government, in a delightful region of the earth, where recently the spirit of despotism, reigned in all the gloomy majesty of an interdicted solitude.

There is a multitude of other subjects that would naturally present themselves to the legislators of Texas. But they belong to your successors; while to us, pertains the arduous task of adjusting the controversy with Mexico. The hand of Providence has been prodigal in its dispensations to our favored land. In its agricultural capabilities, it is unexcelled. Its campaign surface, invites the construction of rail roads and canals, in all directions; and future explorations will disclose inexhaustible mineral wealth, comprising gold, silver, copper, lead and iron. All these will constitute subjects for future legislation. But at present, the defence of our country and the achievement of our independence, are absorbing and paramount subjects, to which all the functionaries of government and all patriotic citizens, should devote their most strenuous and indefatigable exertions. It will, notwithstanding, be apparent to your discernment, that some internal improvements may be advantageously effected.—The establishment of regular ferries at the rivers, and the erection of bridges over many rivulets and bayous, would greatly facilitate the military operations of the country, and conduce to the general convenience.

It cannot be disguised that the principal sufferings and losses incident to the war, have been sustained in very unequal proportions, by the citizens of the country. The population of the Colorado, and west of it, and of the Brazos, have experienced all the miseries of a successful invasion, by a foe whose watchword was death, and whose purpose was extermination; while other and populous sections of the country have been comparatively exempt from molestation or inconvenience. Many citizens have suffered an entire devastation of their personal goods; others have had their dwellings destroyed by the enemy; others, again, have seen theirs given to the flames by their own countrymen, for purposes connected with the public defence.

War is a national calamity, and ought to be undertaken and prosecuted only for national purposes. It would seem equitable, that the positive destruction of property, accruing from the war, should constitute a national loss, and not be borne exclusively by a few individuals, whose locality happened to be made the theatre of carnage and devastation.—The citizens of the Brazos were contending not for the independence of the Brazos, but of Texas; and the inhabitants of Texas generally, were as deeply interested in the contest as themselves. The sound of the enemy's trumpet has never disturbed the quietude of some regions, while the trampling of his armies has carried desolation and ruin over the fair surface of others. It belongs to the wisdom and the justice of congress to determine whether compensation shall be made for losses thus incurred.

By an unhappy concatenation of circumstances, the public mind has been attracted to one object of deep and exciting interest. The Anglo-American settlements in Texas, commenced about fifteen years ago, when our estimable fellow citizen, Stephen F. Austin, the pioneer of pioneers, first disturbed the deep solitude of the Brazos, with the hum of civilization. For several years, difficulties and disasters, privations and sufferings, were the common allotment of the settlers. The apparent munificence of the government, had conceded to them large portions of land; and the lands were intrinsically valued; but presently they were of little worth. The early settlers regarded, rather their children than themselves, anticipating the rewards of their painful migration to a wilderness. Their titles were made perfect, according to the best tenure of all earthly possession; they were derived directly from the government, in whom the property resided. To invade the sanctity of those titles, and to cancel rights, consecrated by so many sufferings, would be a refinement in iniquity that would have caused a blush of compunction to suffuse the countenances of the Gracchii.

I trust that this congress, and all others that may assemble in Texas, will promptly and decisively put the seal of their reprobation upon all sinistral and unrighteous speculations in the public domain. But the moment the legislature of a country attempts, with an unhallowed hand, to violate the just and vested rights of individuals, government ceases to be a blessing, and civil society is divested of half its guarantees.

In the course of your labors for the public weal, you may experience trials and vexations that will be calculated to discourage your hearts, and infuse disgust into your minds. Your best exertions and most elaborate productions may receive reproach, instead of approval; and your motives may be impugned when they are pure as the snow of the mountain top. But let not these things dishearten you; it is but "the rough brake that virtue must go through." Banish from your council all party spirit and political intrigue; and armed in the panoply of an honest patriotism, move forward in the path of duty, and onward to the goal of our country's redemption. And may the Almighty Ruler of the universe give you wisdom to discern, virtue to choose, and firmness to pursue the right and eschew the wrong. And then your labors will redound to the essential and permanent benefit of your country, and will so establish your own fair fame, that the voice of jealousy and the tongue of vituperation, shall not prevail to sully its brightness.

DAVID G. BURNET.

Columbus, 4th October, 1836.

SANTA ANNA'S PROTEST.

From the Texas Telegraph of October 4.

TRANSLATION.

Office of the private secretary of the president of the republic of Mexico, general-in-chief of the army of operations.

I, Antonio Lopez de Santa Anna, president of the republic of Mexico, and general-in-chief of the army of operations against Texas, do appear by means of this official document before the government, *ad interim* of the people of Texas, in order to show to them by this, that I am resolved to publish to the civilized world the following protest.

I protest against the violation of the faith engaged in the agreement made between me and the government of Texas, signed the 14th May ult. and commenced verbally with the general-in-chief of the army of Texas, Samuel Houston, and T. J. Rusk, secretary of war; wherein the following is stipulated.

I protest 1st. For having been treated more like an ordinary criminal than as a prisoner of war, the head of a respectable nation, even after the agreements had been commenced.

I protest 2d. For the treatment as prisoner of war, and ill usage received by the Mexican general, Adrian Wall, who had come into the Texian camp with a flag of truce, under the safe-guard and word of honor of general Houston, and with the consent of the members of the cabinet.

I protest 3d. Against the non-fulfilment of the exchange of prisoners, stipulated in the 9th article, inasmuch as up to the present time, not even one Mexican prisoner of war, has been set at liberty, notwithstanding the liberty given to all the Texians in possession of the army under my command.

4th. Because the "*sine qua non*" of the 10th article, as follows, has not been carried into effect; which is, "that I shall be sent to Vera Cruz," "when the government shall deem it proper;" whereas the president himself and the cabinet of Texas, being convinced that I had punctually fulfilled all my engagements, viz: that the Mexican army, 4,000 strong, should retreat from the position it occupied on the Brazos to beyond "Rio Grande;" that all the property should be given up, also the prisoners of war—had determined on my embarking on the Texian schooner of war, the *Invincible*, in which I finally did embark on the 1st June instant, after addressing a short farewell to the Texians, wherein I thanked them for the generous behaviour and offered my eternal gratitude.

5th. For the act of violence committed on my person, and abuse to which I have been exposed, in compelling me to come again ashore, on the 4th instant merely because 150 volunteers, under the command of gen. Thos. A. Green, recently landed on the beach at Velasco from New Orleans, had with insult and with threats requested that my person should be placed at their disposal; which took place on the very day that the government received from gen. Filasola the answer that he had strictly fulfilled that which had been agreed upon. I repeat that I protest against the president and cabinet's condescension in issuing their orders for that measure, thereby making a show of me before these men, as in former times was done with the chiefs of conquered nations, considering them as trophies of

their victories; with this difference, that in my case, a solemn treaty already existed.

Finally, I protest against the violence kept up towards me, by being placed in a narrow prison, surrounded with sentinels, and suffering all the privations which absolutely render life insupportable, or tend to hasten death; and finally, for being uncertain in regard to my future fate, and that of the other prisoners, notwithstanding a solemn treaty.

Under these circumstances, I appeal to the judgment of civilized nations, to the conscience of the citizens who compose the cabinet, and, above all, to the Supreme Ruler of mortals, who has placed the existence and happiness of—the faith of treaties and punctual fulfilment of engagements. God and liberty.

(Signed) ANT. LOPEZ DE SANTA ANNA.

June 9, 1836.

To his excellency, president D. G. Burnet.

PRESIDENT BURNET'S ANSWER.

Executive department, Velasco 10th June, 1836.

To his excellency, the president, general Antonio Lopez de Santa Anna:

EXCELLENT SIR: Your communication of the 9th inst. purporting to be a protest to be published to the civilized world, has been presented to me.

The government of Texas cheerfully recognize to your excellency, the right to make known to the world every grievance and injustice that you may have experienced at their hands. I admit that this government has been constrained, by the influence of a highly excited popular indignation, to deviate for a season, from the terms of that article of the treaty, made between this government and your excellency, which relates to your transportation to Vera Cruz. And in making this admission, I profess a profound mortification, for it does not belong to the spirit of this government to make even a slight deviation from its solemn engagements. But the causes that have produced the constraint under which the government have acted, are not unknown to you, and I should regret to believe that you were incapable of giving to them a just appreciation. The citizens and the citizen soldiers of Texas, have felt and do feel a deep, intense and righteous indignation at the many atrocities which have been perpetrated by the troops lately under your excellency's command; and especially at the barbarous massacre of the brave colonel Fannin and his gallant companions.—How far your excellency participated in that abomination and inglorious slaughter, I am not disposed to conjecture; but it is both natural and true that the people of Texas impute it to your excellency's special command.

When the government of Texas solemnized the treaty of the 14th ult. with your excellency, they did it in good faith, and they intended religiously to observe every stipulation of that treaty. Your embarkation on board the armed schooner *Invincible*, was an effect of that intention; but your excellency has had too much experience in the waywardness of popular excitements, not to feel the necessity which prompted your subsequent debarkation and the postponement of your stipulated departure.

1st. Your excellency "protests, firstly, for having been treated more like an ordinary criminal than as a prisoner of war, the head of a respectable nation, even after the agreements had been commenced."

I do not precisely comprehend the character of the treatment objected to, and would have been pleased to have had the specifications. If your excellency alludes to the accommodations which have been assigned to you, I would reply that I have cheerfully subjected my own sick family to many hardships, in order to render to your excellency the best accommodations in our power. That we are at present destitute of the ordinary comforts of life, is mainly attributable to your excellency's visit to our new country; and on this account we feel less regret that you should partake of our privations.

2d. Your second protest, relating to the treatment experienced by the Mexican general Adrian Wall, involves some facts which I do sincerely deplore, but for which this government is not strictly responsible.

Your excellency is sensible that we have done all in our power to guarantee the safe return of general Wall to the Mexican camp. But our orders have been contravened by the commander of the Texian army, at a remote distance from the seat of government. The reasons that have actuated that officer, have not been fully detailed to us—but we are informed that they are predicated on some alleged imprudence of gen. Wall, whose good discretion, we know, has not been very conspicuously manifested during his stay amongst us.

3d. The third article of your protest is "against the non-fulfilment of the exchange of prisoners sti-

pulated in the 9th article, inasmuch as to the present time, not one Mexican prisoner of war has been set at liberty, notwithstanding the liberty given to all the Texians in possession of the army under my command."

Your excellency seems to have a more minute intelligence on this subject, than has come to my knowledge, for I have no official information of a single Texian prisoner having been given up under the treaty. Some of the intended victims, the companions of the murdered Fannin, having happily effected their escape and safely arrived amongst us; but these cannot be considered as liberated in the sense of the treaty: whereas, this government has gratuitously discharged several Mexican captives, and defrayed their expenses to New Orleans, the destination which they solicited.

4th. The fourth clause of your excellency's protest has been antecedently answered in part. Your excellency's recollection has betrayed you into an error when you say, "the president himself, and the cabinet of Texas, being convinced that I had punctually fulfilled all my engagements," &c.

This government were convinced that your excellency had complied with some of your stipulations, and this conviction aggravates the mortification, which the late events have inflicted upon them. But they were not informed that "all the property had been given up;" or that any of the prisoners had been restored, as your excellency vainly imagines. On the contrary, we are advised that large herds of cattle had been driven in advance of the retreating army, and that a few only of the slaves that had been abducted were returned.

It is due to your excellency to say, that the government confidently believed that these restorations would be effected as early as a proper convenience would admit. But I am induced to advert to another fact, in relation to which it would be difficult to extend the same charitable exculpations to the officers of the Mexican army. It has been reported that the walls of the *Alamo* at Bexar, have been prostrated, and that the valuable brass artillery attached to that fortress, have been melted down and destroyed.

There were many painful and pleasing and glorious reminiscences connected with that *Alamo*, which renders its wanton dilapidation, peculiarly odious to every Texian spirit; and your excellency need not to be informed that the destruction of it was an infraction of the armistice, and a violation of the treaty.

5th. In reply to your excellency's fifth protestation I remark, that the painful circumstances which induced the government to direct your debarkation, on the 4th instant, have already been adverted to in a spirit of frankness and of self humiliation, which a consciousness of error alone could extort. It were superfluous to repeat the causes which induced this government to vary its discretion in regard to the time they should deem the departure of your excellency to be proper. I am not sensible of any act of "violence and abuse" to which you were exposed, that was not necessarily concomitant on your return to shore.—Your excellency has acquired too great a celebrity in Texas, not to be an object of curiosity with the multitude; but I believe you will bear testimony to the magnanimity, which restrained a tumultuous and highly exasperated crowd, from offering any indignity to your person. If such outrage had been committed, it would have been promptly chastised. "The president and cabinet" entertained no intention of "making a show" of your excellency, whose condition, as a prisoner of war, has invariably commanded their highest veneration, and towards whom they have exhibited every attention that was computable with their official duties, and within their power to bestow.

6th. Your excellency's final denunciation is probably the result of excited feeling. While you are detained as a prisoner, it is inevitable that the ordinary precautions be observed. I am not apprised that more than this has been done. Your excellency is not ignorant that the members of this government are remote from their own homes and are very indifferently accommodated; that the seat of government is not permanently located, and therefore no public buildings have been erected. To these facts you will find no difficulty in attributing your being placed in "a narrow prison;" and your excellency knows that the room you occupy is more commodious than that which constitutes both my office and my only family habitation. It is vividly fresh in my recollection, that about two months ago, the best accommodations this new government had enjoyed were broken up, when the army under your excellency's immediate command conflagrated the town of Harrisburg.

With high considerations, I am your obedient servant, (Signed) DAVID BURNET.

FOREIGN CHRONICLE.

Among the officers who accompanied Santa Ana on his last Texas campaign, was general Arago, a brother of the celebrated astronomer of the same name. The latest accounts mention his death at Mexico, the consequence of the fatigues and hardships to which he was exposed. He was formerly an officer in the French army, but accompanied Mina to this country in 1816. His efforts contributed to deliver Mexico from the dominion of Spain. He was director general du genie. He died at the age of 47 years, regretted by all who enjoyed his acquaintance.

Russia. The emperor of Russia has ordered a levy of soldiers throughout the whole Russian empire, with the exception of the province of Bessarabia. It is to consist of five recruits out of every thousand males. If the accounts from the Circassian frontiers of Russia are to be relied upon, there must be a considerable drain of troops in that direction, as the Circassians and other mountain tribes are at present in arms, and carrying on a vexatious and desultory warfare with Russia.

New silver mines have been discovered at Tcherapanook, Krakook and Riddersk, in Russia. The veins are said to be numerous and rich. The smelting houses at Zialoust are already employed in extracting the metal, for which, hitherto, Russia has been tributary to Sweden and England. The emperor takes great interest in this new produce of the country.

We learn that at the imperial mint of Constantinople, there are being secretly coined a quantity of pieces of money bearing the profile of sultan Mahmoud, which will be brought into circulation in Turkey at the Feast of Bairam.

The Austrian admiral, count Dandolo, and the imperial internuncio have been allowed the extraordinary privilege of visiting the interior of the old seraglio.

Noury Bey, a lieutenant colonel in the sultan's infantry, has taken his departure from France for Constantinople, having acquired a great insight into the military art and science at the French colleges and barracks, where he has been permitted to seek instruction. He takes with him a large collection of plans, charts and military works.

An agent had been sent by Don Miguel to Paris to sell two diamonds belonging to that prince. Having disposed of them to a jewellery of that capital for 90,000 francs, he has returned with the money to Rome.

It appears from the report of the Manchester Statistical society on the state of education in the borough of Liverpool, read to the British association, that in a population of 230,000, the number of children in the schools, including 6,000 under five years of age, is 23,183, being fifteen thousand five hundred more than the returns made to government.

The New Orleans Bulletin has received information by the brig Octavia from Havana, that a revolution had broken out in St. Jago de Cuba. Governor Tacón had ordered two ships of war from Havana for that port to aid in suppressing the rebellion.

Letters from Smyrna, of the 2d September, represent the fig crop to have been almost totally destroyed by the unusual severity of the last winter, not being estimated to give (according to reports from the districts in which they grow) over 4,000 to 5,000 quintals, or 400,000 to 500,000 lbs. equal to 25,000 drums, for the whole supply of the English, French, Austrian, American and other demands, and that prices would consequently rate enormously high. The crop would also be backward, and not be ready for shipment before the latter part of September.

The opium crop would also be materially short, say not over 100,000 lbs. and 130 piastres, or \$4 25 per lb. on board were demanded by speculators who had monopolized it, and advanced in cash on account of the purchase 5,000,000 piastres.

Captains and consignees of vessels were consequently directing their attention to wool and other articles for return cargoes, some of them without waiting for the fruit, and others to the Black Sea for return cargoes of wheat and rye.

A curious case. A German journal records the singular pathological phenomenon of the suspension of the beating of the heart for the space of several weeks. The pulsations could not be distinguished even by the stethoscope. No explanation is given of this remarkable case.

Gas. There had been a tremendous explosion of the gas works in the Old Kent Road, England. The flash of flame streamed althwart the sky like a blazing comet, and the noise of the explosion was like the roar of a peal of artillery. Several men were killed.

Napoleon and the twelve apostles. The Cabinet de Lecture gives the following anecdote of Napoleon:—Having entered one of the cities of Italy, the church wardens recommended to him the reliques of their church. "Sire, will you deign to take our apostles under your protection?" "Your apostles! are they wood?" "No, sire." "Of what are they, then?" "Of silver, sire." "Of solid silver?" replied Napo-

leon quickly; "yes, I shall help them to fulfil their mission; it has been ordained that they should go throughout the world, and they shall." Having said so, the emperor sent the twelve apostles to the mint at Paris.

Singular incident. A few days since, a horse, in Mayfield, in Sussex, being annoyed with flies, kicked his hind foot into his mouth, in such a manner as to require the aid of a blacksmith ere the limb could be extricated.

Some of the soldiers who took part in the attempt at insurrection which was made at St. Petersburg immediately after the death of Alexander, were asked by an officer what they understood by the word "constitution," which they were vociferating. "Constitution means the wife of the grand duke Constantine."

Expedient for supplying vacancies in a legislative body. The constitution of Norway prescribes a singular mode of keeping the parliament or storting always full. The number of members consists of 95, and each town and district elects as many substitutes as representatives, so that in case of the illness or death of the one, his *suppleant* is sent for and takes his seat.

Painting on glass. It is stated that M. Stalars, a young artist at Lille, in France, has discovered in some ancient manuscripts directions for painting on glass, which reveal the secret of this art as practised in ancient times, and so long lost. He has tried the method, with results which it is said are highly satisfactory.

Vesuvius. At Naples, on the 23d September, some inconsiderable eruption of lava took place from the crater of Vesuvius. The flames rose at times to a great height, but the moonlight hindered them from being clearly distinguished.

Cure of lock jaw. Among the horses exhibited at the West Suffolk agricultural show, was a fine cart mare, the property of colonel Rushbrook, which was some time since seized with locked jaw, and was perfectly cured by pouring cold water along the back from a watering pot, without intermission, for a considerable time; the application being recommended by an eminent London veterinarian. This affection has been generally considered incurable.

[English paper.]

M. Barbet, mayor of Rouen, has had some of the Algiers cotton spun, and finds it equal to the American.

A pigeon, despatched at Paris a quarter past 8 A. M. arrived at Brussels in less than five hours and three-quarters.

DOMESTIC CHRONICLE.

Appointments by the president. Charles D. Arfwidson to be consul for the port of Stockholm.

James A. Bayard to be attorney for the district of Delaware, in the place of George Read, deceased.

The Miltonian, (printed at Milton, Northumberland county, Pa.), of Saturday the 5th inst. says:—"We stop the press to say that one of the most severe storms of wind and rain, that ever was known in this part of the country, occurred this morning about three o'clock, blowing down houses, trees, &c.

The court of inquiry, of which major gen. McComb is president, assembled at Frederick, Md. on Monday last week, and adjourned to the 25th inst. The Frederick Herald of Saturday last, says: "The following officers were present—major general Macomb, brigadier general Brady, major gen. Scott, capt. Cooper, capt. Thruston. Summonses, we understand, have been issued for witnesses."

Population of Fall River. The population of this town has recently been ascertained to be 7,008. The number of children between 4 and 16 years, who have attended school a part of all the year past, is 2,052. The number who have not attended school any part of the year, 260. Number of public schools in town 14. Number of private schools 6. Amount appropriated by the town for public schools \$3,500.

Value of one vote. Three towns in Connecticut have reported a tie in their returns of votes.

The frigate North Star arrived at Portsmouth on the 12th of October, from South America, having on board 1,300,000 dollars in specie.

A man is to be seen daily going about the streets of Philadelphia, selling a pamphlet entitled "Four years experience in the state prison, written by myself."

Mail robbery. The entire mail from Cleveland, Ohio, to Erie, was stolen from the boat of the stage on the night of the 2d inst. and no traces of it have yet been discovered.

United States. The territory of the United States contains two and a half millions of square miles, and is capable of accommodating at least five hundred millions of inhabitants.

The U. S. mint is about to issue fifty cent pieces of a new and beautiful coinage.

Bread stuffs. On Thursday (last week) there were received into the port of N. York 9,539 bags of wheat from London, Odessa and Hamburg, and 1,549 bags of rye.

Governor Marcy, of New York, has appointed the 15th of December, as a day of thanksgiving in that state.

The Albany Advertiser of Saturday last, states, that the cashier of one of the principal banks in Boston has absconded, and it is stated that he is a defaulter to the amount of nearly one hundred thousand dollars. He had speculated extensively in eastern lands.

The southern papers speak of the hon. John C. Calhoun as president of the great southern and western rail road company.

Short passage. It is stated in the London papers by the Westminster, that the packet ship Sheffield, captain Allen, had arrived at Liverpool in fifteen days from New York. If this should prove correct, that favored ship will have made three passages from New York to Liverpool in forty-seven days.

Maine granite. The exchange at Albany is to be constructed of a light colored granite from Penobscot, Me. This state abounds in granite, having some of the finest and most abundant quarries in the world.—The granite lately discovered at Kennebunkport proves to be of the finest quality, and in color and durability is vastly superior to the far-famed Quincy granite. The effect of heat upon the two has been tested by professor Cleveland. Specimens of each were heated to 750 degrees, and then cold water thrown upon them; the Quincy cracked, the Kennebunk remained firm. They were heated a second time, and water again thrown upon them; the Quincy split, the Kennebunk remained uninjured. The latter is of a darker color than the former, and as a building material is considered preferable both for its durability and color.

Judge Strong, of Massachusetts, in a recent case, has decided that no one has a right, when making a division fence, to run half the same on the lot of the neighboring owner; it must be wholly on the land of him who makes it, unless constructed by mutual consent.

New Orleans, November 1. Within the last two weeks somewhere high five thousand passengers have arrived in our city, and our streets are consequently again thronged with new faces. Among this great number, for so short a time, we are happy to learn that there are more than five hundred mechanics; these and a thousand more are much wanted, for wages are exorbitantly high.

Mr. Phillips the distinguished merchant at Boston, stated at the Charlestown lyceum a few days since, that there were now 450 ships absent from this country engaged in the whale fishery. They employ upwards of ten thousand men, and cost, with their outfits about \$12,000,000, and are estimated to be worth, when their voyage is completed, \$20,000,000.

Compliment to our manufacturers. We learn from the New York Express that "Mr. J. C. Bedenberg, of Newark, New Jersey some time since executed an order from England, for a buggy. The gentleman to whom it was sent was much delighted with it, and informed his correspondent here that a friend of his was also so much pleased with it, that he has ordered a fac simile to be built there, cost what it would. A handsome compliment to Yankee workmanship and ingenuity."

The ceremony of breaking ground on the Central canal, took place at Evansville, Indiana, on the 2d instant. A large number of persons were present, and the day was closed by a ball.

Monument to bishop White. The model of the monument proposed to be erected to the memory of bishop White in Philadelphia, says the New York Courier, represents the venerable prelate in the act of confirming a young female, whose figure is beautifully meek; while that of the bishop stands remarkably firm and well, with all the dignity and mildness which were so peculiarly the characteristics of that truly good man.

Blind choristers. The choir of singers at the rev. Mr. Young's church, in Summer street, is composed entirely of the pupils of the excellent institution for the blind, in Pearl street; six males and six females. Their performances are highly creditable to them. They commit to memory the several hymns to be sung through the day, and sing them without the slightest variation from the text, with a remarkable clear and distinct pronunciation. They are paid a fair salary, and thus are these children of charity enabled to assist in one of the most pleasing parts of the worship of their God. [Boston Trans.]

Delaware. The Wilmington Journal of the 15th instant says—It is understood that the legislature of this state will be convened by the governor at an early day, (probably in the latter end of this month, or beginning of December), to make the proper legal provision for the portion of the surplus which will come to this state, early in January.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED, BY WILLIAM OGDEN NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

—A translation of Mr Gorostiza's note on closing his diplomatic relations with this government, copied from the Baltimore American, is published in the present sheet.

MARYLAND. It will be seen by the journal of the proceedings of the electoral college (page 199) that a new senate was elected on Saturday last, and that the electors, having completed the duty assigned to them by the constitution, have adjourned. The "21" were joined by Messrs. Thomas and George of Queen Ann's, Fountain of Caroline, and Linthicum and Sellman of Anne Arundel, who voted blank ballots.

We would do injustice to our feelings if we did not congratulate the state and the country upon the peaceable issue of this vexed question, which at one time was pregnant with most mischievous consequences to our social relations and the political character of the state. For no question has occurred for a long time past, not even the famous, or rather infamous, proceedings which preceded and consummated the bank riots, which created so much acerbity of feeling among those holding opposite opinions, or caused so much distrust among the friends of our civil institutions. The "experiment" was a bold but rash one—and now that the causes which induced it and the excitement it produced have ceased to exist, we think those who were its honest advocates, will themselves rejoice that their efforts were unsuccessful. As they cannot be ignorant that they would have established a precedent dangerous to enlightened republicanism, and enabled demagogues hereafter to accomplish the most nefarious private purposes under the plea of promoting the public good. And such "revolutions" once begun, the day would not be far distant when constitutions would be as readily changed as the officers whose duty it is to enforce their provisions.

In free states the law of force is not the instrument of reform. Its theatre is in those countries where tyranny is felt in its efforts to degrade the mind and oppress the body, and the chains of the people are made visible by the light that breaks upon them from the nations by which they are surrounded. In such there is no hope for the progressive power of intelligence. But in this country there are no evils that the public intelligence cannot overcome. Its prerogative is as boundless as our limits, and its power is progressively increasing. It is gradually sweeping before it all that is opposed to its influence, and would soon have added the constitution of Maryland to its trophies, without an accessory. That instrument is like a leper, whose plague spots were daily becoming more apparent to the people, and none would have dared to have resisted its purification, if it had not been seized by the hand of violence. That act changed the current of the public feeling, and produced a result which will be hailed as another triumph of the principles of free government and our love for constitutional law by the friends of liberty throughout the world.

The following are the names of the twenty-one electors who entered the electoral college and qualified as such immediately after their election, and remained in session until a senate was elected.

Solomon Dickinson,	George S. Leigh,
George Dudley,	W. D. Merrick,
George Vickers,	Henry Brawner,
William W. Lake,	Thomas G. Pratt,
Thomas H. Hicks,	George W. Duvall,
James P. Gale,	James Kent,
Wm. Williams,	J. A. D. Dalrymple,
Sam'l J. K. Handy,	Ephraim Gaiher,
Thomas A. Spence,	Andrew Bruce,
Henry Franklin,	Richard Beall,
Benedict J. Heard,	

The following are the names of the gentlemen who refused to enter the college and qualify:

Charles McGill,	Robert Wason,
Casper Quynn,	John Fisher,
Washington Duvall,	Ephraim Bell,
George Ellicott,	Joshua Vansant,
Thomas Hope,	Samuel Sutton,
John Evans,	George A. Thomas,
Robert T. Keene,	Sprigg Harwood,

Messrs. Wesley Linthicum, Marcy Fountain, J. B. Thomas and Enoch George entered the college on Saturday last, and qualified as electors. John

S. Sellman, esq. another of the recusants, qualified some time since. See the journal of the proceedings of the college, page 199.

PRESIDENTIAL ELECTION. We present in a subsequent page all the returns of interest received since our last. Those from Vermont, Pennsylvania, Delaware and Maryland only, are official.

The electors of president already ascertained to be chosen, are the following:

States.	Whig.	Van Buren.
Maine,		10
Massachusetts,	14	
New Hampshire,		7
Vermont,	7	
Connecticut,		8
Rhode Island,		4
New York,		42
New Jersey,	8	
Pennsylvania,		30
Delaware,	3	
Maryland,	10	
Virginia,		23
North Carolina,		15
Ohio,	21	
Indiana,	9	
Kentucky,	15	
	87	139

Necessary for a choice, 146.

MARYLAND LEGISLATURE. The delegates elect assembled at Annapolis on Monday last, in compliance with the call of the governor in his proclamation, and on the following day the house was organized by the election of B. L. Gantt, esq. of Prince George's, as speaker; G. G. Brewer as chief and Eli Duvall as assistant clerks; Benj. Seegar, J. C. Talbot, R. L. Mackall, W. E. Nicholson and R. W. Carter, as committee clerks; G. J. Grammer as sergeant at arms; and John Quynn as doorkeeper.

The members of the new senate had not all arrived at Annapolis; and the governor will delay his message until it is organized. Nothing of interest had transpired in the house.

THE GEORGIA CAMPAIGN. Brigadier general Wool has issued a general order, dismissing the Tennessee volunteers, for the present, their services being no longer required against the Creeks. Having engaged to serve for six and twelve months, they are notified that they must hold themselves in readiness for another summons, if necessary. The officers have written in answer, that they will be ready.

FOREIGN NEWS. There has been an arrival at New York from Liverpool, by which the editors of the New York Commercial Advertiser have received London papers to the 24th and Liverpool to the 25th of October. The following are the principal items of interest.

Parliament was opened, *pro forma*, on the 20th of October, and farther prorogued to Thursday the 8th of December.

The prisoners of Ham are at length released.—Messrs. Peyronnet and Chantelauze first applied to the king for remission of their sentence, which was immediately granted; M. de Ranville then followed their example, with the like result; and prince Polignac, at the solicitation of his lady and the British minister, has had his doom changed to banishment from France, under the full weight of his condemnation and sentence of civil death.

Spain. The intelligence from Madrid is to the 15th of October. The most important item is an account of the defeat of Gomez, the Carlist chief, by the royal forces under Alaix and Espinosa, near Lucena, on the 13th. Some of the London papers express doubts, but the report is strongly confirmed by the fact that Gomez had sent a flag to Alaix, with offers to negotiate, of which there is no question. General Alaix refused to hold any terms with Gomez, seized the bearer of the flag, and sent him a prisoner to Madrid. The report was that the Carlists lost 2,000 killed and prisoners in the engagement.

Espinosa had entered Cordova, where Gomez appears to have made but a very short stay. Sanz

(Carlist) was pushing on for Leon, followed by gen. Peon's first division and the Portuguese auxiliaries.

All quiet at Madrid, and a renewal of hope and confidence. Count Latour Mauberg, the French ambassador, arrived on the 14th. Nothing important from Navarre, or the frontier. The Carlists were exerting all their energies to procure forage and provisions.

Switzerland. The extraordinary diet, convened for deliberation on the controversy with France, held its first session on the 17th of October, at Berne. Nothing was done save the appointment of a committee to receive the instructions given by the several cantons to their deputies in the diet, and report thereupon. The diet adjourned, to meet again when the committee should be ready to report. A majority of the committee is said to be of the radical party, and disposed to be very "uppish" toward France.

APPOINTMENT BY THE PRESIDENT. William Frick, to be collector of the customs for the district of Baltimore, vice James H. McCulloch, deceased. [Globe.]

THE CITY BANKS. The Express of this morning contains a severe attack upon our city banks, and capitalists having money to lend, which some of the merchants have requested us to copy. We hardly know what to say upon the subject. It is a very difficult matter for us to believe the charges preferred in the Express—certainly to any thing like the extent to which they go. If they are true, those concerned deserve the severest expression of the public indignation. If untrue, no time should be lost in disabusing the public mind, and vindicating the character of the banks. We copy the following as a specimen of the charges to which we refer. If the Manhattan bank has aught to say in reply, our columns are open. [N. Y. Com.]

"Did or did not the cashier of the Manhattan bank, demur at paying a treasury draft for \$80,000, in favor of the Fulton bank, after the same was certified by his teller; and until he was threatened, not only with a protest of the draft, but also with a protest of the bank? And was or was not, the reason for his demurring, that he had loaned, directly or indirectly, so much of the government money at 2 or 3 per cent. per month, that he could not pay said treasury draft without exposing himself to be called on for more specie than he could meet? Let him answer all and singular."

SPECIE CIRCULAR. From the "Globe" of Monday.—We extract the following from the last United States Gazette:

End of the humbug.—The St. Louis Republican says: "We have understood that a treasury circular has been issued to the disbursing officers of the U. States—in the west at least—directing them not to draw upon the deposit banks for gold or silver, except in cases in which it is absolutely necessary."

The public will be pleased again to take notice that the whole of the above statement is another opposition humbug, as we learn that no such treasury circular has ever been issued. [Globe.]

The public will please "to take notice" that this affected denial by the official is a mere evasion, deceptive, if not intended to deceive. It is a fact, which the official paper may deny if it chooses, but is not the less an undeniable fact, that a circular has been issued to disbursing officers of the United States, directing them as above stated. The equivocation consists in the denial that a treasury circular has been issued to this effect. The circular has not been issued by the treasury, but by the heads of the official bureaus, to whose orders the disbursing officers are subject. The substance of the statement of the St. Louis paper is, beyond doubt, true. [Nat. Int.]

DREADFUL EXPLOSION. The powder mill at Acton, owned by Messrs. Stanley, Reed & Co. Boston, and containing 2,500 kegs of powder, blew up, says the Lowell Courier, on Wednesday, at 9 A. M. The bodies of four of the workmen, who were killed, were found horribly mangled. The mills had been in operation but a few weeks.

EXTENSIVE BANK ROBBERY. We learn from the N. Y. Commercial Advertiser that the vaults of the Oneida bank at Utica, N. Y. were entered on Sunday night last, and the sum of one hundred and eighty thousand six hundred dollars extracted therefrom, besides about six thousand dollars in notes and checks. The money stolen consisted of notes on the banks of Rome, Albany and New York, and the other safety fund banks in this state, with about \$6,000 on banks in the eastern states.

In order to effect the robbery, six locks had to be unbolted, five of which were effected by keys and the other broken open.

The directors offer a reward of \$6,000, for the recovery of the money and the arrest and conviction of the thief; or \$2,000 for the arrest and conviction of the thief alone.

The above is the bank (chartered last winter) about which so much has been said in relation to the unfair distribution of the stock.

THE PRESIDENT'S HEALTH. The Globe of Tuesday last says—Two nights ago the president was taken with a cough, which was succeeded by a considerable bleeding from the lungs. He had suffered for some time previously with severe pain in his side. He was relieved from both unpleasant symptoms, in some degree by the lancet. Night before last the hemorrhage from the lungs recurred, and was again stopped by the same process and other applications. He is now extremely weak, from the effect of the disorder and remedies, but is better, and considered by his physicians in no immediate danger. Many years ago he was affected in the same way, and recovered without serious injury, or even a long depression of his health.

On the following day the symptoms of the president's disease were such as to indicate a speedy recovery, the effusion of blood having ceased—and the Globe of Thursday states that his health continues to improve.

DISTRESSING SHIPWRECK AND LOSS OF LIFE.—The ship *Bristol*, Allen, master, from Liverpool bound for New York, was lost on F. r Rockaway beach, about five miles from the latter city, on Sunday morning last, and two seamen, three cabin and about sixty steerage passengers perished. The ship was off Sandy Hook, at 9 P. M. on Saturday night, with her lanterns out as signal for a pilot, at which time the gale had just commenced. No pilots, however, were out, and the ship had to stand off; at a quarter before 4 A. M. on Sunday morning, the ship struck on Far Rockaway, and distressing to relate, at day light, although within half a mile of the shore, no relief could be afforded to the distressed passengers and crew, who were clinging to the shrouds. All day they remained in this situation, the surf being so high that none could approach her. At about 11 o'clock, P. M. the sea abated and boats went to her relief, and succeeded in taking off the captain, a portion of the crew, and some of the cabin and steerage passengers. The remainder of the passengers and crew had perished before assistance arrived.

In connection with this loss of life, the N. York American calls public attention to the fact, that it was occasioned by the negligence of the pilots, who, on account of the monopoly they now enjoy, are not attentive to the performance of their duties. Here was, says the American, a ship within five miles of her port, and making every exertion to procure a pilot, and yet no pilot was to be had, and the gale coming on, caught her so much in shore that it was impossible to claw off—and the result was, her destruction, and that of many human lives.

MEXICO AND CUBA. A correspondent of the N. Y. Courier and Enquirer, writing from N. Orleans, says that on board the last British packet that put in at Havana on her way to Vera Cruz, were two Mexican commissioners, sent to negotiate with governor Tacón for a renewal of friendly relations between Mexico and Cuba; that governor Tacón at first refused them an interview, but they subsequently obtained permission to land, and were received by the governor; that the interview lasted only half an hour, and that the commissioners then went on board the packet again, and sailed for England, whence they will go to Spain. The rumor was, that they solicited leave to enlist three hundred sailors for the Mexican navy, but that governor Tacón referred them peremptorily to the government of Spain.

The same letter states that governor Tacón has sent home (to Spain) his resignation; and that the creoles and free blacks of the Islands are preparing for a revolution, which may cause a rising of the slaves, and much bloodshed.

THE UNITED STATES AND MEXICO. From the *New Orleans Bulletin*, Nov. 7. The departure of Mr. Gorostiza from Washington is ominous we fear of a rupture in the friendly relations heretofore subsisting between this country and Mexico, than which nothing could be more injurious to the commercial interests of the union, and of New Orleans in particular. The position of general Gaines is assigned as the cause of the general dissatisfaction.

The extensive and valuable trade hitherto carried on between this country and the Mexican provinces has already been much interrupted by the disturbances in Texas, and the breaking out of a war would not only suspend this trade at once, but create for us a rival elsewhere, that it would be impossible afterwards to overthrow. Havana is already securing much of the trade formerly belonging to this city, and in the event of war England would use all possible exertions to cut us off entirely.—She has now control in a great measure of the moneyed concerns of that country and has long been desirous to engross the whole of their commerce. Nothing but the good understanding which formerly existed between Mexico and the United States, has prevented the accomplishment of their wishes, and they will hail with pleasure the present indications of a misunderstanding as affording them the opportunity so long desired.

What can we gain by a war with Mexico? We could not invade the country or possess ourselves of any portion of her territory. She has no commerce that we could cripple or spoil, and no navy that we could seize upon. The result could only be a system of non-intercourse, and who would be the losers by this? England would supply her in her own ports with all she comes now to buy of us, and the extensive manufactures of our country, which now find a market there would be shut up for want of employment. Many of the most extensive commercial houses in all our large cities would also be ruined because of the great importance to their trade with Mexican dealers. Serious consequences might likewise result in the moneyed arrangements of the union by the suspension of the continual influx of specie now coming from Mexico.

The exports of coarse cotton goods and of provisions alone, to Mexico, in the year 1835, amounted to near one million of dollars, besides the great value of other domestic exports, while the profits resulting from the sale of our imports to Mexican purchasers are immense.

New Orleans has enjoyed much of this latter trade and the loss of a portion of it during the last year has been severely felt by numbers of our merchants; but the consequences of a war would prove absolutely ruinous to many of them.

If there be no real necessity for the continuance of general Gaines across the Sabine, he should be immediately ordered, with all his forces, back into our own territory, and a suitable explanation offered to the Mexican representative. The invasion of the limits of any nation, without urgent necessity, is certainly a just cause of offence, and whatever may be the justice of the pretensions, lately set up for the territory in which general Gaines has taken position, we have hitherto acknowledged the authority of Mexico over it, and until the question was definitely settled, it is due to her dignity as a nation, to abstain from the occupation of the disputed ground.

We sincerely hope that the cabinet at Washington will devise means for the settlement of the difficulty, if one there be, without permitting the disadvantage of a war to befall us.

REFORM. An adaptation of institutions to circumstances and knowledge, or a restoration to the original purposes, for which they have been perverted, demanded as a right by those who are suffering wrongs, and only denied and abused by those who have been fattening upon abuse. The real conservatives are the reformers, the real revolutionists are the corruptionists, who, by opposing quiet, will compel violent change. When the ultras, and men of this class, whose long misrule, and denial of justice, have inflamed the public mind, charge the reformers with having thrown the whole country into a blaze, thus accusing the extinguisher of being the firebrand, one is reminded of the incendiary, who, in order to avoid detection, turned round and collared the foreman of the engines, exclaiming, "Ha, fellow! have I caught you! This is the rascal who is first and foremost at every fire—seize him, seize him!" There is no reform bill in Turkey—no factious opposition—no free press—no two-penny trash—yet, in no country are revolutions so frequent.

Reform, however, to be useful and durable, must be gradual and cautious. To those radical gentry of the movement party, who would always be at

work, without calculating the mischief or the cost of their vaunted improvements, I recommend the consideration of the following anecdote:—The celebrated orator Henley advertised, that, in a single lecture, he would teach any artisan, of ordinary skill, how to make six pair of good shoes in one day;—nay, six-and-twenty pair, provided there was a sufficiency of materials. The sons of Crispin flocked in crowds, willingly paying a shilling at the door, to be initiated in such a lucrative art, when they beheld the orator seated at a table, on which were placed six pair of new boots. Gentlemen!" he exclaimed, "nothing is so simple and easy as the art which I have undertaken to teach you. Here are a new pair of boots—here are a large pair of scissors; behold! I cut off the legs of the boots, and you have a new pair of shoes, without the smallest trouble; and thus may they be multiplied, *ad infinitum*, supposing always that you have a sufficiency of materials." [The Trumpet.]

UPPER CANADA. The legislature of this province commenced its session on Tuesday the 8th instant; and on Wednesday the governor, sir Francis Head, addressed the two houses in a cautiously worded speech, for which we have not room, but the principal topics of which were as follows.

The long disputed question of the clergy reserves. The crowded state of the jails, and the propriety of some increase in the number of judges, to the end that criminal justice may be administered more speedily.

The necessity of establishing an asylum for lunatics.

The advantages of constructing a great western rail road.

The propriety of causing a survey and estimate to be made, preliminary to the undertaking of a connection between Lake Huron and the Atlantic, by the waters of the Ottawa.

The state of the roads throughout the province.

The appropriation, in part, of the military reserves, to public use, for the encouragement of emigration.

And the relief of the provincial government from the embarrassments caused by the withholding of the supplies.

Sir Francis concludes his speech by an emphatic assurance of his determination, come what may, to preserve the constitution of the province inviolate. [N. Y. Com.]

COCHRAN'S RIFLE. This rifle has been tried in Washington under the supervision of capt. Ramsey and lieu. Scott. A correspondent of the "Intelligencer" who has seen the report of those gentlemen, says it was fired 1,008 times, and was in the same order at the termination as at the commencement of the firing. In order to test the influence of rain and wet from other causes, water was put into the chambers, and left there for an hour and ten minutes; the rifle was then discharged, and with the same ease and effect as previously. The cylinder in this rifle thus contained nine chambers; and in a comparative trial instituted between it and Hall's carbine, both pieces having been loaded, the whole nine discharges were made from the rifle before a second could be made from the carbine.

During the whole trial not a single cap missed fire; and at the distance of 150 yard, with 10 grains of powder, the ball perforated an inch pine board, and was flattened against a brick wall behind it.

Some apprehension was entertained that, from the contiguity of the charges, accidental ignition might be produced. To prove the entire freedom of his rifle from this danger, Mr. Cochran placed loose powder in the chambers, over the balls, and around the caps, and, so circumstanced, it was discharged as safely as before.

INTERESTING PHENOMENON. Lauriat has ascended into the upper regions now about twenty times. He has often been from four to five miles high, and has passed through clouds and all conditions of the atmosphere. It is impossible that observations of different kinds, with different instruments, at such a height above the earth's surface, should not result in some discoveries highly interesting to science; and the following we deem worthy of the examination of all interested in tracing the various phenomena connected with this earth. In Mr. Lauriat's last ascension from New York, he ascended about five miles, and proceeded over a hundred miles. He passed through clouds of sleet which covered his balloon with icy particles—but what was more interesting, he discovered that when he was at his greatest altitude, the needle of a compass which he had with him did not have the least tendency to exhibit polar attraction: but wavered about at all points of the compass. This circum-

stance is worthy of investigation, and should be made the precursor of examinations of the like kind, which may, by various experiments, result in arriving at some probable estimate of the causes of polar attraction, respecting which there is now only unconfirmed conjecture. It is true that the first impression conveyed is that the needle is above the influence of attraction—but it will enable us to decide whether the cause of the wonderful powers of the magnetic needle be resident in the equator or the poles. We should be happy to receive some disquisitions upon the subject.

[*Boston Herald.*]

SENATOR FROM GEORGIA. Albert Cuthbert has been re-elected a senator from Georgia in the United States. On the first ballot Cuthbert 107, J. W. Campbell 107, Jacob Wood 85, scattering 4. On the second, Cuthbert 128, Campbell 103, Jacob Wood 16, scattering 5.

SOUTH CAROLINA. Our statement of the result of the congressional election in this state, copied from one of the newspapers, was, in some particulars, incorrect. E. B. Smith was elected in the place of W. J. Grayson, John P. Richardson in the place of R. J. Manning and John Campbell in the place of R. B. Campbell.

THE LATE JAMES H. McCULLOCH. The officers of the customs of the port of Baltimore have resolved to wear crape upon the left arm for the space of thirty days, as a mark of respect for the memory of the late venerable collector.

MORTALITY IN NEW YORK. The Baltimore Commercial Transcript has published the following abstract of an article on this subject in the last number of the American Journal of the medical sciences.

In New York during the period of sixteen years, ending with 1835, the average mortality of the city was 4,936—of which about 900 were imputed to consumption, the most fatal disease. The greatest number of deaths in any one year, occurred in 1832, when 3,606 fell victims to the cholera. Fevers, so often the bane of other cities, appear to be seldom extensively prevalent, as only 1 death in 600 occurs annually. Only five deaths from hydrophobia are reported during the whole sixteen years; hence it appears that the alarm about mad dogs may be regarded as groundless. Not so, however, the notion that spirituous liquors produce evil consequences; for though the number of deaths from excessive drinking is not comparatively large, intemperance is stated to be the most efficient cause of numerous diseases.

If so, Baltimore may fairly congratulate herself on her comparative superiority—her average annual mortality being only 1 in 48, whereas in New York it is 1 in 40.

INDIANS IN ARKANSAS. The governor of Arkansas has issued a proclamation, ordering all the Indians within that state, who have not a fixed place of abode, to depart forthwith, and calling upon the militia of the state to give their aid to carrying it into effect.

GREAT RIOT IN CLEVELAND, OHIO. The following is an extract from a letter, dated Cleveland, Nov. 9, 1836.

We have had a dreadful riot. The Brooklyn people undertook to destroy the upper bridge, here, because the Cleveland people would not let them build one where the float-bridge was, and they commenced tearing the bridge down. The Cleveland people fired three guns upon them, and they fired back. Ten killed on the spot, and twenty-three wounded; many of them mortally.

Yours, &c.

H. VAN PELT.

SUICIDE. The frequency of suicides within a few months past, may not render it irrelevant to publish the following admirable order of Napoleon, written while he was first consul, and in which may be perused the solution of his conduct after the battle of Waterloo.

The number of suicides committed in Paris, in the course of September was 66. Forty-four had been committed in private houses, and the bodies of the remaining 22 victims to this deplorable mania had been found and deposited at the Morgue.

"Order of the day, St. Cloud, 22d Floreal, 10th year of the republic.

"The grenadier Groblin has committed suicide for a love affair. He was in other respects a good soldier. This is the second event of the kind which has happened to the corps within a month. The first consul publishes the following order to the guard:—That a soldier ought to know how to conquer grief and melancholy—that there is as much

true courage in suffering with constancy the pains of the soul, as to stand unmoved under a battery of artillery—that to abandon oneself to chagrin without resisting, or to kill oneself to escape from it, is to abandon the field of battle before having conquered. (Signed) BONAPARTE AND BESSIERES."

IMPORTS INTO NEW YORK. Value of imports into the port of New York from 1st January to 30th June, 1836.

1st quarter	\$26,756,312
2d do.	\$7,987,562
	\$64,693,894

1st quarter	\$16,404,141
2d do.	\$2,453,541
	\$38,857,682

NEW YORK ELECTIONS. The New York Journal of Commerce contains the following statement of the votes for governor of New York from 1789 to 1834, which is copied from "Williams' Annual Register."

Year.	Candidates.	Votes.
1789	George Clinton,	6,391
	Robert Yates,	5,962
1792	George Clinton,	8,440
	John Jay,	8,332
1795	John Jay,	13,481
	Robert Yates,	11,892
1798	John Jay,	16,012
	Robert R. Livingston,	13,632
1801	George Clinton,	24,808
	Stephen Van Rensselaer,	20,843
1804	Morgan Lewis,	30,829
	Aaron Burr,	22,139
1807	Daniel D. Tompkins,	35,074
	Morgan Lewis,	30,999
1810	Daniel D. Tompkins,	43,094
	Jonas Platt,	36,484
1813	Daniel D. Tompkins,	43,324
	Stephen Van Rensselaer,	39,718
1816	Daniel D. Tompkins,	45,412
	Rufus King,	38,647
1817	De Witt Clinton,	43,310
	Peter B. Porter,	1,479
1820	De Witt Clinton,	47,447
	Daniel D. Tompkins,	45,990

NEW CONSTITUTION.

1822	Joseph C. Yates,	126,493
	Solomon Southwick,	2,910
1824	De Witt Clinton,	103,454
	Samuel Young,	87,093
1826	De Witt Clinton,	99,785
	William B. Rochester,	96,135
1828	Martin Van Buren,	136,794
	Smith Thompson,	106,444
	Solomon Southwick,	33,845
1830	Enos T. Throop,	128,842
	Francis Granger,	120,361
	Ezekiel Williams,	2,332
1832	William L. Marcy,	166,410
	Francis Granger,	156,672
1834	William L. Marcy,	181,905
	William H. Seward,	168,969

ELECTIONS.

MASSACHUSETTS.

All the towns had been heard from except twenty. Mr. Everett's majority over the Van Buren candidate for governor, Mr. Morton, was 6,303.—The vote for electors, it is said, will present a much larger majority for the whigs.

The following gentlemen have been elected members of congress from this state. The friends of Mr. Van Buren are in *italics*.

Richard Fletcher,	William R. Calhoun,
Stephen C. Phillips,	John Q. Adams,
Caleb Cushing,	John Reed,
Levi Lincoln,	William S. Hastings,
George Grennell,	William Parmentier,
George N. Briggs,	Nathaniel B. Borden.

VERMONT.

An abstract of the election in this state, from official returns, gives the Harrison ticket 20,994 and the Van Buren ticket 14,037 votes. Harrison majority 6,957.

NEW YORK.

The Albany Argus gives returns from all the counties in the state except Franklin, and makes the Van Buren majority 26,753. Delaware county, where the Argus claims only 1,800, has given a majority of over 2,000.

The congressional delegation stands 30 Van Buren and 10 whigs; being a whig gain of one member.

*Excluding the votes of Clinton, Otsego and Tioga counties, which were rejected.

The majority for Mr. Gulick, the whig candidate for register in the city of New York, is 3,776. The office is worth from 10 to \$15,000 per year.

NEW JERSEY.

The Paterson Intelligencer states the majority of the Harrison ticket to be 677—The returns are not all official.

In addition to the electors of president, New Jersey chose members of congress last week, by general ticket, and the following gentlemen, all whigs, are elected—

John Ayerigg,	John B. Maxwell,
William Halstead,	Joseph T. Randolph,
Charles C. Stratton,	Thomas Jones York.

William Chetwood (whig) is elected to the present congress, to supply the vacancy occasioned by the resignation of Philemon Dickerson, (Van Buren) now governor of the state. There is therefore a whig gain of one member in the present congress, and six in the next congress.

PENNSYLVANIA.

Counties.	1832.		1836.	
	Jackson.	Wirt.	Harrison.	V. B.
Adams	1,071	1,362	1,520	1,186
Alleghany	3,321	2,985	3,623	3,074
Armstrong	1,437	429	1,014	1,523
Beaver	1,360	1,388	2,077	1,075
Bedford	1,070	648	1,920	1,587
Berks	4,472	1,150	1,584	4,967
Bradford	1,593	1,221	1,521	1,463
Bucks	2,630	3,011	2,289	3,061
Butler	1,076	614	1,166	1,008
Cambria	444	94	584	450
Centre	1,931	725	924	1,909
Clearfield	520	207	284	499
Chester	2,732	4,286	3,921	3,277
Columbia	1,656	404	544	1,560
Crawford	1,470	1,130	1,232	1,614
Cumberland	2,150	1,337	1,696	1,904
Dauphin	1,895	1,348	1,993	1,372
Delaware	953	1,423	1,224	1,030
Erie	1,049	1,494	2,134	1,312
Fayette	2,647	1,176	1,669	2,016
Franklin	1,079	2,176	2,575	2,155
Greene	1,443	308	915	1,133
Huntingdon	1,510	1,441	2,623	1,240
Indiana	654	583	1,169	692
Jefferson	175	105	229	244
Junata	579	268	596	637
Lancaster	4,061	5,140	6,250	4,144
Lebanon	1,094	852	1,487	1,168
Lehigh	1,544	933	1,784	1,987
Luzerne	1,510	669	933	1,705
Lycoming	1,745	1,325	1,415	2,008
Merger	1,366	1,214	1,991	1,253
Mifflin	784	451	748	917
Monroe			168	796
Montgomery	2,315	2,507	2,409	3,446
Northampton	2,796	1,092	1,426	2,373
Northumberland	1,464	451	712	1,431
Perry	1,021	346	473	1,107
Philadelphia city	3,367	5,476	5,746	3,023
Philadelphia county	6,780	6,433	6,475	7,965
Pike	506	43	80	358
Potter and McKean	258	131	133	312
Schuylkill	1,370	432	687	1,390
Somerset	778	814	1,905	511
Susquehanna	1,062	868	856	1,145
Tioga	1,035	197	400	1,027
Union	1,059	944	1,328	1,143
Venango	1,117	294	600	967
Warren	490	194	254	498
Washington	2,125	1,838	2,905	2,445
Wayne	633	357	840	724
Westmoreland	3,419	861	1,725	2,378
York	3,152	1,452	2,005	2,756
	90,963	66,716	87,111	91,475
	66,716		87,111	

Majority 24,767

4,364

The following is a list of the delegates to the convention. The Van Buren members are distinguished by *italics*.

Senatorial delegates.

City of Philadelphia—John Sergeant, Charles Chauncey.

County of Philadelphia—George W. Riter, C. J. Ingersoll.

Chester, Delaware and Montgomery—Thomas S. Bell, David Lyons and Henry Sheets.

Bucks—E. T. McDowell.

Berks—John Ritter.

Lancaster and York—William Helster, O. A. Barnitz, James Porter.

Dauphin and Lebanon—Jacob B. Weldman, Perry, Mifflin, Juniata, Union and Huntingdon—James Merrill, Wm. P. MacLay.

Columbia and Schuylkill—Geo. Smith.

Lehigh and Northampton—*William Brown*.
 Luzerne, Monroe, Wayne and Pike—*George W. Woodward*.
 Lycoming, Centre and Northumberland—*Robert Fleming*.
 Bradford and Susquehanna—*Almon H. Read*.
 Franklin, Cumberland and Adams—*James Dunlop, Levi Merkel*.
 Bedford and Somerset—*James M. Russell*.
 Westmoreland—*John Y. Barclay*.
 Washington—*Joshua Dickerson*.
 Fayette and Green—*John Fuller*.
 Alleghany and Butler—*Harmar Denny, William Ayres*.
 Beaver and Mercer—*John Clarke*.
 Crawford and Erie—*Daniel Seager*.
 Jefferson, McKean, Potter, Tioga, Warren and Venango—*Orlo J. Hamlin*.
 Indiana, Armstrong, Cambria and Clearfield—*James Clark*.

Representative delegates.
 Adams—*James McSherry, Thaddeus Stevens*.
 Alleghany—*Mathew Henderson, Andrew Bayne*.
 Walter Forward, *Henry G. Rogers*.
 Armstrong—*William Cuth*.
 Bedford—*Andrew J. Cline, Jacob Barndollar*.
 Berks—*George M. Keim, James Donagan, William High, Mark Darrah*.
 Beaver—*John Dickey, Daniel Agnew*.
 Bradford—*Nathaniel Clapp*.
 Bucks—*John Houpt, Samuel Carey, Phineas Jeaks*.
 Butler—*Samuel A. Purviance*.
 Centre—*William Smyth*.
 Chester—*William Darlington, M. J. Thomas*.
 Matthias Pennypacker, *John Chandler*.
 Columbia—*Ezra S. Hayhurst*.
 Crawford—*David M. Farrelly, George Skilleto*.
 Cumberland—*Richard M. Crain, David Nevin*.
 Delaware—*George Serrill*.
 Dauphin—*William Henderson, William Clark*.
 Erie—*James Pollock, Thomas H. Sill*.
 Fayette—*Wm. L. Miller, David Gilmore*.
 Franklin—*George Chambers, Jos. Snively*.
 Green—*Samuel Cleaveger*.
 Huntingdon—*Samuel Royer, C. Crum*.
 Indiana—*James Todd*.
 Jefferson, Warren and McKean—*Thomas Hastings*.
 Lancaster—*Jeremiah Brown, Lindley Coates, R. E. Cochrane, J. Konigmacher, H. G. Long, E. C. Reigart*.
 Lebanon—*George Seltzer*.
 Lehigh—*Jacob Dillinger, Joseph Fry, jr.*
 Luzerne—*William Sweetland, Andrew Bedford*.
 Lycoming and Clearfield—*John A. Gamble, Thomas Tuggart*.
 Mercer—*Thomas S. Cunningham, James Montgomery*.
 Montgomery—*John B. Sterigere, Joel K. Mann, Tobias Sellers*.
 Northumberland—*William Gearhart*.
 Northampton and Monroe—*James M. Porter, Wm. Overfield, James Kennedy*.
 Perry—*Alexander Magee*.
 Philadelphia city—*Thomas P. Cope, W. M. Meredith, John M. Scott, James C. Biddle, Joseph R. Chandler, M. W. Baldwin, Joseph Hopkinson*.
 Philadelphia county—*A. Helfenstine, Charles Brown, Joseph M. Doran, Thomas Weaver, J. J. McCahan, John Foulkrod, Pierce Butler, Benj. Martin, Thomas Earle*.
 Somerset and Cambria—*Robert Young, Joshua F. Cox*.
 Schuylkill—*Jacob Krebs*.
 Susquehanna—*Jabez Hyde*.
 Tioga and Potter—*Robert G. White*.
 Union, Mifflin and Juniata—*Dan. Caldwell, John Cummin, Ephraim Banks*.
 Venango—*Christian Myers*.
 Washington—*Thos. McCall, Walter Craig, Aaron Kerr*.
 Wayne and Pike—*Virgil Grenell*.
 Westmoreland—*George T. Crawford, L. L. Bigelow*.
 York—*John R. Donnell, Jacob Stichel, Sam'l C. Bonham*.

Whigs,	66
Van Buren men,	67
Total,	133

DELAWARE.		
	Whig.	Van Buren.
Sussex county	1,857	1,300
New Castle "	1,671	1,814
Kent "	1,206	1,038
	4,734	4,152
	4,152	
	582 whig majority.	

Cornelius P. Comegys (whig) is elected governor over Nehemiah Clark (V. B.) by a majority of 217 votes. For Comegys 4,693, for Clark 4,476. A majority of whigs have been elected to the legislature.

MARYLAND.

The following exhibits an accurate return of the late election for electors of president and vice president in this state, from official returns:

Counties.	Whig.	Van Buren.	Whig maj.	V. B. maj.
Allegany	926	705	221	
Annapolis	156	128	27	
Anne Arundel	1,092	882	210	
Baltimore city	5,630	5,740		110
Baltimore county	2,069	2,482		413
Calvert	363	284	79	
Caroline	576	492	84	
Cecil	1,020	1,092		72
Charles	514	256	258	
Dorchester	966	694	272	
Frederick	3,130½	3,015	115½	
Harford	1,080	920	160	
Kent	589	367	222	
Montgomery	936	515	421	
Prince George's	728	450	278	
Queen Anne's	637	517	120	
Somerset	1,030	523	507	
St. Mary's	643	190	453	
Talbot	656	479	177	
Washington	2,079	1,895	84	
Worcester	1,032	541	491	

VIRGINIA.

Mr. Van Buren's majority thus far is 7,001. The counties to be heard from will increase it a few hundred votes.

NORTH CAROLINA.

A letter in the Globe, dated Raleigh, Nov. 18, says—Fifty-nine counties give Van Buren a majority of 3,400. The six counties to hear from cannot, in any contingency, reduce the majority over 1,000 or 1,200, which will leave it 2,200.

GEORGIA.

Returns from sixty-one counties give a majority of 2,888 for the White ticket.

KENTUCKY.

The returns from 51 counties and districts, published in the Louisville Journal of the 16th, give a majority of 8,554 for Harrison.

INDIANA.

Has cast her vote for Harrison. Reported majorities from 49 counties give 14,879 for the Harrison and 4,241 for the Van Buren ticket.

TENNESSEE.

Twenty-two counties give the following aggregate votes: White 11,647, Van Buren 6,265. Davidson county, in which is gen. Jackson's residence, gave a majority of 344 for White. At the "Hermitage" the vote stood—for White 61; Van Buren 20.

LOUISIANA.

A letter from Mobile, Ala. published in the "Globe" says this state has gone for Van Buren by a majority of 600 votes.

The New Orleans True American of the 11th inst. however, says that the result of the election in the three municipalities into which New Orleans is divided gives a majority of 11 to the whig ticket. New Orleans has heretofore given a majority of 150 to 350 votes for the Jackson ticket. The same paper, after giving the results in some parishes favorable to the whigs, adds, that if Lafourche, St. Laundry, St. Mary's and Iberville turn out, the whigs have gained the state.

WAR IN FLORIDA.

We learn from the Charleston papers that an express had arrived at Gary's Ferry on Sunday 18th, with information that gov. Call marched from Fort Drane on the 11th for the Wythlacoochee, taking with him all the regular troops, the Tennessee brigade and the regiments of friendly Creeks. Gen. Jesup, was at Tampa Bay on the 7th with about 800 regulars and marines. He was making every preparation for systematic operations. Some mounted volunteers from Alabama had already joined him, and others were daily arriving. He expected to march in search of the Seminoles on or about the 20th inst. and has received orders to take the chief command. He had not been to Fort Drane, but would proceed direct to the Wythlacoochee where gov. Call would meet him.

The troops at Tampa were in good health, and those in other sections were rapidly recovering from the effects of indisposition.

From the Pensacola Gazette.

The want of any thing like regular communication with the seat of war, keeps us in the most painful state of suspense in regard to the operations of

the army. It must be admitted, that the numerous obstacles which are known to stand in the way of a successful and speedy termination of the campaign, are calculated to inspire fearful forebodings of its results; and accident besides, has, we fear, done much to frustrate the well arranged plans of governor Call for supplying the troops in the field with provisions. We have heard that considerable supplies were ordered early in the campaign to be sent from St. Marks to the Suwannee, and they did not reach their destination until weeks after, according to the most liberal calculation, they should have arrived. It is said too, that a great quantity of corn and other provisions intended for the army, was deposited in a store-house at St. Marks; the house, which was built over the water, fell down with the weight which it contained, and the whole of its contents were ruined. Then again the large steamboat Convoy, containing a very full cargo of provisions, destined for Tampa Bay, sprung a leak near this port, and put in here in a sinking condition; nearly her whole cargo was damaged and much of it was entirely ruined; and last of all is the loss of the Lieutenant Izard on the bar of the Wythlacoochee.

It is believed that the character, condition and resources of the Florida Indians are but little understood, except by those who have actually witnessed their mode of warfare. The campaign made by general Jackson against the Florida Indians, eighteen years ago, when they were stronger than they are now, is often quoted to prove that the subjugation of the Seminoles is no such difficult matter as it is thought; but it should be remembered that their condition was quite different from what it is at the present. They were then banded together in small tribes. Every petty chief had his town; the guides had no difficulty in conducting general Jackson directly to them, and he subdued them in detail. Beside, they were not all unfriendly to the whites. But now they all fight as one man. History scarcely furnishes a parallel for the fidelity which these people have shown to one another. We hear of no single instance of treachery or defection among them. Since the war began, not one of the hostiles has come out from among his brethren. They have no towns to defend, and their women and children protect themselves by flight. The climate is their friend too. Summer, which brings disease and death to their pursuers, has no terrors for them, and they are strangers to the rigors of the winter. They have nearly 20,000 square miles in which to hide themselves, and the most satisfactory intelligence as to where they were yesterday, affords not the least reason to believe that they may not be fifty miles from there to-morrow; while if they choose, the whole tribe may, in many places, lie securely within a hundred yards of the whole army of the whites. During the last campaign it is said there were many instances of this; while the whites were "stunning the drowsy ear of night" with the chopping of trees, the building of fires, and the cracking of cart-whips, and all sorts of noises, much upon the same reason, we suppose, that caused the fellow to whistle at the very top of his lungs, to keep away the ghosts when he was passing a church yard.

In this county, we are too remote from the Indians to have experienced, or even felt the least apprehension of, the actual disasters of the war, but it has nevertheless pressed sorely upon us. Out of less than three hundred men liable to do military duty, we now have eighty in the field.

Indians in disguise.—It is stated by an officer of the United States army, that a number of Indians (400) presented themselves to the commanding officer on the Chattahoochee on the 15th of last month, and gave themselves up as Creek Indians. No one at the post had ever seen them among the Creeks, and there was strong presumptive evidence that they were Seminoles, and not Creeks. There is little doubt that hundreds of these people will escape in this way, as it would not be a very difficult matter for large bodies of them to make their way up to the Creek country. The correspondent of the Journal of Commerce says, the presumption that these Indians were Seminoles, "is supported by the fact that some few days previous to the surrender of the party alluded to, an intelligent resident of the neighborhood of Irwinton, came unexpectedly on a party of 10 or 12 Indians, who were too busily engaged in cutting up a new killed deer to observe him. He was on horseback and not at all uneasy at the meeting. This gentlemen was near enough to distinctly observe the Indians; and although he had a very general acquaintance with the Creek Indians, he felt assured these Indians were not Creeks."

Lieut. Raphael Semmes, of the navy, has published in the Pensacola Gazette a letter, not describing and accounting for the loss of the steamboat Lieut. Izard, at the mouth of the Wythlacoochee, but showing that the movements of the army

were not impeded thereby. He says that the steamboat was not laden with supplies for the army, as has been said, but that the supplies were all forwarded to the entrance of the river in transports; that the duty for which the Lieut. Izard was assigned was to explore the river's mouth, and ascertain whether the river could be ascended, of which there was great doubt; and that the transportation of the supplies up the river was intended to be, and was, effected by means of a barge capable of carrying 500 barrels, pulling 50 oars, and drawing only two feet water.

The late captain Lane. It is stated in the Mobile Chronicle that "the true cause of col. Lane's suicide was chagrin at the shameful defeat of his friendly Creeks, at the Cove on the Wythlacoochee previous to his arrival with them at Fort Drane.—The particulars of this battle have been studiously suppressed."

From the Globe of the 19th inst.

We publish the following interesting narrative, lately received at the war department, being a report of the march of two companies of United States artillery, and the native regiment, commanded (as colonel) by the late captain Lane, of the dragoons, from Tampa Bay to Fort Drane, Florida, by capt. H. Brown, 4th United States artillery, acting as lieutenant colonel of the native regiment at the time: *Fort Drane, October 22, 1836.*

GOVERNOR: The melancholy event which occurred here on the 19th, causes the duty to devolve on me of reporting to you the movements of the regiment of Creek volunteers since its departure from Tampa Bay. We left our camp near Fort Brooke, and crossed the Hilboro' river on Monday, the 10th inst. and encamped about one mile from the fort.—On Tuesday we marched eighteen, on Wednesday nineteen, and on Thursday twenty miles, without any thing of interest having occurred. On Friday, the 14th, we started at 7 o'clock, and having marched three or four miles, one of our scouts reported a hostile Indian on our right flank: immediate pursuit ensued, but being mounted, he evaded us. On arriving at the place where he disappeared, we discovered as far as the eye could reach, extensive lakes, in which were many and heavily timbered islands connected together in some instances by extensive marshes, containing a heavy growth of grass. Our Indians having reported a fresh trail, and that a village was seen in the vicinity, col. Lane called a halt, and made preparations for a scout. We accordingly left our horses and baggage, and struck off in a north east direction; we soon found a small deserted village; proceeding onwards towards the south, we passed over some fine hammock, and came to a ford of some two hundred yards, which our troops crossed, partly by swimming, and partly by wading, carrying their ammunition on the points of their bayonets. Having reached the opposite side, we found extensive corn fields, and a few cattle and ponies: here was also a small village. Pursuing the trail, we came to an extensive marsh, a mile at least in length. Our Indians leading the way we plunged in, the mud and water being from four to six feet deep, our horses soon became exhausted and all very soon had to be abandoned. We then pursued our course on foot, the water at times up to our necks, and bottom so soft as to make it almost impossible to keep our heads above water.—We, at length, safely reached the shore; having passed a ford such as I presume has seldom or ever been attempted by white troops. We found ourselves in a beautiful fertile island, of several miles in extent, with a trail running south, which we pursued about a mile, and arrived at an extensive village, which had evidently been but recently abandoned.

Here we found corn, cattle, hogs, many domestic utensils, and several scalps of white men. Pursuing our course more westerly for half a mile, we came to another large village, where we also found the same. I presume the two villages must have contained about 150 lodges. From thence we followed the trail about half a mile, to a small declivity, at the bottom of which was a small pond, and on the side of which was a low scrub that extended to the left, about half a mile, and on the right of which was a thick hammock. Our van was here saluted by the enemy, which was promptly returned. We immediately pushed on, and a smart skirmish, of a half hour's duration, ensued, when the enemy gave way, and retired into the hammock; the scrub being so very thick as to be impenetrable. We pursued for a mile or more, both parties keeping up a running fight, when we came to an extensive open field, on the opposite side of which we pursued, when the enemy scattered in another thick hammock, and we gave up the pursuit, having, in the whole skirmish, had but one man wounded. It is but an act of justice to say, that every man done his duty, and I have any blame to find with the officers of the

regiment, it is for their too great eagerness to push forward, and get in immediate contact with the enemy. The loss of the enemy could not be ascertained, nor the number engaged, in consequence of the well known fact, that they immediately carry their killed and wounded off the field; and that the scrub in which the principal skirmish took place, was so very thick, that but few could be seen at a time. I should say, however, that there were thirty or forty of them, and several were doubtless killed and wounded, from the heavy fire poured into the scrub. On return, our Indians killed some 100 cattle, and probably as many hogs, and drove to camp about 200 of the former. We returned by another trail in a north western direction, and having swam about 100 yards to the main land, reached camp about sunset. Our Indians during the night, brought in more cattle, so that we had in all about 400 head. We marched the next day about twelve miles, having passed on our right, a continued succession of extensive lakes and swamps. On Sunday, the 16th instant, we reached the Wythlacoochee at about 10 o'clock, and made immediate preparations for crossing, which we performed by 8 o'clock in the evening, by means of a small canoe, and some very small rafts made by the Indians. We encamped for the night just without the walls of Fort Izard; the next morning, pursuing our march, we struck a large trail leading to the southwest, which we followed for 7 miles, and encamped—during the evening our detachment arrived. The next morning, we took up our line of march for this place, proceeded 22 miles, encamped, and arrived here the next morning at half past nine o'clock.

I have the honor to be, respectfully, your most obedient servant,

(Signed) HARVEY BROWN,
Lt. col. commanding Creek volunteers.
His excellency, R. K. Call, commander-in-chief.

TENNESSEE VOLUNTEERS.

GENERAL ORDER, No. 66.

Head quarters, army, E. T. and C. N.
Fort Cass, November 1, 1836.

The service of the companies of captains Vernon, Rogers and Parham, of the 1st regiment, and of captains Peak and Gillespie, of the 2d regiment, and the field and staff, and non-commissioned staff of each regiment of East Tennessee volunteers, assembled at this place for muster and payment.—Not being necessary at the present time, in the Cherokee country, in consequence of the pacific appearance of the Cherokees, they will return to their homes, and there wait, without pay, the future orders of the president of the United States or the commanding general of the Cherokee forces—it being distinctly understood, and the commanding general is so instructed by the war department, to make it known to the volunteers, that, having engaged to serve six and twelve months, unless sooner discharged, that they are liable to be called upon at any time during the period of their original engagement.

The commanding general avails himself of this occasion to congratulate the volunteers who are about to separate from him, on their release for a time, if not altogether, from the hardships of a campaign. Should their services, however, be again required in the tented field, he is assured, from the zeal, patriotism and devotion to their country, which have been so conspicuously manifested by them on all former occasions whilst under his command, that they will promptly obey the call.

In parting with them, the commanding general considers it due, to both officers and men, to announce that their conduct, from the commencement of the campaign to the present, has met his unqualified approbation; and should an occasion again require it, he would consider himself peculiarly fortunate if he could have the same officers and the same men to command. He tenders to them his best wishes for their future prosperity and happiness. By order of brig. gen. Wool:

THOS. C. LYON, A. D. C.

Fort Cass, Nov. 3, 1836.

SIR: The undersigned officers of the East Tennessee volunteers, who have been ordered home, agreeably to the general order, No. 66, cannot permit the present occasion to pass, when they are about to separate from you for a time, perhaps entirely, without manifesting the high regard which they entertain for you, both as a man and an officer. They also beg leave to tender you their thanks, and that of the men whom they have the honor to command, for the kindness and liberality with which you have uniformly treated them, and for the flattering testimonials of your approbation on this, as well as on other occasions. The field of their exertions has been too humble to permit them to boast—all that they can say is, that, if an ardent desire

to serve their country, and to follow wherever duty would call them, entitle them to praise, they are sure they deserve so much. Nothing has been left them here but to prove themselves subordinate, obedient and willing soldiers, obeying with alacrity the orders of the government, and, at the same time, observing a manly and humane treatment towards the unfortunate Indians. Sir, they could not have returned to their homes if they had dared to sully the unspotted fame of Tennessee, by any acts of oppression and cruelty towards the unfortunate.—Our fathers have met the Cherokees in many a bloody fight, as almost every hill and valley in Tennessee will bear witness; but had we pursued a different course, the remnants of the pioneers would have turned their backs in scorn upon us: and we have witnessed with pleasure, and we take pride in bearing our united testimony to the same just and honorable course in yourself—that, whilst on the one hand you have represented with zeal, ability and firmness, the wishes of the government, on the other, all your intercourse with the nation has been characterized by impartiality, justice and humanity.

The general order which dismisses us to our homes for the present also informs us that, should an occasion require it, our services may be again demanded in the field. Be assured, sir, that, whenever called upon, we shall be ever ready to obey and to follow, whenever required, the standard of the stars and stripes. Should such be our destiny, we should esteem ourselves fortunate in again being placed under the command of an officer whose well-tryed valor and long experience would entitle him to our confidence and respect. We would commit our lives and honor to your keeping with a perfect assurance that nothing would be done on your part to compromise either.

Be pleased to accept for ourselves, and the men whom we represent, our best wishes for your future prosperity. We are, sir, very respectfully, your obedient servants,

NAT. SMITH, col. 1st reg't.

JOSEPH BYRD, col. 2d do.

JOSEPH ROBINSON, adj't 1st reg't.

P. M. WEAR, adj't 2d reg't.

M. CUNNINGHAM, maj. 1st reg't.

J. R. DELANEY, maj. 2d do.

MILES VERNON, capt. 1st do.

D. S. ROGERS, do. do.

SHAMWELL PARHAM, cap. do.

JACOB PEAK, capt. 2d do.

T. J. GILLESPIE, capt. do.

A. COX, Q. M. 1st do.

JAS VAUGHN, Q. M. 2d do.

J. B. M. REESE, surgeon 1st do.

W. I. I. MORROW, do 2d do.

J. S. MIDDLETON, serg't maj. 1st reg't.

N. G. FRAZIER, do. do. 2d do.

J. L. KLINE, Q. M. do. 1st do.

JOHN McCALLON, 1st lieu. 1st do.

THOMAS SCOTT, do. 1st do.

WM. McCULLOUGH, do. 1st do.

ELISHA SHARP, 2d lieu. 1st do.

ABIJAM BOGGESE, ensign 1st do.

JOSEPH SMITH, do. 1st do.

G. SILVY, do. 1st do.

AMOS MARNEY, 1st lieu. 2d do.

STERLING T. TURNER, 2d lt. 2d do.

P. N. MILLER, do. 2d do.

SAMUEL MARNEY, ensign 2d do.

ZACH. COMPTON, do. 2d do.

Bg. gen. JOHN E. WOOL, commander in the Cherokee nation.

THE UNITED STATES AND MEXICO.

From the Baltimore American.

Believing that the occupation of the post of Nagodoches by a portion of the United States troops under general Gaines, and the sudden departure of M. Gorostiza, who had been sent to this country, as envoy extraordinary and minister plenipotentiary by the republic of Mexico, to lay before the president such representations as might express the views of his government in regard to the matter, are subjects which claim great interest with the people of this country, we have translated the following letter of M. Gorostiza, written at the time of his departure, together with the note of Mr. Dickens in answer to it. They are given in the "Courier des Etats Unis" of Saturday.

Note of Mr. Gorostiza, transmitted to the department of state.

It is with great regret that the undersigned learns from the note of the honorable Asbury Dickens dated the 18th instant, that the president, taking ground on the principle of self-defence, has not thought it his duty to accede to the just demands of the undersigned, relative to the invasion of the Mexican territory, by the troops of general Gaines, and that notwithstanding all his efforts, the presi-

dent persists in his intention of maintaining as a principle, the pretended right to invade friendly territory, whenever he may think fit to do so, in defence of the frontiers of the United States.

It is plain that the undersigned cannot, for a moment, admit the existence of such a right, because it would be to acknowledge that every nation may take armed possession of the territory of its neighbors, without any other reason than an apparent necessity of so doing, and because such a right would be a constant attack upon the sovereignty and independence of all nations. In fact, what nation would not endeavor to fortify its own, at the expense of a neighbor's frontier, if, to establish the lawfulness of the proceeding, it were only necessary to assert the right.

The undersigned cannot assent to the latitude which the president of the United States gives to the principle of self-defence, in the case in question. This principle cannot exist except it be founded in justice and reason; if it do not spring, like all other principles which, united, constitute the law of nations, from that law of nature, which the ancients denominate the divine right; that law, which, whilst it imposes upon us the obligation of watching over our own preservation and defence, forbids us to do so to the injury of another; unless the danger be *imminent, unavoidable*, or infinitely greater than the evil which we may inflict.

Can it be said that the invasion of the Mexican territory has been called for by any necessity of this kind, in the conditions desired? After all the facts which have come to the knowledge of the undersigned; the pretended hostilities premeditated by the Indians, have only existed in the imagination of the Texans and of those who favor them; in other words, are inventions founded upon a wish to injure Mexico. A simple narration of facts will be sufficient to prove the truth of this assertion. So long as the colonists of Texas remained subject to the laws of Mexico, hostilities committed against the U. States by the Indians were never heard of, and, although, since the year 1832, there was not a Mexican soldier stationed at Nacogdoches or any other point on the frontier, no mention has been made of the Indians, during the revolution of Texas, either before or since Bexar was captured by the Texans. When, however, in the month of March last, the Mexican army, victorious on all sides, passed without difficulty the river Brasos, and no one doubted that it would reach the Sabine, for the first time, fifteen hundred Indians and Mexicans and Indians are spoken of, as being within some miles of Nacogdoches, putting every thing to fire and sword in order to induce general Gaines to approach the Sabine with all his troops, as he in fact did. Owing to the battle of San Jacinto, the danger which had threatened the revolutionists disappeared, and strange to relate, the Indians disappeared with it. General Gaines, who a few days previously asked for thousands of mounted men to meet an enemy which he represented as very formidable, then confesses that there had been a false alarm, and that the reinforcements were unnecessary. No mention was made of the Indians, so long as it was thought in Texas that the Mexican government would sanction the treaty extorted by violence from general Santa Ana, but, near the end of June, it was known that Mexico was preparing for a new campaign, and, as if by enchantment, the Indian aggressions reappeared upon the scene. There was only a rumor of an Indian invasion; the Texian commissioners who had repaired to Matamoros to treat for the exchange of prisoners, reported it; the Texian general Rusak, informed of their presence by Texian individuals, communicated it to general Gaines, who was equally well advised of it, as well as of the assassination of two whites at Navasoto, through the Texian maj. Sterling C. Robinson. Then this general perceived the necessity of recalling, to oppose them to the principal enemy, (principal belligerent), the mounted men whom he had sent back after the battle of San Jacinto, and it appeared to him necessary for the defence of the United States' frontier, to take possession of Nacogdoches, a Mexican town, fifty miles from that frontier. Can any thing be more clear?

If general Gaines had, to justify him in the course he has taken, any other information than that communicated to him by the enemies of Mexico and by persons who were interested in seeing the U. States compromise their neutrality on the Texian question, let it be produced to the undersigned.

If there has never been any danger—if such unfounded rumors have never been able to inspire the least fear—if these same rumors had been renewed several times, during the lapse of seven months, and have been constantly contradicted by facts, how can they be believed? How could such a danger ever have appeared *imminent*? how has it

been made *unavoidable*? Where, in fine, was the *absolute necessity*, which caused, on this occasion, the principle of self-defence to be introduced, trampling under foot, as has been done, in its name, the most sacred rights of a friendly nation?

But, adds Mr. Dickens, the president should believe the information received from the general commanding the frontier, and is ready to punish him, if he has in any way gone beyond his instructions. The undersigned answers, in the first place, that the partiality of general Gaines in favor of the Texans, has been notorious, and his credulity during his command of the frontier so great that his information should never have had much weight with so enlightened a man as the president of the U. States, especially, since the governor of Louisiana and general Macomb have so well depicted the character of that officer and the influences to which his conduct has been subjected.

In the second place, the undersigned answers, that the punishment of general Gaines, or of any other officer, who may hereafter transgress the orders of the president, cannot be of any avail to Mexico, or repair the immense injury already done, and which may be done to her by the discretionary power with which the commanding general of the frontier has been invested by the president; and, in effect, what difference does the dereliction of a general make to Mexico, if by his fault the Mexican territory has been invaded? If this invasion has inspired Texas with greater confidence? If, through it, their ranks have been augmented by several thousands of volunteers, who never would have gone to Texas, if they had not expected to find an important support in the soldiers of the United States? In fine, if such an invasion, being extended to or renewed at the approaching campaign, the presence alone of the U. States troops in Texas, should cause embarrassments and collisions, which will interfere with the best concerted plans of the Mexican army. Mr. Dickens will agree with the undersigned, that his government cannot deem sufficient, a guaranty which does not protect Mexico from dangers, to which it is exposed in consequence of the presence of the troops of the United States upon her territory.

On this subject Mr. Dickens pretends that the instructions lately sent by his government to gen. Gaines, were more precise and positive than those before given, and that thus his successor, general Arbuckle, will be enabled, in conforming with them, to carry out the views of the president.

But if the instructions, to which Mr. Dickens alludes, are the same as those made known in the letter of the president to general Gaines of the 4th September, the undersigned cannot agree with the secretary of state *ad interim*; on the contrary, the undersigned finds that these instructions are a thousand fold more arbitrary than the first, for those designate at least the point at which the invasion is to stop, whilst these give entire liberty to the commanding general of the frontier, to pursue the Indians—who, according to his views, may show themselves hostile towards the United States—wherever he may find them, and then to take position on the Mexican territory wherever he may think proper. It is true, the presidents exhorts the general not to suffer himself to be deceived by false reports, and not to act, except when he shall be morally certain that the Indians enter upon the Mexican territory to accomplish hostile objects. But were not the orders given by Mr. Cass, secretary of war, to gen. Gaines on the 4th May and 11th July, the same, in different words. The power which similar orders have had upon his successors has been already seen, if they yield to the same influences, or permit themselves to be taken in by the same machinations. It is not probable that such will be the result, since at the information which the commanding generals receive comes from a country inimical to Mexico, disfigured by animosity and malevolence.

Such are the reasons for which the undersigned has constantly protested, since his answer to the memorandum of Mr. Forsyth of the 20th April, against the discretionary power with which the commanding general of the frontier had been invested. His knowledge of men enabled him to foresee that, sooner or later, such a power would become, in the hands of him who might be clothed with it, an instrument of peace or war between Mexico and the United States—and the undersigned valued too highly the friendship which united the two nations, not to tremble at the thought, that their relations were hereafter to depend upon the will or ignorance of a single individual. Mr. Dickens explains and attempts to justify so much confidence on the part of the United States, by saying that the distance at which the president is from the seat of war, does not permit him to employ any other means to meet the exigencies of events. But France was also

distant from the United States, at the time when difficulties occurred between the two countries, and the United States would have demanded satisfaction, if an admiral had come from Martinique to break up the negotiations which were commenced. Would they not have said, with reason, that transactions of such importance required responsibilities paramount to those which a single man, let him be admiral or general, presents.

The undersigned has found it his duty to direct his attention to the desire manifested by the United States to take possession of Nacogdoches, at all hazards, and had it not been for the repeated assurances which he received from the department of state, that this measure had nothing to do with the settlement of boundaries, he confesses, he would not have known what to think of such a course.—The undersigned recollects that this same town of Nacogdoches has been proclaimed to be the property of the United States, by the secretary of war, when he wrote to general Gaines, to authorize him to repair to that place. The undersigned also remembers that when he addressed to Mr. Forsyth a protest against so strange a pretension, that gentleman, by order of the president, refused any sort of explanation.

He also remembers to have observed, as well in the notes of this department, as in the correspondence which has taken place between the secretary of war, general Gaines and some governors of states, a certain studiousness not to designate the Mexican territory which is beyond the Sabine, by any other title than that of "*contested territory*," or other similar names, as if actual treaty had not put an end to all dispute about limits, when the line of ancient Louisiana was extended between the rivers Marmonto and Carcasin, that is to say, thirty or forty miles on this side of the Sabine.

But the undersigned repeats, that the assurances respecting the nature of the movement of general Gaines appeared sufficient not to permit him to dwell longer upon the importance of such strange coincidences.

Such, then, were the constructions which determined the undersigned to write his notes of the 25th July and 4th August. He discovered then, as now, and for the same reasons, that the invasion of the Mexican territory by the United States troops was an insult perfectly gratuitous, since there had been no offence on the part of Mexico, nor any legitimate cause on the part of the United States. He demonstrated the immense losses sustained by Mexico in consequence of the invasion. At length he announced that, if the president rejected his just demands, he should be under the painful necessity of withdrawing, with his embassy extraordinary.—Nevertheless, the undersigned flattered himself that he would not be driven to this extremity, thinking that his reasons would be weighed in the balance of equity, and not that of a pretended right of convenience.

Unfortunately, it has not been so; the note of Mr. Dickens has left the undersigned no hope.—The explanations, moreover, given, in the name of the president, convince him of the little which Mexico is to expect from the United States, since the most sacred rights and most positive interests are sacrificed to the shadow of imaginary danger.—Mexico is insulted and wronged, through mere precaution.

Under circumstances so painful, the undersigned would fall short of his duty, if, as the representative of Mexico, he did not avail himself of the only means left to him to express at least how much he has been hurt by the wrongs done to his country on the part of the United States; he therefore declares of his own responsibility, that from this instant, he considers his mission as at an end.

The undersigned requests Mr. Dickens to have the goodness to cause his passports to be sent to Philadelphia, whither he will repair to-morrow.

The undersigned also requests Mr. Dickens to present his respects to the president, and to thank him in his name for the individual attentions which he has received whilst he has had the honor to be accredited near his person.

Finally, the undersigned repeats to Mr. Dickens what he has had the pleasure to state to him orally, that he will recollect always with gratitude, the frank and noble manner in which Mr. Dickens has conducted the relations with the undersigned, times and in regard to matters, which were far from agreeable.

(Signed) M. E. DE GOROSTIZA.
To the hon. Asbury Dickens, &c. &c.
Washington, 15th October, 1836.

Note of Mr. Dickens to Mr. Gorostiza.
Department of state, Washington, Oct. 20, 1836.
The undersigned, secretary of state, *ad interim*, the United States, having informed the president

the contents of the note of Mr. Gorostiza, envoy extraordinary and minister plenipotentiary of the republic of Mexico, dated the 15th inst. has received orders to transmit to Mr. Gorostiza the passports which he has demanded, and sends them accordingly.

The president regrets that an erroneous appreciation of the measures which he has deemed it his duty to take for the defence of the frontier, should have induced Mr. Gorostiza to terminate his mission. The president hopes, however, that the Mexican government will do him more justice.—To prevent all misapprehension, he will take proper steps and will send to Mr. Ellis such instructions which will enable him to make the necessary explanations.

The undersigned avails himself of this opportunity to renew to Mr. Gorostiza the assurance of his most distinguished consideration,

(Signed) ASBURY DICKENS.
To his excellency *senor D. Manuel E. de Gorostiza.*

"REFORM OR REVOLUTION" IN MARYLAND.

INTERESTING CORRESPONDENCE.

The annexed additional correspondence between colonel Sellman and the whig electors of senate, took place on Saturday.

Annapolis, 17th Nov. 1836.

GENTLEMEN: In a correspondence previously had with you in reference to your views upon the subject of reform, you have signified your readiness to approve or consent to "constitutional reform."

You will oblige me, and promote the end we all, I hope, have in view, by stating whether, by the use of this term, you meant to be understood as intending to express your intention to elect a senate to promote the call of a convention, by the legislature of the state, for the purpose of reforming the constitution; provided that the call of such a convention should be required by a majority of the people, upon the submission of that question to them, by an act of the next legislature. I am, gentlemen, most respectfully, your ob't serv't.

JOHN S. SELLMAN.

To Messrs. *Heard and Leigh, Kent and Dalrymple, Brawner and Merrick, Pratt and Duvall, Beall and Bruce, Vickers and Gale, Hicks and Lake, Handy and Williams, Spence and Franklin, Dudley and Dickinson, Ephraim Gaither.*

Senate chamber, Annapolis, Nov. 19th, 1836.

John S. Sellman, esq. member of the electoral college.

SIR: Your note of this day asking us to say whether in a letter addressed to you on the 29th ultimo, by some of the undersigned, and which forms a part of the published correspondence between you and them, the term "constitutional reform" was to be understood in a particular sense specified by you, has been received; and in reply we beg leave respectfully to inform you that these words were used not in a restricted, but in their full and most comprehensive sense—that is—it was intended in that letter to convey the idea that in the opinion of those who signed it, in which opinion the undersigned fully concur, (should the required electoral quorum be obtained) a senate would be elected whose known principles would lead them to endeavor to effect all such amendments of the constitution as the interests and happiness of the people of the state might require; in doing which they would of course select any mode, by convention or otherwise, consistent with the principles and provisions of that instrument, which their enlightened judgments, due regard being had to the wishes of the people and the various interests of the state, might determine to be the best.

We have the honor to remain, your most ob't serv'ts,

Benedict J. Heard,	George S. Leigh,
George Vickers,	William Williams,
Sam'l J. K. Handy,	Thomas A. Spence,
Henry Franklin,	Wm. D. Merrick,
Henry Brawner,	Thomas G. Pratt,
George W. Duvall,	William W. Lake,
Solomon Dickinson,	George Dudley,
James Kent,	J. A. D. Dalrymple,
Ephraim Gaither,	Richard Beall,
Andrew Bruce,	

JOURNAL OF PROCEEDINGS OF THE ELECTORAL COLLEGE.

Saturday, November 19th, 1836.

The electors met. On calling the roll, the same electors appeared and answered to their names as on yesterday.

On motion of Mr. Pratt, the electors adjourned until half past three o'clock, P. M.

Half past three o'clock, P. M.

The electors met. On calling the roll, the same electors appeared and answered to their names as in the forenoon.

On motion of Mr. Merrick, the electors proceeded to organize, when Benedict I. Heard, esq. of St. Mary's county, was elected chairman, and Joseph H. Nicholson appointed clerk.

On motion of Mr. Brawner, the following order was read and adopted:

Ordered, that Mr. Andrew Slicer be appointed messenger, and Mr. Samuel Peaco, doorkeeper to this college.

On motion of Mr. Pratt, it was ordered, that the chair appoint a committee to examine and inspect the returns of election, and whether they have been made agreeably to the constitution and the laws; whereupon Messrs. Pratt, Brawner, Handy, Spence and Sellman were appointed the said committee.

On motion of Mr. Pratt, it was ordered, that the messenger be sent to Mr. Sellman to inform him that the college is now in session, that he has been appointed a member of the committee of elections, and that his attendance is forthwith requested.

Mr. Sellman appeared and took his seat.

Wesley Linthicum, one of the electors returned for Anne Arundel county, Dr. Enoch George and John B. Thomas, electors returned for Queen Anne's county, and Marcy Fountain, an elector returned for Caroline county, appeared, qualified by taking the oaths required by the constitution and the laws, and by declaring their belief in the Christian religion and took their seats.

Mr. Pratt, from the committee on elections, submitted the following report, which was read and concurred in.

The committee on elections report, that they have examined the returns of the judges of the elections for the several counties, and for the city of Baltimore, and find by the said returns, the following persons are elected, declared and duly returned electors of the senate of Maryland, namely, for St. Mary's county, George S. Leigh and Benedict I. Heard; for Kent county, George Vickers and James P. Gale; for Anne Arundel county, John S. Sellman and Wesley Linthicum; for Calvert county, James Kent and James A. D. Dalrymple; for Charles county, Henry Brawner and William D. Merrick; for Baltimore county, Ephraim Bell and George Ellicott; for Talbot county, Solomon Dickinson and George Dudley; for Somerset county, William Williams and Samuel J. K. Handy; for Dorchester county, William W. Lake and Thomas H. Hicks; for Cecil county, John Evans and George A. Thomas; for Prince George's county, George W. Duvall and Thomas G. Pratt; for Queen Anne's county, Enoch George and John B. Thomas; for Worcester county, Thomas A. Spence and Henry Franklin; for Frederick county, Caspar Quynn and John Fisher; for Harford county, Thomas Hope and Samuel Sutton; for Caroline county, Robert T. Keene and Marcy Fountain; for Baltimore city, Joshua Vansant; for Washington county, Robert Wason and Charles McGill; for Montgomery county, Ephraim Gaither and Washington Duvall; for Allegany county, Richard Beall and Andrew Bruce; and that no return has been made for the city of Annapolis. All of which is respectfully submitted.

THOMAS G. PRATT, chairman.

On motion of Mr. Merrick, the electors proceeded to the election of a senate: accordingly the ballot box was prepared and the ballots deposited therein: it was sealed up and delivered to Messrs. Merrick, Sellman and Hicks, who were charged to count the ballots and report the result: they retired, and after a time returned and reported that on examination they had found that there were 26 votes given in all; of which Levi Hillery received 21 votes, Richard J. Bowie 21 votes, John V. L. McMahon 21 votes, Richard Thomas 21 votes, John Beckett 21 votes, William Schley 21 votes, Robert W. Kent 21 votes, William Price 21 votes and Elias Brown 21 votes, as senators of the Western Shore; and William U. Purnell received 21 votes, William T. Goldsborough 21 votes, Thomas King Carroll 21 votes, Edward N. Hambleton 21 votes, James B. Ricard 21 votes and Thomas Wright, of Thomas 21 votes, as senators of the Eastern Shore; whereupon it was declared that for the Western Shore,

SENATORS

Levi Hillery, of Allegany county,
Richard J. Bowie, of Montgomery county,
John V. L. McMahon, of Baltimore city,
Richard Thomas, of St. Mary's county,
John Beckett, of Calvert county,
William Schley, of Frederick county,
Robert W. Kent, of Anne Arundel county,
William Price, of Washington county,
Elias Brown, of Baltimore county;

And for the Eastern Shore,

William U. Purnell, of Worcester county,
Wm. T. Goldsborough, of Dorchester county,
Thomas King Carroll, of Somerset county,
Edward N. Hambleton, of Talbot county,
James B. Ricard, of Kent county,

Thos. Wright, (of Thos.) of Queen Anne's co. are duly elected the senate of Maryland, for and during the term prescribed by the constitution and form of government.

On motion of Mr. Pratt, the following order was read and adopted:

Ordered, That the clerk record the proceedings of this body in the record book provided for that purpose, and now deposited in the library;

On motion of Mr. Merrick, the electors took a recess until nine o'clock, P. M.

Nine o'clock, P. M.

The electors met. On calling the roll, the same electors appeared and answered to their names as before the recess.

We certify that the foregoing is a true copy of the proceedings of the electors of the senate of Maryland. Witness our hands this 19th day of November, 1836.

Benedict I. Heard, ch'n
George S. Leigh,
George Vickers,
James P. Gale,
John S. Sellman,
Wesley Linthicum,
James Kent,
James A. D. Dalrymple,
H. Brawner,
William D. Merrick,
Solomon Dickinson,
George Dudley,
W. Williams, jr.

Samuel J. K. Handy,
William W. Lake,
Thos H. Hicks,
G. W. Duvall,
Thomas G. Pratt,
Enoch George,
John B. Thomas,
T. A. Spence,
Henry Franklin,
Marcy Fountain,
Ephraim Gaither,
Richard Beall,
Andrew Bruce,

On motion of Mr. Beall, the electors adjourned, sine die.

ATTEST:

JOSEPH H. NICHOLSON, clerk.

AARON BURR.

The history of AARON BURR (says the editor of the Cincinnati Gazette) is a most instructive one. I am one of, perhaps, the few that never gave any credence to the charge of treason against him.—He sought, I am firmly persuaded, only to do that which American citizens are now doing in Texas with the approbation of their countrymen. He was marked for destruction, and destroyed. History durst not tell for whom, nor for what.

When his term as vice president expired, he took leave of the senate in a manner that made the deepest impression. The scene was represented as altogether extraordinary. Almost every senator found himself dissolved in tears.

The following account of it was given in the Washington Federalist, then printed in Washington city:

On Saturday, the 2d inst. (March, 1805), Mr. Burr took leave of the senate—this was done at a time when the doors were closed, the senate being engaged in executive business, and of course when there were no spectators. It is, however, universally said to have been the most dignified, sublime and impressive that ever was uttered; and the effect which it produced justified those epithets. I will give you the best account I have been able to obtain from the senators of several states, as well federal as republican.

Mr. Burr began by saying that he intended to pass the day with them, but the increase of a slight indisposition (sore throat) had determined him to take his leave of them. He touched slightly on some of the rules and orders of the house, and recommended, in one or two points, alterations, of which he briefly explained the reasons and principles.

He then said that he was sensible that he must at times have wounded the feelings of individual members. He had ever avoided entering into any explanations at the time, because a moment of irritation was not the moment for explanation; because his position (being in the chair) rendered it impossible to enter into explanations without obvious danger of consequences, which might hazard the dignity of the senate, or prove disagreeable and injurious in more than one point of view. That he had, therefore, preferred to leave to their reflections his justification; that on his part he had no injuries to complain of—if any had been done or attempted, he was ignorant of the authors, and if he had ever heard them he had forgotten them, for he thanked God he had no memory for injuries. He doubted not but they had found occasion to observe that to be prompt was not therefore to be precipitate, and that to act without delay was not always to act without reflection—that error was often to be preferred to indecision—that his errors, whatever they might have been, were those of rule and principle

and not of caprice; that it could not be deemed arrogance in him to say that, in his official conduct, he had known no party—no cause—no friend.—That if, in the opinion of any, the discipline which had been established approached to rigor, they would at least admit that it was uniform and indiscriminate.

He further remarked that the ignorant and unthinking affected to treat as unnecessary and fastidious a rigid attention to rules and decorum; but he thought nothing trivial which touched, however remotely, the dignity of that body; and he appealed to their experience for the justice of this sentiment, and urged them in language the most impressive, and in a manner the most commanding, to avoid the smaller relaxation of the habits which he had endeavored to inculcate and establish.

But he challenged their attention to considerations more momentous than any which regarded merely their personal honor and character—the preservation of the law of liberty and the constitution. This house, said he, is a sanctuary and a citadel of laws, of order, of liberty; and it is here—in this exalted refuge—here, if any where, will resistance be made to the storms of popular frenzy and the silent arts of corruption; and if the constitution be destined ever to perish by the sacrilegious hands of the demagogue or the usurper, (which God avert!) its expiring agonies will be witnessed on this floor.

He then adverted to those afflicting sensations which attended a final separation—a dissolution, perhaps forever, of the associations which he hoped had been mutually satisfactory. He consoled himself, however, and them, with the reflections, that though separated, they would be engaged in the common cause of disseminating principles of freedom and social order. He should always regard the proceedings of that body with interest and with solicitude—he should feel for their honor, and the national honor, so intimately connected with it—and took his leave with expressions of personal respect, and with prayers and wishes, &c. &c.

In this cold relation, a distant reader, especially one to whom col. Burr is not personally known, will be at a loss to discern the cause of those extraordinary emotions which were excited—the whole senate were in tears, and so unmannered, that it was half an hour before they could recover themselves sufficiently to come to order and choose a vice president pro tem.

At the president's on Monday, two of the senators were relating these circumstances to a circle which had collected round them; one said that he wished that the tradition might be preserved as one of the most extraordinary events he had ever witnessed; another senator, being asked on the day following that on which Mr. Burr took his leave, how long he was speaking, after a moment's pause, said he could form no idea—if it might have been an hour, and it might have been but a moment; when he came to his senses he seemed to have awakened from a kind of trance.

The characteristics of the vice president's manner seemed to have been elevation and dignity, a consciousness of superiority, &c.; nothing of that whining adulation, those canting, hypocritical complaints of want of talents, assurance of his endeavors to please them, hopes of their favor, &c. &c. On the contrary, he told them explicitly that he had determined to pursue a conduct which his judgment should approve, and which should secure the suffrage of his own conscience; and he had never considered who else should be pleased or displeased, although it was but justice on this occasion to thank them for their deference and respect to his official conduct, the constant and uniform support he had received from every member, for their prompt acquiescence in his decisions, and to remark, to their honor, that they had never descended to a single motion of passion or embarrassment: and, so far was he from apologizing for his defects, that he told them that, on reviewing the decisions he had occasion to make, there was no one which, on reflection, he was disposed to vary or retract.

As soon as the senate could compose themselves sufficiently to choose a president pro tem. they came to the following resolution:

Resolved, unanimously, That the thanks of the senate be presented to Aaron Burr, in testimony of the impartiality, dignity and ability with which he has presided over their deliberations, and of their entire approbation of his conduct in the discharge of the arduous and important duties assigned him as president of the senate; and that Mr. Smith, of Maryland, and Mr. White [of Delaware] be a committee to wait on him with this resolution.

Attest: SAM. A. OTIS, secretary.

To which resolution col. Burr returned the following answer to the senate:

"Next to the satisfaction arising from a consciousness of having discharged my duty, is that which

is derived from the approbation of those who have been the constant witnesses of my conduct; and the value of this testimony of their esteem is greatly enhanced by the promptitude with which it is offered.

"I pray you to accept my respectful acknowledgments, and the assurance of my inviolable attachment to the interest and dignity of the senate."

"AARON BURR."

How prophetic (so far, at least) the sentiments of A. Burr! The senate have stood, like Joshua, in holy writ, between the living and the dead, for the term of the Jeroboam administration, and staid the plague. What that body is soon to become, we know not; but we trust they will remain true to their station under the constitution.

[Cincinnati Gazette.]

FROM LIBERIA.

From the Frederick (Md.) Herald.

The following letter, which has been obligingly handed us for insertion, is from a colored man who left this neighborhood some two or three years ago for Cape Palmas; it conveys a flattering account of the happiness of his present condition, in comparison with his former. It will be read with interest by those who knew him, as conveying information which may be relied on with certainty, and as contradicting falsehoods which have been widely circulated in relation to this prospering colony:

Cape Palmas, Sept. 4, 1836.

DEAR SIR: I have received and read your very kind letter of June 27th, with a satisfaction in some degree proportioned, I humbly trust, to your Christian courtesy and affection; and I feel that I never can be too sensible of your merit, nor too grateful to you for the pains you have taken to communicate so desirable information to me and my family. An anxious solicitude (as you anticipated) for the welfare of my children and the situation of my friends and neighbors, had long borne with oppressive weight upon my mind. Many a tear and wakeful hour can witness how ardently I desired to hear from them, if no more, before I die; but, sir, by your kindness, this consuming want has been fully redressed. I sincerely lament that such an incredulity as you expressed, and one, too, so replete with embarrassment and difficulty to themselves and to their color universally, exists among the colored population in America in reference to the existence of such a place as Cape Palmas; likewise that they question and try to invalidate the many assertions that emancipated persons wishing to come to Africa, and shipping for that purpose, according to the directions of the Colonization society, do not safely arrive at that place, and are received and welcomed to our shores as free people. I lament that there are designing men actuated by motives of self-interest, or party spirit, who are so abandoned by truth and uprightness as to coin and circulate such glaring falsehoods. We are here, blessed be God, and, though some weak and fickle minded, who badly want a master, or whose minds are destitute of strength, solidity, or enterprise, may look to the land of bondage, long for their chains, talk about their fleshpots, or weep for the tombs of their fathers, I and many others are determined to stay here to live, and here to die, knowing that "better is a little with contentment than much and trouble therewith."

As to the report about starvation, of which you make mention, it is a palpable falsehood; I never wrote it, I never thought it, and what grieves me worse than all is that I have any relatives concerned in such a fabrication; and if they continue such a course, I awfully fear "the curse of the Lord will be upon their houses, and their children far from safety."

I heard from Calbert about six weeks ago, he was then well and doing well; but as to the young woman you wrote of, I am not prepared to communicate any information. Calbert is at Caldwell, one of the upper colonies.

Sir, I feel the weight and importance of your appeal to my Christian sympathies, and have already expressed in part my opinion as to the country to which I have emigrated. I have had but one mind, but one sentiment, but one purpose; that is, that the hand of Almighty God is in it, and his sleepless eye over it, and that whosoever avails themselves of the opportunity and offer of the society may be subsequently, nay, eternally benefitted. But in any place, if people are dissatisfied, they will be unhappy and miserable; and there are some here not pleased with the place, and the probability is that there will be more or less in every expedition. All persons have not enterprising minds, and this is one essential thing in people circumstanced as we are here. This is the reason why you hear of so many evil reports about our colonies; but for my own part I see nothing here to frighten people, but rather much to encourage them.

If I know any thing about things lovely and a good report, liberty, civil or religious, ought to inspire any slave to be free; but when both these, and many other things, are presented as incitements, the spirit of freedom should impel him to action; and when that freedom can be legally and quietly procured, a circle of endeared acquaintances, the prospect of pecuniary benefit, the sepulchres of departed kindred behind, nor difficulty nor danger before, should restrain him. Though I meet with some difficulties here, as well as others, it is not more than I expected, and I am fully persuaded that no man, properly weighing the matter, need lament the hour of his embarkation. In religion I enjoy myself better than I ever did in America, and better than I ever expected here; but our way is opening, our borders are enlarging, and the church is winning its widening way rapidly. Upwards of forty have been added to us this year: more or less of every expedition is brought in. Our prospects among the natives are flattering, and we are praying that the Great Head of the church will give us a great harvest of souls among these ignorant people. My family are all well. I hope, indeed, that you will be so kind as to answer this, and let me know what prospect there is of getting my children. I need not ask you this, you will do all for me you can. Give my regards to all that inquire after me.

I am, dear sir, your very obliged, humble serv't,
JACOB GROSS.

To Chester Coleman, Esq. Frederick city, Md.

VOYAGE IN SEARCH OF LOST WHALERS.

From the London Nautical Magazine.

VOYAGE OF H. M. S. COVE, CAPT. JAMES ROSS, IN SEARCH OF THE LOST WHALERS.

While the Cove was at Stromness on her outward course, captain Ross received intimation from the admiralty of the arrival of the Abram, of Hull, and of her having drifted southward with the pack to the 54th degree of north latitude. In consequence of this information, he deemed it expedient to depart to a certain extent from the instructions of the admiralty. Accordingly, he made for the pack-edge in the above mentioned latitude, but, owing to the unfavourable weather, he did not succeed in gaining it until the 7th of April. Between that date and the 27th of May, captain Ross made a careful examination of the main pack-edge between the 54th and 55th degree of latitude, and failing to discover any traces of the Lady Jane or William Torr, he stood over to Holsteinburg, for the purpose of falling in with the boom-vessel, which he expected to join him there on the first of June.—Here the Cove remained for some days, obtaining a supply of water, and completing the requisite repairs. The Undaunted, of Kirkcaldy, had previously announced to captain Ross the arrival of the Lady Jane in England, but of the William Torr no tidings could be procured. The Terror boom-vessel not appearing,† the Cove proceeded to Whale-fish Islands, the last appointed rendezvous for the Terror, and arrived there on the 14th of June. On the 19th of the same month the commander received a communication from the admiralty, intimating, that in consequence of the arrival of the Abram, and of a statement made by Mr. William Tather, master of the Jane, the sailing of the Terror had been countermanded as unnecessary.

Captain Ross was directed to proceed homewards, after making every practicable endeavour to relieve the William Torr, in the quarter where he might consider her most likely to be found, on receiving the additional information. Though regretting that he had not the means of penetrating to the west land of Baffin's bay, the commander, guided by the statement of Mr. Tather, that the William Torr was seen on the 16th of October, 45 miles S. E. of Cape Searle, and drifting to the southward—deemed it his duty to advance to the quarter thus decidedly indicated, and thence endeavor to prosecute his inquiries at one of the northern settlements on the coast of Labrador. Before his departure he proceeded through the Waygatz strait, for the purpose

*The only tidings received of this unfortunate ship appear to be the following extract from the Hull Packet:—"The William Torr, Greenock, August 27. The Antilles arrived here to-day from Venice and Trieste, sailed from the latter port on the 25th of June, and got down the Adriatic in four days; had afterwards much calm weather in the Mediterranean, and passed Gibraltar four weeks ago. On the 17th ult. lat. 46 deg. 11m. N. long. 170 deg. 30m. W. picked up a large oil cask, branded 'William Torr,' supposed to belong to the missing whaler."

†This vessel was to have been taken out by commander Belcher, R. N.

of communicating with the whaling ships to the northward. On the first of July he reached Fore Island point, in lat. 70, 40, N. and long. 67 W. where he found about fifty vessels detained by the ice. Repassing the Waygat strait, he bore to the westward and reached the packing, lat. 69 N. and long. 57½ W. and gained the spot where the William Torr was alleged to have been last seen, on the 18th of July. A careful examination of the pack was made at this place. On the 14th of July the Cove fell in with three whalers, the Eclipse, Commerce and Resolution, the masters of which vessels, as well as those to the northward, gave the most solemn assurances that, although they believed the William Torr to be to the southward, still they would use their best endeavors to examine the whole of the west land for the crew. In the face of many difficulties, arising from foggy weather and heavy south easterly swells, capt. J. Ross persevered in exploring the pack to the southward.—His progress was impeded by a barrier, of heavy and extensive floes drifting to the southward, at a distance from fifty to seventy miles from the land.

After many ineffectual attempts to penetrate this barrier, he at last succeeded in again entering the pack, and in advancing through it to the settlement of Okkah, in lat. 57½ N. where it was hoped that the missionaries of the *Unitas Fratrum*, resident at that place, would be able to communicate some information respecting the William Torr. No account, however, of that vessel, or the crew, could be given by the missionaries, who declared that it was impossible for any ship, or the crew of any ship to have approached that shore on the north or south, within three hundred miles of the settlement, without their being speedily apprised of the fact.

Under all the circumstances—having closely examined the pack from the 54th to the 69th degree of north latitude—it appeared to captain Ross that all that the vessel under his command was capable of effecting had been accomplished. Presuming upon the correctness of the information furnished by Mr. Tather, he feared that the William Torr, if she had not returned to England, had been wrecked in the pack; but he still indulged the hope that she had wintered on the west coast of Baffin's bay, in which case her crew would most certainly have been discovered by some of the whale ships.

The Cove weighed anchor on the 4th of August, passed through Pentland Frith on the 19th ult. and arrived in sound condition and with all hands in perfect health, after a most perilous, and, we grieve to add, an unsuccessful service.

FOREIGN EXTRACTS.

The *Chronique de Paris* relates the following extraordinary scene as having taken place at the court of assizes, the truth of which, however, we do not take upon ourselves to vouch for. A youth of about 19 was brought to trial for having broken the window of a baker's shop and stolen a two-pound loaf. The president—"Why did you steal the loaf?" Prisoner—"I was driven by hunger." "Why did you not buy it?" "Because I had no money."—"But you have a gold ring on your finger, why did you not sell it?" "I am a foundling. When I was taken from the bank of a ditch, this ring was suspended from my neck by a silken cord, and I keep it in the hope of thereby discovering at last who were my parents. I cannot dispose of it."—The procureur du roi made a violent speech against the prisoner, who was found guilty and sentenced to imprisonment for 5 years. Immediately upon this, a woman, more worn down by poverty than age, came forward and made the following declaration:—"Gentlemen of the jury. Twenty years ago, a young woman was seduced by a young man of the same town, who after deceiving her abandoned her. Poor and distressed, she was obliged to leave her child to the care of Providence. The child has since grown up, and the woman and her seducer have grown older. The child in poverty, the woman in misery, and her seducer in prosperity.—They are now all three in court. The child is the unfortunate prisoner whom you have just pronounced guilty; the mother is myself; and there sits the father," pointing to the procureur du roi.

Journey under water. The extraordinary feat of walking under the water for the distance of a mile was performed at Weymouth on Monday, Oct. 3d, by Mr. Joseph Orchard, the celebrated diver, who completed this unparalleled undertaking in the harbor, walking at the bottom of it from the new pier the whole length, and then making his appearance by landing at its extremity, bearing a pewter tankard, which he met with in his progress. He afterwards dived again, walked under the water across a portion of the bay, and landed at the stairs opposite Luce's hotel, amidst the cheers of an immense crowd who had accompanied and watched his submarine excursion. A boat, having an air pump

and necessary apparatus for supplying Mr. Orchard with fresh air, attended him. [*Bath Chronicle.*]

Chronometers. Chronometers constructed with glass balance strings, instead of the old metallic ones, are now in course of trial at the royal observatory. On comparing the glass with the metallic springs, when the temperatures were raised from 32 to 100 degrees, it was found that while the loss in 24 hours, in the gold spring was 8 minutes 4 seconds—that of steel, 6 minutes 25 seconds—and that of platinum 2 minutes 31 seconds—that of a glass spring was only 40 seconds. These differences are ascribed by the inventors principally to the different degrees in which the substances had their elasticity reduced by an increase of temperature. As glass was thus found to suffer a much smaller loss of elasticity by this cause than metals, they proceeded to construct a glass balance, suited to the correction of the small error still occasioned by this cause, employing a glass disc for this purpose. The computation being completed, they next tested the isochronism (uniformity of movement) of the glass spring, and it proved to be as perfect as any metallic spring. In common with all other instruments of the same kind, they have shown a disposition to progressive acceleration—the cause of which is but little known, but which appears to be influenced by the action of air.

Medical statistics. A late fashionable physician, who for some years, received fees to the amount of £20,000 annually, endeavored, during the last three years of his life to ascertain the sources of the diseases to which he was principally indebted for his wealth. After comparing the memorandums of each year, he made the following as a comparative calculation:—Vauxhall, theatres and places of worship, 1,600; indulgence in wine, spirits and smoking, 1,300; indolence, 1,000; sudden changes in the atmosphere, 1,200; prevalence of the north or east winds, 1,800; force of imagination, 1,506; gluttony, 1,800; quack medicines, 900; love, 150; grief, 850; unsuccessful gambling, 900; contagion, 900; study, 950; reading novels, 450; of the doctor, 1,500.—

• • • A surgeon at Madeley, some time ago, produced his book of debts to some of the temperance friends, exhibiting accounts to the amount of £1,300 owing to him from different persons, out of which it appeared, £300 were for natural and accidental causes: all the rest was the result of drunkenness.

Various speculations are afloat as to the marriage of the princess Victoria. The German papers say that the duke of Brunswick (the reigning duke) has the wishes of William IV in his favor, and the duke's recent visit to England had reference to this union. If such a marriage were to take place, the duchy of Brunswick would become part of the British dominions; but while Hanover is felt to be a burden, we scarcely can desire any further continental territory. The duke of Brunswick here referred to is not the mad duke, who has become notorious by his late balloon ascent with Mrs. Graham.

Another report has it that one of the princes of the house of Orange solicited the hand of the princess, and, on being referred to her, received the cool and civil reply that her affections were fixed upon another prince! It is said that the young prince of Saxe Cobourg is the happy man, and the sudden visit of Leopold, king of the Belgians, to England, (he arrived last week), was caused by his majesty's desire to conclude matters, so as to insure the marriage of his nephew with the princess. She cannot marry without the consent of parliament, and, at any rate, the match would scarcely take place until May, when she will be eighteen.

The duke of Sussex has a son and daughter by his marriage with the lady Augusta Murray, to whom he was married at Rome, but the marriage was set aside by act of parliament; lady Augusta was the daughter of the earl of Dunmore. Colonel d'Este, the son, is one of the king's equerries, and Mademoiselle d'Este is to be married immediately, at Windsor Castle, to the prince Ernest of Hesse Philippstale.

A calculation has been made of the real and personal property of the peers, which shows a very small proportion to the general mass of wealth in the kingdom; there are

Peers.	£	Total.
4 annual av'ge of property of 250,000—	1 million.	
10 do. do.	100,000—	1 do.
20 do. do.	50,000—	1 do.
33 do. do.	30,000—	1 do.
50 do. do.	20,000—	1 do.
100 do. do.	10,000—	1 do.
200 do. do.	5,000—	1 do.

417 peers with an annual property of 7 millions, Five of these seven millions are entailed property; that is, must descend to the eldest son. The

gentry, including the baronets, have five millions more of entailed property.

Stupendous undertaking. The most dangerous place for bathers in the world is the Serpentine river, in Hyde Park, London. The place now occupied by this noble sheet of water was formerly a succession of gravel pits, so that the footing is no where secure; and many a powerful swimmer has lost his life by being entangled in the masses of river weed. Public spirit in England is always on the alert for the general utility, and attention is now turned to this matter. The London Morning Chronicle says:

"Yesterday morning, at six o'clock, a number of workmen and excavators were set to work (the dam being completed for the purpose on Saturday last), commencing draining the immense body of water out of the Serpentine river, on Kensington garden side, preparatory to cleansing and leveling the bottom of it. It is to be hoped that the intended improvement to this dangerous river will have the effect of preventing the numerous fatal accidents which occur, more particularly during the summer months to bathers."

Emancipation of females from the harem. Constantinople, Sept. 7. The 4th September will be chronicled in golden letters in the annals of the seraglio, and, to all probability, its anniversary will be commemorated by the future generations of the Mussulman women as the æra of their deliverance from the bondage under which the stupid cruelty of man had for ages condemned their sex to groan. In the earlier part of the day the sultan sent for them to inform them that he had resolved on releasing them from the perpetual imprisonment within the precincts of his palace, to which they had hitherto considered themselves condemned for life, and on granting them the facility of occasionally seeking recreation out of doors. They might in future, whenever disposed to frequent any of the public walks on the Bosphorus, freely acquaint him with their wish, for he would feel it a pleasure to indulge their inclination. It were more easy to imagine than to describe the pleasurable sensation which these words of the sultan produced on his fair auditory. Their lord, it may fairly be presumed, at that moment appeared to their eyes as an angel sent from heaven to release them from their fetters. They simultaneously threw themselves at his feet, and bedewed them with heartfelt gratitude. The ladies did not, it may readily be believed, employ much time before the toilette mirror. A few minutes after the reception of these glad tidings they were already embarked, proceeding with all the rapidity which the concentrated energy of 14 sinewy boatmen could impart to their light bark towards Hunkiar Skelisy. A strange coincidence must it, no doubt, have appeared to them that this very sweet spot, where the sultan but four years previous sacrificed his independence on the altar of Russian perfidy, should become the theatre of the first act of their own emancipation. The rapid movement of the britschkas and the loveliness of the valley they crossed, soon drove away apparently all gloomy reflections from their minds; for on their arrival at the delightful Kiosk of Tokat they all took an equally active part in the scene of merriment and frolics, which continued without intermission until the lengthening shades from the surrounding hills apprised them it was high time to return home. So enchanted were they with this day's pastime, that on their arrival at the palace they besought the sultan to allow them to return to Tokat on the 6th, and did not desist from their applications until they had secured his consent.

Machiavelli avenged by the booksellers. The following is an amusing bibliopolical anecdote. A good many years after Machiavelli's death, a certain Jesuit of the name of Luchisini, published a book which he entitled "*Sciocchezze scorpette nolle opere del Machiavelli, del Padre Luchisini.*" (Absurdities discovered in the works of Machiavelli, by father Luchisini.) As this title was much too long to put on a label at the back of the volume, the booksellers of that day reduced it to "*Sciocchezze Luchisini.*" (Absurdities of father Luchisini;) and by that simple abbreviation punished the monk's insolence. [*Book of Table Talk.*]

The brain. M. Couerbe, a French physician, has recently examined the brain of a human being with a powerful microscope, by which means he finds it presents small globules slightly elliptical in shape. These are larger in the grey, than in the white substance of the brain. They are coagulable by acids, like those of the blood and milk. The analysis finds, besides the salts discovered by Vauquelin, lactic acid, sulphur and phosphorus—a pulverulent yellow fat, an elastic fat, a reddish yellow oil, white fatty matter, and *cholesterine*.

The portions which abound after this analysis, or treatment with ether and alcohol, is mostly composed of albumen, coagulated globules, and of membranous substance. The elements of the substances obtained by the analysis of Couerbet are carbon in the proportions of about 68 to the 100 parts, hydrogen 10, azote 5½, phosphorus 2½, sulphur 2½ and oxygen 15, in each of the five above mentioned substances, with the exception of the last, (cholesterine), in which carbon is in the proportion of 85, hydrogen 12, and oxygen 8 in the 100 parts.

[*Boston Times.*]

Unpublished letters of Walter Scott. The following excellent letter of Walter Scott, hitherto unpublished, has lately appeared in the London journals:

"Sir: Your modest and sensible letter would not have remained so long without an answer, had it not reached me at a time of severe indisposition; even at present I must employ another hand than my own.

"I have been long under the necessity of laying down a positive and general rule, never to offer an opinion on the manuscript poetry of unknown correspondents. Besides being a most burdensome tax upon my time, (for I frequently receive two or three large packets in a week), I had generally the very unpleasant task of returning such answers as were disagreeable to my correspondents. In fact, sir, although nothing can be so rare as that high degree of poetical talent which arrests in a strong degree the attention of the public, yet nothing is more general among admirers of poetry and men of imagination, than the art of putting together tolerable and even good verses. In some cases, (and I am disposed to reckon my own among the number), either from novelty of subject or style, or peculiarity of information, even this subordinate degree of talent leads to considerable literary distinction; but nothing can be more precarious than the attempt to raise one's self from obscurity, and place empty and tantalizing objects in the view, diverting the poet from those which fairly and manfully followed out, seldom fail to conduct worth and industry to comfort and independence.

"I by no means advise you to lay aside your taste for literature; it does you credit as a man, and very possibly as a man of talents. But those powers which can make verses are applicable to the more useful and ordinary purposes of life. Your situation is at present dependant; but there is none so low from which patience, industry and perseverance, cannot raise the possessor of those excellent qualities. I would only advise you to publish in such a shape as to insure a return of profit, as some compensation for adopting the thriftless occupation of a poet. If you should resort to subscription, you are at liberty to put down my name; for I scarce think that a man who writes so sensible a letter can be guilty of the folly of publishing very bad verses. I am, sir, with sincere good will, your humble servant, WALTER SCOTT.

[*Abbotsford, 31st March, 1819.*]

"P. S. As you have given me no direction, I can only use the general one pointed out by your letter."

EDUCATION IN ENGLAND.

The following are extracts from the report of the Manchester Statistical society on the state of education in Liverpool, alluded to in the last "*REGISTER*."

"With few exceptions the dame schools are dark and confined; many are damp and dirty; more than one-half of them are used as dwelling, dormitory and school room, accommodating, in many cases, families of seven or eight persons. Above forty of them are cellars.

Of the common day schools in the poorer districts it is difficult to convey any adequate idea; so close and offensive is the atmosphere in many of them, as to be intolerable to a person entering from the open air, more especially as the hour for quitting school approaches. The dimensions rarely exceed those of the dame schools, while frequently the number of scholars is more than double. Bad as this is, it is much aggravated by filth and offensive odours arising from other causes.

One pointing out to one mistress of a dame school, the unfavorable effect these circumstances must produce upon the children, she replied, "They thrive best in dirt."

The circumstance which proves the unwholesome condition of many of these schools, is the very rapid spread of infections or epidemic disorders, which occasionally make their appearance in them. The measles, scarlet fever, small pox and ophthalmic affections, never attack one scholar alone. Frequently one-half of the scholars are affected at the same time; and some of the schools

have been visited at times when two-thirds of the children, usually attending, were detained at home by such complaints. These cases have invariably occurred in the most unhealthy and ill ventilated schools, while in schools more favorably circumstanced, it has rarely happened that more than three or four of the scholars have been absent on account of illness at the same time.

In a garret up three pair of dark broken stairs was a common day school, with forty children, in the compass of ten feet by nine. On a perch, forming a triangle with the corner of the room, sat a cock and two hens; under a stumpy bed, immediately beneath was a dog kennel, in the occupation of three black terriers, whose barking, added to the noise of the children, and the cackling of the fowls, on the approach of a stranger, were almost deafening. There was only one small window, at which sat the master, obstructing three-fourths of the light it was capable of admitting.

At another school, also in a garret, very much dilapidated, and only nine by twelve feet, were thirty-eight scholars; not more than six of these had a book; at which only five boys could be accommodated at the same time, with all the provision for writing and arithmetic. The room below was in the occupation of a cobbler, whose wife lay ill in bed of a fever, himself pursuing his avocation near the bedside.

Another school is worthy of description. The descent is by a flight of narrow steps, fifteen inches in width, and covered with filth; the room is naturally dark, but is rendered doubly so, from the dirt without, and from the steam within the windows; the forms are composed of four old bed stocks, resting on brick supports; the writing desk is a three legged table or stool, accommodating only one scholar at a time. The master, an Irishman, represented himself as a "graduate of the university of Munster, the first place for scholarship in all Ireland."

In one poor school, an old form supplied the place of a desk; three small children were kneeling on the floor to write at it, and two taller ones sat on the floor with their legs thrust under it.

With reference to religious and moral instruction, we find the following account.

In one school the master professed to teach the Catholic, church of England, and Swedenborgian doctrines. In another, the scholars were said to be taught according to their respective creeds. In a third, they were allowed, once a week, to learn any catechism they brought with them. A mistress of one of the dame schools, who taught both the Catholic and Protestant catechism, said she "took care to keep both going together, and then no harm could come out of it." One master professed to teach the Protestant and Catholic doctrines, and some other which he said he did not rightly understand himself.

The mistress of a girl's school expressed a hearty wish that this enquiry might lead to putting down all Catholics and Dissenters, whom she designated as a bad disaffected set. "I hate Dissenters worse than the Catholics," said she, in the presence of her pupils, "I once set on foot a subscription for a poor man who was a Dissenter, and he had the impudence to say that I had kept back part of the subscription money, so that, (raising her voice, and giving strong emphasis to the word never) *I determined never to do a good action, and I never will.*" This individual had previously insisted upon the care she took of the morals and religion of her pupils.

"No less than ten of the mistresses of dame schools, in the parish of Liverpool alone, acknowledged to, being in the receipt of assistance from the poor rates; and such is the poverty and destitution of some of these schoolmistresses, that they cannot even provide forms for the children to sit on."

The following anecdotes will show the attainments of some of the teachers.

One master, who stated that he used the globes, was asked if he had both or one only—he replied, "Both; how could I teach geography with one?"—Being further questioned on the subject, it appeared that both were in his opinion necessary, because one was supposed to represent one half, and the other the remaining half of the world.

It appears that, 185 out of 438, (the total number of the two classes of schools), the masters, upon being questioned on the subject, professed to teach morals; but the profession, in the mode in which it was generally made, seemed to spring from an apprehension that the question was one involving the respectability of the school, and our agent, could find no evidence that systematic training in the principles of morals was ever attempted, or even supposed to be possible.

In the poorest schools, no pretence is made to teach morals, and many masters have no idea what

teaching morals can possibly mean. The generality of teachers indeed entertain very imperfect notions on this subject. The prevailing idea is, that morals are best taught by visiting the more flagrant deviations from rectitude, with the rod.

To show how imperfect the knowledge of some masters on the subject of morals, one master being asked if he taught morals, observed, "That question does not belong to my school, it belongs more to girls' schools."

The character of the teachers is thus set forth:

"It is not uncommon to find the mistress of a dame school gone out for the day, leaving the school in charge of some neighbor or neighbor's child. Sometimes she is found washing at the back of the house; at other times, the washing and drying is carried on in the school.

"On one occasion, the children of a common day school were found playing in a garret, and it was stated that the master had been away drinking, for several days together.

"Dame schools are almost universally ill supplied with books. The poverty of the mistress renders it quite out of her power to provide them, and the parents neglect to furnish their children with them, either from the same cause or from indifference.—In many of those schools which are not wholly destitute, the books are of such a mixed character, as to defy enumeration, consisting of old magazines, of parts of novels or sermons, and sometimes even of political pamphlets.

"Some were more honest—one conscientious teacher of a common boys' day school, an Irishman, being asked if he taught grammar, replied very candidly, 'Faith, and it's I that don't; if I did, I must *lache* that thing I don't know myself.'

"Much difficulty was experienced in obtaining the numbers in some of the dame schools, from a notion that it is unlucky to count their scholars.—One had conscientious scruples and was deaf to persuasion, saying it would be flat flying in the face of Providence. 'No, no,' said she, 'you shan't find me counting; see what a pretty mess David made of it when he counted the children of Israel.' The number was afterwards obtained without doing violence to her principles.

"The number of charity schools in the borough of Liverpool forms a much larger proportion of the whole number of schools of all sorts, than in either of the towns previously examined by the society. More than one-third of the whole number of children returned, as receiving instruction of one kind or another, are educated in charity schools; but it ought to be observed, that in the great majority of these charity schools, the scholars themselves contribute something towards the expense of their education."

And the following is the conclusion to which the enquiry leads, it refers only to the town of Liverpool.

The result of the committee's inquiries may be expressed in the following condensed form:

- 12,000 children of all ages receiving entirely at the cost of the parent, an education of a very low order.
- 13,000 children of all ages receiving, partly at the expense of the parents, partly at the expense of private benevolence, an education more or less effective, but in all cases, of some real value to the children.
- 8,700 children of all ages receiving some instruction in Sunday schools, but no regular education.
- 4,000 children of the upper and middle classes, educated in superior private schools.

32,700 total.

30,000 children between the ages of five and fifteen, receiving education, either really or nominally.

Taking this as a fair measure of the quantity and quality of the education received by the children of the working classes, in this country, and what, in other civilized countries, has been done for the education of the same class, the result is one which cannot be dwelt upon without some feeling of pain and humiliation.

NATIONAL TYPOGRAPHICAL CONVENTION.

ADDRESS TO THE PRINTERS OF THE U. STATES.
Washington city, City Hall, Nov. 11, 1836.

FELLOW CRAFTSMEN: The delegates from the different societies which were invited to meet at Washington on the 7th November instant, to form a convention, to take into consideration the present state of the printing business, are about closing their labors. They feel desirous to address you, in order to lay before you the motives which induced the call, and which urged them to adopt measures to form a constitution for the originating and manage-

ment of a general association, under the denomination of the NATIONAL TYPOGRAPHICAL SOCIETY, to be held annually, (at New York, September 1, 1837), and to be composed of delegates from all societies throughout the United States, proportioned to the rate of their sitting members.

From recent attempts at encroachments on the rights of journeymen, and to prevent them in future, it has been judged most prudent to seek safety in union. This concert of action becomes more imperative, when we daily perceive the rapid strides which printing is making over a vast extent of country, and the measures which may be adopted to injure us. It is a lamentable fact that the newspaper press has almost entirely passed from under the control of members of the profession, into the hands of speculators and partisans, who, ignorant of the feelings and sympathies of the craft, create dissensions and difficulties where they cannot make them subservient to their will and interest.

As nothing of a permanent nature could be undertaken by this convention, it confined itself solely to recommendatory measures, such as were suggested during the several meetings which were held, leaving much important matter to the societies to accomplish before they confirm and ratify the constitution—copies of which will be sent to all the local typographical societies in the union for their approval before the national society meets—but in the mean time, it is incumbent on us to make you acquainted with the various topics which engaged our time and attention, and the results to which we have arrived.

In looking back but a few years, we may almost say a few months, associations by men in the humbler spheres of life were regarded, even by men of sound legal knowledge, as a departure from common usage, which ought to be considered as a combination against wealth and rank, and contrary to common law, for which they pretended to have many strong *judicial precedents*. But already have the true principles of political knowledge spread almost with the celerity of sound, and stamped the improvements of the age; all that dread of danger has disappeared, and given place to more congenial feelings. So much so, that it now becomes the duty of the working classes to watch the employment of capital in the hands of the speculator. Indeed, it is an important object for the study of legislators, to restrain the capitalist in his wild career of gain that he may not injure the poor mechanic in the line of his profession. Should this maxim be overlooked, the wealthy of the land may increase in riches, but the most abject poverty and distress will be sure to follow in the track. Does it not then become the industrious mechanic to protect himself and family from pauperism, by adopting a mode of defence which will cause a more general distribution of that prosperity which is produced by his hard earnings?

To you, fellow craftsmen, who take a pride in your profession, and look upon the present degraded state of the press as a public misfortune, which must eventually corrupt the morals of the community, we would appeal to arrest this evil; or, before many months pass over, the *art of printing* will no longer give support to its professors. The demon of misrule has entered the sacred temple of liberty, corrupted its officiating priests and profaned the holy altar. This picture is too true, and has already occupied the attention of many good men of our land, and among that number Noah Webster. As a proof of which, we give the following living picture of the press from the pen of this great man:

"The press, when judiciously managed, is one of the greatest blessings of a civilized people; when abused, it is the most powerful instrument of mischief. Probably no civil privilege in this country is so much perverted and abused. In no country is reputation held so cheap. Slander, like the sythe of death, levels all worth and distinction; the press, one of the noblest instruments of improvement, is converted into an instrument of deception, and the means of making citizens hate and oppress each other. The moral effect of this abuse is lamentable; for it seems to have become a ruling belief of partisans that a man has a *right* to delaminate those who differ from him in opinion."

Thank God! but few of these corrupt conductors of the press are practical printers. Unfortunately, however, they manage to carry on this warfare by the service of boys, raising six or eight at a time for a few years, to subvert their nefarious purposes, and then cast them on the profession for support. By this means, they continually keep the stream flowing into the large cities, driving the journeymen from their situations to make room for those youths, who will labor for a mere pittance to obtain a livelihood, and hence become an object to some avaricious employers—inconsiderate men.

This we consider a cruel and unjust practice, and are determined, as far as lies in our power, to meet the evil with energy and firmness. We call upon each local society to unite with us in denouncing it, and upon every parent or guardian to protect the interest of their charge, by compelling their boys to be bound as apprentices, and to be taught a knowledge of their business, and not allow them to be thrown into the company of immoral and profligate youths, encouraged by receiving more money than they are acquainted with the use of.

We would advise every society not to lose one day in adopting some specific act on this head, that all may feel the benefit. The suggestions of the national society's constitution will point out a mode to regulate you in this all-important and long complained of evil, which has already ruined the business in more than one city; and we must congratulate those societies who have undertaken to check this wicked custom, and expose those who traffic at their neighbors' cost.

We cannot embrace the one half of the objects brought before this convention in a newspaper address, which must, of necessity, be very brief; but one serious evil we must not omit, because, if longer persisted in, it will reduce us to the condition of servile tools of party, which will deprive us of the most distant hope of benefitting ourselves by our profession. This evil exists in a country, too, where the press is considered free, and the principles of liberty are well known. We have allusion to that unjust and pernicious practice of the legislatures of many states, as well as of the federal government, of bestowing all their printing and binding in such a manner as to reward their partisans, even to the smallest job, when they are neither printers nor at all acquainted with the art, to the exclusion and utter ruin of the practical man. This ought not to be submitted to, and we must endeavor to have it altered, if necessary, through the ballot-box, by calling on all whose interests may be concerned to unite with us. It is the duty of legislators to protect all classes, and not to oppress one to elevate another. We may compete with capital; but cannot with the power of a state. *Security* in the right of what we *possess* is the principal object of the social compact, and the *property* of the working man consists in the knowledge of his calling, and any infringement of that *right* is at once subversive of all civil institutions.

We cannot overlook what has been pointed out to us since we assembled here, through the public papers. A joint stock company is about being formed in Boston* to carry on printing by means of boys; and we also perceive, from a prospectus published in the United States Telegraph, that a more formidable inroad is about to be made by a joint stock company with a capital of \$500,000 under a charter. This chimerical plan, of itself, could not excite one uneasy sensation in the breast of any practical man; but, in this age of speculative mania, others may attempt the same or similar projects.—The following single extract will at once exhibit how our interests might be destroyed by the failure or success of such undertakings.

"It is proposed (says the prospectus) to manufacture the paper used in printing, and thus save the expense of drying it for market, putting it into bundles, transportation to market, commission, interest, and guaranties, equal at least to twenty per cent.

"A greater saving can be made by the employment of boys in composition, printing, and binding. This, with the profits on periodicals, reprints and elementary books, will secure to the stockholders a good dividend."

Our efforts in endeavoring to enlist your feelings and co-operation, are for the benefit of all, individually and collectively. We do not intend to meddle with the concerns of local societies—and therefore, can fix no standard of wages, but obligate ourselves to sustain each other in our general interests, when prudence dictates the interference. We therefore call upon you, through your associations, to concert measures to have delegates sent to "The National Typographical society," to cause its exertions to be felt from one end of the union to the other, in sustaining the honor and interests of our profession. In those sections of the country where no society is as yet established, we trust the craft will see the necessity of immediately uniting themselves in some bond of union. Where they are few and scattered, a *chapel*, or some such meeting may be concerted, to appoint a delegate or proxy.

To the rising profession of the west, we should particularly address our solicitations, as they pro-

*We understand that the Boston company have already gone into operation.

mise to become the future guardians of the people's rights. To them this is a most important era. However small may be their numbers, they ought now to concentrate and unite themselves together; they have no old prejudices to contend against—no inveterate habits to overcome; the task to them must be a pleasant and an easy one, and on which might be predicated many a useful and valuable institution. Libraries or reading rooms might be got up, and made the channel of much friendly intercourse between them. Through this means of acquiring information, they might protect the yet almost uncorrupted west from the *hiring editor's* contaminating pen, and become the true recorders of the nation's progress to greatness and glory in the peaceful pursuits of civil life, or its struggles in the field of glory, when battling against the oppressor for liberty and independence.

Although we do consider it the duty of all to join and lend their aid to some association, we would rather invite than use coercive measures to induce them to become members. We would do this in the best of faith, that we might have all the good and moral men of the craft classed as brothers of one family, and none to stand aloof but the unworthy and debased. We hope the different societies will so amend the qualification articles of their constitutions as to make all who are now ineligible from want of certificate, &c. of apprenticeship, members, who may be now working at the business as acknowledged journeymen. When the national society's constitution is ratified, then six years will be the minimum standard of apprenticeship for boys to be bound. This regulation the employing printer will find to be of primary importance to his interests and welfare. And thus reciprocally united, we may bid defiance to the efforts of the speculator's capital, and make our *press* to be heard, whether in the turmoil of a republic or in the dead calm of a despotism. Through the agency of the delegations, a statistical table will be annually published of the number of papers, their editors, how many are printers, men employed, members and not members, boys bound, &c. so that we may possess all necessary information concerning the management of the palladium of our rights, which the public as well as the craft should know.

We fear we have transcended our limits for publication, and must omit much of what we would wish to suggest. We would remark, however, that the union we are about to form is only the association of social feelings; we have encroached upon no man's rights, nor committed an act that we shall ever have cause to regret. The interests of the employer and journeyman have been assimilated, and, we hope, rendered permanent for the time to come.

The convention transacted its arduous duties with the greatest harmony and good feeling towards each member; and never did a meeting take place under more propitious auspices as to the future welfare of the profession at large.

NOTE.—All communications on business connected with the National Typographical society, may be addressed to Mr. CHARLES A. DAVIS, No. 529, Pearl street, New York city.

MESSAGE OF THE GOV. OF GEORGIA.
Message of governor Schley, to both branches of the general assembly of the state of Georgia.

Executive department, Georgia.
Milledgeville, 8th Nov. 1836.

Fellow citizens of the senate
and house of representatives:

Since the adjournment of the last session of the general assembly, events of an extraordinary character have addressed themselves to the sympathy and courage of Georgia, and I am proud to say, that the appeal has been answered with a promptness and zeal worthy of her pride and patriotism.

Information having reached the executive early in the month of January, by a communication from governor Eaton, that the Seminole Indians had raised the war whoop in Florida, and were perpetrating its concomitant deeds of horror, and the emergency being deemed too imperious to await the distant action of the general government, a call was forthwith made for volunteers to aid our suffering countrymen to repel the bold and barbarous invaders—and, to provide against contingencies, a draught of three thousand five hundred men was required. But, to the honor of Georgia, volunteers stood forth from the sea board to the mountains in numbers far beyond the exigency, and with an eagerness evincing, that though "the days of chivalry are past," its spirit has not departed.

As all could not be accepted, and no selection could be made for merit where all were equal in zeal, the contemplated succour was confided to those who had the fortune to be foremost in time.

Before the necessary preparations were completed, major general Scott of the army, charged with the impending campaign, made a requisition on Georgia for two regiments, one of infantry and one of mounted men. Of the first, five volunteer companies, viz: the Morgan Rangers—the Putnam Fencibles—the Hancock Blues—the Macon Volunteers and the Monroe Musketeers assembled at Macon and were organized into a battalion under the command of major Mark A. Cooper, an officer of their own choice, it being deemed proper, in the absence of positive law to the contrary, to suffer volunteers in the service of their country, to elect their own commander.

On the seventh day of February this battalion embarked on boats prepared for the occasion, with orders to proceed to Picolata and report to major general Scott, or to such other officer of the United States' army of superior rank to major Cooper, as should be in command at that post. Besides this battalion, there were two volunteer companies from Augusta—the Richmond Blues and Richmond Hussars—which embarked at that city on board a steamer for Picolata. The second battalion of infantry was in progress of organization from the counties of Coweta, Carroll, Campbell, Fayette and De Kalb, and was intended to be conveyed in steamers from Columbus to Tampa Bay; but before the companies took up the line of march, despatches were received by express from general Scott, requesting that they should not proceed to Florida.

Of the mounted regiment, one battalion composed of the Washington troop—the Hancock troop—the Jefferson Hussars—the Baldwin county cavalry, and the Houston cavalry, was ordered to repair to Dublin and elect a major to command them; but, owing to the non-arrival of some of the companies as soon as was expected, the election did not take place, and each company found its way, in its own manner, to Picolata. Here the Washington, Hancock and Jefferson companies entered the service of the United States and elected capt. Douglass of the Jefferson Hussars, to command them. In addition to these companies, capt. Charles H. Nelson of Cherokee, raised a mounted corps, composed of citizens of Cherokee and Wilkes, and repaired to Florida, where they, also, entered the service of the United States.

The privations and perils of an arduous and harassing campaign were sustained by these troops, with a fortitude and courage honorable to themselves and their country, and which gave assurance (since realized) that in the hour of danger, Georgia may safely rely on the patriotism and gallantry of her sons.

A second battalion of mounted men, to complete this regiment, composed of Putnam mounted riflemen—the Gainesville dragoons—the Walton county cavalry—the Buckskin Hussars, of Dooly county—the Butts county cavalry and the Twiggs cavalry, assembled at Hawkinsville, the place appointed for rendezvous, and was organized, by the election of major David Ross to command them. This battalion proceeded to Black Creek, in Florida, with the intention of entering the service, but they were not accepted, because the campaign was about to be closed, and the officer in command at that station directed them to return. Although this battalion was not formally mustered into the service, the U. States have paid them and defrayed the expenses of their march to and from Florida.

Brigadier general Burwell Pope was appointed to command the Georgia troops in Florida, and proceeded to Picolata for that purpose. But one battalion of infantry having been detained by request of general Scott, and the second battalion of mounted men having been ordered back to Georgia, the troops were reduced below a brigadier's command, and general Pope accordingly returned without an opportunity of taking part in the campaign.

Having no authority to draw on the treasury of Georgia to defray the expenses of bringing these troops to the field and marching them to Florida, I requested for this purpose, funds from the secretary of war, who promptly remitted to me twenty-five thousand dollars. The greater part of this sum was expended in that service, and the balance has been applied to the Creek war, to which I shall hereafter advert. But before the receipt of this money, circumstances connected with the public safety, compelled me to draw on the contingent fund for six hundred and sixty-eight dollars and six cents, which I have since returned to the treasury; and besides this amount, the treasurer, col. Haynes, at my request, promptly assumed the responsibility of furnishing me with such sums of money as were necessary to meet the daily demands of the service, until I could receive remittances from the war department. In addition to the twenty-five thousand dollars, above mentioned, I have since received the sum of ten thousand dollars, which has enabled me

to return to col. Haynes the whole amount borrowed, and to pay off the accounts contracted for transportation, subsistence, &c. &c. of the volunteers.

In compliance with a resolution of the general assembly, passed at the last session, I caused the counties of Baker, Dooly, Early, Lee, Randolph, Stewart and Sumter to be furnished with arms and ammunition, and a company of spies, consisting of twenty mounted men; to be raised in each, to protect the people against hostile incursions of the Creek Indians. These companies were kept in service for some time, and until it was deemed proper to supersede them by a force believed to be more efficient. This was a small battalion of mounted men who volunteered, at the invitation of the commander-in-chief, to serve three months under the command of major John H. Howard, to whom a special commission of major was given for that purpose. This battalion was mustered into the service of the U. States, and supported and paid by that government. The expenses of the spies, raised under the authority of the resolution, have not been paid, because at the time that the accounts were being made out and arrangements were in progress to pay them, the Creek war commenced, which so disturbed the people of those counties, and occupied the time and attention of the executive, that it was not possible to do so—and since that time, these causes have not ceased to exist and exert their influence.

A short time before the expiration of the term for which major Howard's battalion had volunteered, the Creek Indians became hostile and rendered it necessary to call on the people of Georgia to take up arms in defence of their state. On the 13th of May, a general order was issued inviting volunteers. The invitation was accepted with great promptness, and in a much shorter time than it is generally supposed that *unorganized* militia can be brought to the field, a force of between four and five thousand composed of volunteers and draughted militia, was assembled at different points on the Chattahoochie. Some of these troops had to march a distance of two hundred miles, and yet they were nearly all assembled at the different places appointed, by the 6th day of June, making the whole time, from the date of the invitation to the time of arrival, only twenty-two days.

The Florida campaign had exhausted the arsenal at Milledgeville of nearly all the arms. Those which still remained were immediately forwarded to Columbus and West Point, and an order was issued to the military store keeper, at Savannah, to ship one thousand with the accoutrements, to Augusta, whence they were immediately sent in wagons to Columbus. No time was lost in the transportation of these arms, and they arrived at different times between the 4th and 15th days of June. I also requested the officer in command of the United States' arsenal, near Augusta, to forward to Columbus one thousand muskets, which request was promptly granted, and the arms were immediately put on board of wagons; but by misconduct or negligence in those having charge of the wagon train, they did not arrive until the last of June or first of July. Major general Scott had ordered a quantity of Hall's rifles from Picolata to Darien and thence to Hawkinsville, to be conveyed from that place to Columbus, together with a supply of provisions for the army; but these, also, were delayed by untoward circumstances, long after the time of their expected arrival.

Knowing that the president of the United States had charged major general Scott, with the defence of the nation against any hostile movements of the Creek, as well as the Seminole Indians, I addressed him a letter on the 18th day of May last, requesting him to repair to the Georgia frontier, on the Chattahoochie, and take charge of the military operations in that quarter. This letter met him at Savannah, and he immediately proceeded to Milledgeville, where he arrived on the evening of the 28th May, in company with major general Jesup, whom he joined at Augusta. On the next morning, these gentlemen and myself left Milledgeville for Columbus, where we arrived on the morning of the 30th of May.

Before the arrival of generals Scott and Jesup, and whilst the responsibility of the campaign rested on me, I had determined to place on the eastern margin of the Chattahoochie, a force capable of preventing the escape of the enemy, believing, that whenever he should be pressed in Alabama, he would seek refuge in flight, and that the conflict would be, as it eventually was, on the territory of Georgia.

This purpose, to which the troops were directed as speedily as they could be organized and armed, was recommended not only by the consideration stated, but by the melancholy fact that the Indians had murdered, or driven from their homes, all the

white inhabitants of Alabama that were within their power, and destroyed their property, before the army had reached the frontiers of Georgia. There was nothing left to tempt their cruelty or rapacity; and, therefore no feeling of humanity forbid the caution intended to force them into conflict or capitulation. The events of the campaign have confirmed my confidence in those views, for our troops, on the river, were engaged in almost daily contests with the flying foe, and *all the battles of the Creek war, have been fought by Georgians, on the soil of Georgia.*

Immediately on the arrival of gen. Scott, at Columbus, he assumed the command of the army and the direction of the war, and gave the high sanction of his approbation, to the course which had been pursued.

Want of arms, ammunition and provisions, which had to be conveyed from Savannah, Augusta, Picolata and New Orleans, delayed, for a time, the contemplated movement on the enemy, and was a source of embarrassment, not less vexatious to those who had taken timely measures to provide them, than to the army, impatient as they were, to avenge the wrongs of their suffering countrymen. But this delay has been greatly exaggerated by mistake, or misrepresentation, and a just allowance has not been made for misadventures, over which those in command had no control.

As the troops arrived, they were equipped and sent forward as speedily as possible. The first companies were mustered into service on the 2d or 3d day of June, and the great body of the army took up the line of march under generals Scott and Sanford, eighteen days thereafter. If due allowance be made for the time necessary to procure munitions of war from distant points, to muster into service, officer, arm and furnish with ammunition, camp equipage and provisions, between four and five thousand men, whose peaceful pursuits have given them but little aptitude to military organization, it will be found that the actual detention was unavoidable and very inconsiderable; and under less momentous and exciting circumstances, it would have received a more general and just explanation.

By virtue of the authority vested in the executive by the 45th section of the militia law of 1818, I appointed major general John W. A. Sanford and brigadier generals Henry H. Lowe, Zachariah White and James Wood, to command the troops. These officers discharged their duty with promptness and ability, and to the entire satisfaction of the army and the people.

A few days before general Scott moved from Columbus, gen. Jesup, with the Alabama troops and friendly Indians, marched from Tuskegee through the Creek country in the direction of Fort Mitchell. To this detachment of the army, a number of hostile Indians, including three or four hundred warriors, came in and surrendered; whilst another party, said to consist of three hundred, alarmed at the approach of this force, crossed the Chattahoochie some miles below Roanoke, and proceeded towards Florida. The trial was not discovered until a day or two after they had crossed, and just at the time time when generals Scott and Sanford, with the troops under their command, reached Roanoke. The fact being made known to them, a force under col. Beall was despatched in pursuit, and a portion of the enemy was overtaken in the Chickasawatchie swamp, in Baker county, where a skirmish ensued in which it is said that nine or ten Indians were killed, and a quantity of goods, horses, money and other property captured. A battalion of volunteer infantry from Muscogee county, under command of major Hoxey, also marched to Baker county and searched the swamps for the enemy; and subsequently, a battalion of mounted men, under major Alford, scoured that part of the state.

The Georgia troops engaged in the Creek war have done honor to themselves and to the state, and presented conspicuous instances of gallantry that have called forth the praises, and will long receive the gratitude of their country; and to this just commendation of the army is equally due to those brave citizens of Stewart, Randolph, Lee, Irwin, Baker, Telfair, Thomas, Lowndes, Early and Ware, who flew with alacrity to the point of danger, and with a high personal daring sought the sanguinary savage in his own fortress swamps, and checked his cruel course of death and devastation.

The hostile Indians who surrendered to the troops under command of general Jesup, were conducted to Fort Mitchell, where the warriors were placed within the pickets of the fort. Believing, from good evidence, that among these were many who had been engaged in the murder of our citizens, and the burning of Roanoke, and other places on the Chattahoochie, and it is my duty, as the governor of the state, to use all legal and proper means of having them identified and turned over to the civil

authority for trial. I addressed two letters to gen. Jesup, at Fort Mitchell, under date of the 29th and 30th of June requesting him to detain these warriors at the fort for a reasonable time, that I might collect the evidence to identify them, and to authorize me to demand them for trial. To these letters no answers were received, and on the 2d day of July all the Indians were removed from Fort Mitchell on their way to Arkansas, except eleven warriors who had been charged, on sufficient evidence, with the commission of capital crimes in Georgia. These were afterwards, on my request, delivered by major McIntosh, who was in command of the fort, to the civil authorities and secured in the jail at Columbus.

Believing that an indignity was offered to the state, through her chief magistrate, by this course of proceeding on the part of general Jesup, I addressed a letter to the president of the United States, on the 7th of July, stating the facts, and protesting against such conduct on the part of an officer of the army, towards the authorities of the state, a copy of which I sent to general Jesup. I have received an answer from the president, in which he has caused a copy of my letter to be forwarded to gen. Jesup, with a call for explanation.

Subsequent to these occurrences, the Creek warrior Jim Henry, surrendered himself to the Alabama forces under generals Jesup and Patterson. Immediately on learning the fact, I demanded him as amenable to the laws of Georgia for crimes he had committed within her jurisdiction, but general Jesup refused to deliver him to the agent appointed to receive and conduct him to Georgia, on the ground that he had been previously demanded by the governor of Alabama, to be tried for capital crimes committed by him within that jurisdiction—and he was afterwards delivered to the sheriff of Russell county, in that state, and conducted by capt. Garmany and a part of his company to Girard, and lodged in jail.

As soon as I could obtain the evidence necessary to make a demand on the governor of Alabama for this man, I did so, and requested that, in the event of his acquittal in that state, he should be delivered to the agent appointed by me on the part of Georgia to be conducted to Stewart county and tried for the crimes with which he there stands charged. This demand was promptly complied with by his excellency governor Clay, who immediately transmitted to me the necessary papers, which were placed in the hands of captains Evans and Schley, of the city of Columbus, whom I appointed agents to receive the prisoner and conduct him to this state. These gentlemen attended the court in Russell county, Alabama, to receive him, in the event of his acquittal, but at the request of his counsel, the *venue* was changed from Russell to Montgomery county, where the court will not sit until the month of March next.

Some short time after claiming Jim Henry, I made a general demand of gen. Jesup of all Indians, in his custody, charged with the commission of crimes within this state, and who should be identified as such by the persons who accompanied col. Rockwell, the bearer of my communication. Before the arrival of these gentlemen at Tuskegee, the Indians had been removed to Montgomery, and they were obliged to proceed to that city, where, by authority received from gen. Jesup, they took into custody twelve warriors, recognized as amenable to our laws, and committed them to jail in Columbus to await their trial.

Since writing to the president, and my return to Milledgeville, a correspondence has taken place between gen. Jesup and myself, in which he accounts for not having answered my letters. To that of the 29th of June, he has enclosed me a reply, which, he says, was written, but by mistake placed on file instead of being sent to me; and to that of the 30th of the same month, he acknowledges that no answer was written, and supposes that the omission occasioned by his great anxiety to depart for Tuskegee, and the multiplicity of business which then occupied his time and attention. His motive for removing the hostile warriors from Fort Mitchell against the wishes of Georgia, conveyed to him through her chief magistrate, is explained in his letter to the war department, in answer to the call made by the president, after receiving my communication.

Copies of all the correspondence relating to this subject, as also to the Seminole and Creek wars, will be found among the accompanying documents.

There are still many hostile Indians in the swamps of Irwin, Thomas, Lowndes and Ware, who give just cause of alarm to the inhabitants. I have been applied to for the means of protection, which were immediately afforded by sending arms and ammunition to those counties, and instructing the commanding officers of regiments to call out a mounted company in each, for temporary security, until more permanent arrangements could be made; and to this

end, I requested from major gen. Jesup, a detachment of regular troops for that service. The request was promptly granted, and major G. Dearborn, with two companies, was sent with instructions to establish a military station at such place in Lowndes or Ware, as might be considered most eligible, and to call on the commanding officers of the militia in those, and the adjoining counties, for such number of troops as he should deem necessary to give security and repose to the country.

Many of the members of capt. Garmany's company, who were engaged with the Creek Indians in the battle of Shepherd's field, on the 9th June last, lost most of their wearing apparel and were so destitute of these articles that they could not perform duty without a new supply. The army regulations make no provisions for furnishing clothes under such circumstances, and some of these men had not the means of procuring them, for they had also lost their money; and, therefore, I purchased cheap articles for them to the amount of one hundred and sixty-six dollars and twenty-five cents, which I paid out of the contingent fund.

The Georgia troops engaged in the Creek war, had expended their own money in providing themselves with such camp equipage as they believed to be necessary on their march to the frontier, and in camp. Application was made to the quartermaster of the United States' army to refund the amounts thus expended, but he did not feel himself authorized to do so, because the quantity and quality of many of the articles purchased, did not correspond with the army regulations. After several conferences which I had with that officer on the subject, he agreed to furnish the money if I would assume the responsibility of paying the accounts and settling with the war department. This I consented to do, rather than our people should lose large sums of money expended by them for the public service, and accordingly I received from Mr. Waite, the quartermaster, five thousand one hundred and sixty-eight dollars and forty-five cents, which I applied to the payment of these demands.

Very soon after the ratification by the senate of the United States, of the treaty made between general Carroll and Mr. Shermerhorn, the commissioners on the part of the United States, and the Cherokee tribe of Indians, (a copy of which accompanies this message), the people of that section of the state became apprehensive that the Ross party, against whose wishes the contract for their removal to the west was made, would, in the then situation of the state in regard to the Creeks and Seminoles, become hostile. Under the influence of this excitement, heightened as it was, by some murders and burnings committed by Indians about that time in Walker county, petitions from several parts of the Cherokee circuit for troops, arms and ammunition, were presented and granted. Orders were issued to brigadier general James Hemphill to raise a battalion of militia and place them at Lashley's Ferry, on the Coosa river, for the double purpose of preventing the Creeks from coming into Georgia, and to keep the Cherokees in check.

This order was executed, and a battalion was organized under the command of major Charles H. Nelson. For further security, a part of the Cherokees were disarmed, and five hundred muskets and accoutrements were ordered from Savannah, and sent to Cherokee county, with a sufficiency of ammunition for the use of the people, in the event of any hostile movements on the part of these Indians. Whether the Ross party really intended any hostile action, has not been ascertained. But, it was proper to be prepared for it; and the arrangements on the part of Georgia, together with the appearance of the Tennessee troops, about that time, under brigadier general Wool of the United States army, had the good effect of quieting the fears of the citizens.

An unpleasant circumstance, however, occurred between a company of Georgia volunteers, under command of captain Absalom Bishop, forming a part of major Nelson's battalion, and a portion of the Tennessee troops. Captain Bishop, in obedience to orders, had arrested a number of Creek Indians for the purpose of conveying them to Alabama, to be delivered to the proper officer having charge of the Creek emigration; but before his object was effected, captain Vernon, with a company of Tennessee volunteers, demanded these Indians, and threatened to take them from his possession, and to take him and his company if he resisted. Before, however, any collision took place, general Dunlap, commanding the Tennessee brigade, arrived, and a compromise was made, by which captain Bishop kept possession of a part of the Indians, and surrendered a part on the claim of their being Cherokees.

I have received from general Dunlap and colonel William N. Bishop, communications in which dif-

ferent views are taken of the matter, and the circumstances are differently stated: each party criminating the other. To the letter of general Dunlap, I returned an answer objecting to the conduct of the Tennessee company; and I also wrote to general Wool, giving to him the facts as they had been presented to me by both sides, and requesting him to calm the troubled waters. His reply attaching blame to each party, will be found among the correspondence on this subject herewith communicated.

By the treaty to which I have adverted, between the United States and the Cherokees, the latter are allowed until the 23d day of May, 1838, to leave the soil of Georgia. This convention will, I have no doubt, be satisfactory to the state, and it will be proper for the general assembly so to modify the laws in relation to these people and their rights of occupancy, as to do justice and advance the interests of the state.

In the month of December last, immediately after the adjournment of the legislature, I received a letter from governor Cannon, of Tennessee, on the subject of the arrest by the Georgia guard of Mr. John Howard Payne within the jurisdiction of that state. The act could not be justified on any principle of right or comity between states, and had been expressly condemned by a resolution of the general assembly of Georgia, before complaint was made on the part of Tennessee. I replied to the letter of governor Cannon, and enclosed to him a copy of the resolution, which has been satisfactory. A copy of the correspondence is herewith transmitted.

The defects of our militia system, though, to a certain extent, long known and felt by all who take any interest in having a well organized body of citizen soldiers, were never so glaringly exposed as during the Seminole and Creek wars. The existing law offers so little inducement for persons of suitable capacity to accept offices in the militia, that even the high stations of colonel and major were found vacant in many of the counties, during the excitement of the past year. By the act of 1818, no provision is made for the election or appointment of field officers to volunteer troops, and it is very doubtful whether the legislature intended, by the 45th section of that act, to vest in the governor the appointment of those officers in the case of drafted militia. In the absence, therefore, of any law on this subject in regard to volunteers, and with the great doubt of power in respect to drafted men, I permitted both species of troops in the Creek campaign to elect their field officers, to whom I gave commissions to continue during the time they should remain in that service.

There is another omission in this act which it would be well to supply; there is no penalty fixed against them who, after appearing at the place of rendezvous, shall refuse to enter the service of the United States.

The office of adjutant general has been vacant for twelve months. The legislature, at the last session, failed to fill it, and I deemed it unnecessary to do so during the recess of that body, because I could not expect to obtain the services of any individual without compensation, and there is none now attached to the office, except the inadequate amount of thirty day's pay, in each year, of an officer of like grade in the army of the United States. I would respectfully recommend that, in revising the system, provision be made for an adjutant and assistant adjutant general, with a competent salary to each, to induce him to give his whole time and talents to the subject.

The nature of this communication will not allow me to enter into a detail of all the defects and imperfections of the present militia laws; nor do I consider it necessary, as recent experience has so fully developed them, that they will not escape the intelligent observation of the legislature.

The ordinary arms, for the purchase of which an appropriation was made by the general assembly at the last session, have been contracted for through the agency of the war department, the secretary having politely offered to have them fabricated after the model of those used in the army, and at the price paid by the United States for similar articles. The swords, pistol-holders and accoutrements have been finished, received and paid for, and are of a superior quality for the price; but the pistols have not yet arrived. The sum appropriated was ten thousand dollars, with which three hundred and forty sets have been purchased. The cost of the swords, holders and accoutrements including commissions, freight and insurance is four thousand four hundred and thirteen dollars and ninety-six cents.

The act authorizing the purchase of these arms requires the governor to distribute them to cavalry

corps. The number obtained will furnish only five or six companies, and it will be an unpleasant task for him to determine which shall be thus favored to the exclusion of all others. As all the companies will have an equal claim, and very few of them can be accommodated, it will be well for the general assembly to determine, whether, under the circumstances, these arms shall be distributed, or kept in the arsenal to be used by such volunteers as may be called into service, in the event of an emergency making such call necessary.

No military fund was created by the appropriation act of the last session, and, consequently, I have not been enabled to pay the brigade inspectors and others having military accounts against the state.

The cartridge boxes, bayonet scabbards and belts which had been contracted for, under authority of a resolution of the general assembly, passed at the session of 1824, have been received and paid for.

The reports of the keepers of the public arsenals at Savannah and Milledgeville, will be found among the documents, and will show the number and condition of the arms and accoutrements, and the quantity and quality of the ammunition.

I have received a communication from colonel Bomford, of the ordnance department, stating that Georgia is entitled, under the act of congress of 1806, to a quota of arms up to the first January last, equal in value to 548, 7-13 muskets, and requesting that I would designate the kind of arms the state would prefer. In answer to this communication, I have directed the amount to be paid in yagers or rifles, with the necessary accoutrements.

The Georgia arms which were used during the Creek war, were, on the discharge of the troops, delivered to the United States ordnance officer at Columbus; and, by direction of the commanding general, have been sent to the arsenal at Mount Vernon, in Alabama, to be put in good order. These, or others equally good, will in due time, be returned to the state.

The state having no gunpowder suitable for small arms, and there being frequent calls for that article during the recent Indian excitements, I caused seventy-five kegs to be purchased, most of which is now in the magazine at this place.

The addition to the south end of the capitol, which was authorised by an act of the general assembly, passed on the 20th day of December, one thousand eight hundred and thirty-four, and for the erection of which a contract was entered into between the state and Messrs. Smith, Tucker & Marler, has been completed. So far as I can judge, the work has been well executed, and the contractors have received the sum of twelve thousand five hundred dollars, the whole amount of the appropriation. But there still remains a balance of fifteen hundred and twenty-eight dollars eighty-three cents due to them, for the payment of which, an additional appropriation should be made. Besides this work, some repairs and extra improvements were deemed necessary to preserve the house against injury from the weather, as also to improve its general appearance. The several accounts to be rendered for these, will probably amount to one thousand dollars, and for this sum, also, an appropriation is requested.

But the building is still unfinished. The plat-forms and steps at the eastern and western doors are in a very dilapidated state, and not suited in appearance, or utility, to the beautiful structure of which they now form the vestibules. These ought to be removed and their places supplied with porches and colonnades, corresponding with the rest of the edifice. And, as a finishing touch to the whole, the interior should be neatly painted.

In conformity to a resolution of the last session of the legislature, the public square around the capitol has been improved, by levelling the surface as far as was deemed necessary at this time. That part of the resolution requiring trees and shrubbery to be planted, has not been executed; because before that is done, there should be a good enclosure to protect them. The area of the present campus is too large. It ought to be contracted to about 210 yards square and enclosed with a good, neat and durable fence.

The committee appointed to contract for, and superintend the building of a house for the residence of the governor, have not been able to succeed in procuring an undertaker. Two causes have conspired to prevent them; the inadequacy of the appropriation, by reason of the enhanced value of material and labor, and the great demand, every where, for architects and mechanics. The only propositions that were submitted, to erect a building of proper dimensions and in good style, were at the prices of twenty-four and eighteen thousand dollars. The sum appropriated to build and fur-

nish, was only fifteen thousand, and consequently, neither of these propositions could be accepted.—It will be for the legislature, now to determine, whether an additional sum shall be appropriated to carry into effect the object contemplated in the resolution of the last session.

The arsenal, in Milledgeville, is unfortunately so located as to obstruct the view of the capitol from the principal part of the town, and diminish, to a great extent, the beauty of that edifice and the grounds around it; and the building is not properly adapted to the uses for which it was intended. I, therefore, respectfully submit for the consideration of the general assembly, the propriety of removing it to some more suitable place and rebuilding it on a better plan.

Copies of the semi-annual reports made to the executive department by the several incorporated banks of this state, in terms of the law, as also the annual report of the central bank of Georgia, are herewith submitted to the general assembly.

Agreeable to the requisition of the fifth rule and ninth section of the charter of the bank of Darien, I have appointed Messrs. Joseph Cumming of the city of Savannah, James Hamilton Couper of McIntosh county and William W. Holt of the city of Augusta, to represent the state's interest in a meeting of the stockholders of that institution, which was called in conformity to the charter, and to be held at the principal bank in Darien, on the third day of this inst. It will be proper to make provision to compensate these gentlemen for their labors.

A list of executive warrants drawn on the treasury during the past political year, as also of executive appointments made during the same period, will be found among the documents accompanying this communication.

The act of the general assembly, passed on the tenth day of December, 1810, declares that the standard of weights and measures established by the corporation of Savannah and Augusta, shall be the standard weights and measures in this state, until the congress of the United States shall have made provision on the subject. This provision was made by a resolution passed at the last session of congress, which directs the secretary of the treasury "to cause a complete set of all the weights and measures adopted as standards, and now either made, or in the progress of manufacture, for the use of the several custom houses and for other purposes, to be delivered to the governor of each state in the union, or such person as he may appoint, for the use of the states respectively, to the end that an uniform standard of weights and measures may be established throughout the United States."

Congress having thus acted on the subject, the general assembly should so alter the act of 1810 as to conform to this resolution, and afford facilities for extending to every part of the state, the benefits to be derived from a uniform standard of weights and measures.

I have received from several of our sister states, resolutions of their legislatures on the subjects of abolition, rail roads, the treaty with France, the mode of electing the president and vice president of the United States, and the surplus revenue, with a request that I should lay them before the general assembly. They are herewith transmitted to the house of representatives.

By the 14th section of the act of 1793, and the resolution of 1834, the governor is required to defray, from the contingent fund, the expenses of preventing the spread of the small pox. Under the authority of these acts, the sum of two thousand two hundred and ninety-six dollars and one cent, has been expended during the past year, and several accounts remain unsettled some of the charges being of a character which I did not feel myself authorised to pay; such, for example, as the value of clothes committed to the flames and physicians' bills. It would be well for the legislature to establish some rule on the subject for the government of the executive and the people.

Almost every year this disease visits our state, and produces a panic wherever it takes up its abode. It has become a subject of deep interest to the people, and calls for the intelligent action of the legislature in devising the most effectual and, at the same time, humane means of preventing the spread of the disease. Among these, there can be no doubt that vaccination is the most efficacious, and should therefore be encouraged by offering to the people every facility in the obtaining of the vaccine matter. To do this, an agent ought to be appointed, whose duty it should be to keep on hand, at all times, a sufficient quantity of fresh virus, to be by him, on application, furnished to persons desiring it in all parts of the state, the expense of which should be paid from the public treasury.

In pursuance of the authority vested in the governor, by a resolution of last session, on the sub-

ject of the education of the indigent deaf and dumb in this state, I have appointed the rev. Elijah Sinclair the commissioner to carry into effect the humane and charitable views of the general assembly. This gentleman had been appointed to the same office by my immediate predecessor under a previous resolution, and had discharged his duty with such high credit himself, and great benefit to the unfortunate objects of the state's bounty, that it gave me pleasure to reappoint him.

This provision so honorable to the state, in behalf of an unfortunate portion of our fellow beings, suggests the propriety of extending the public charity to another class having equal claims to our sympathy.

Humanity requires that a comfortable place of refuge should be provided for the lunatic and the madman to alleviate their sufferings, and to protect the community against their involuntary acts; and that such as are indigent should be maintained at the public expense. I invite the attention of the general assembly to the subject, and recommend an appropriation of such money as may be deemed necessary for the erection of a lunatic asylum for the reception and accommodation of persons thus afflicted.

I herewith transmit to the general assembly a copy of the proceedings of the convention which assembled at Knoxville, in the state of Tennessee, on the 4th of July last, to take into consideration the proposed Louisville, Cincinnati and Charleston rail road. Georgia was ably represented in that convention by delegates from different sections of the state, who clearly demonstrated that the cheapest and most practicable route to the southern Atlantic coast is through the territory of Georgia.—Charters have been granted by the states of Kentucky, Tennessee, North Carolina and South Carolina for the purpose of constructing a continuous rail road from Cincinnati to Charleston, passing through these states, and the question will be presented to Georgia, whether she will grant a charter authorising a rail road to join the main trunk of this great work at some convenient point in Tennessee.

The great advantage of rail road communications in producing individual profit and public convenience, by the speedy transportation of persons and property, have been so fully developed, that it cannot be necessary, at this time, to elucidate them to an enlightened people. They are stimulating individual enterprise in every quarter, and should not escape the intelligent forecast of the statesman, devising for his country, prosperity in peace and security in war.

Hitherto, no attempt has been made thus to connect the west with the south; because, until recently, the intervening mountains have been considered an insuperable barrier. But now, that all physical difficulties recede before the light of science, the people of Georgia owe it to themselves to second, with energy and liberality, the great enterprise which is projected of connecting Cincinnati with the southern Atlantic coast. They can avail themselves of its advantages with less trouble and expense than any other portion of the south, as it has been ascertained, by actual survey, that the entire line from an eligible point on the northern or north western part of the state, to Knoxville, in Tennessee, by way of the Rabun gap and other routes, may be passed on a rail road, *without a single inclined plane*, and without the least difficulty in the employment of locomotive engines. Personal interest, public utility, state pride, every feeling which should impel man to exertion in a good cause, appeal to us most signally in behalf of this stupendous object; and, surely, every Georgian will respond with a spirit becoming the people and the occasion.

Every exertion in the power of the executive was made to procure a competent engineer, to examine the passes in the mountains on the northern line of Georgia, in time to lay the result before the Knoxville convention, but without success. I had determined to employ Mr. James Stephens, of Rhode Island, who had produced high testimonials of his qualifications for the task, but, unfortunately, directed my letter containing the appointment, to Providence instead of Newport, so that it did not reach him, and the error was not discovered until a few weeks ago, after I had given the office to another. I regret, on Mr. Stephens' account, that the mistake occurred, although no injury has been sustained by Georgia in consequence of the delay.—Early in the month of August last, I appointed col. A. H. Brisbane, of South Carolina, a gentleman of character, ability and high attainments in his profession, civil engineer for the state of Georgia.—He called to his aid, Mr. Edward B. White, a gentleman highly qualified for the task, and immediately commenced the examination of the passes in

the mountains, as directed by the resolution of the last session. They have finished the survey of the route by the Rabun gap and submitted a report of their proceedings, accompanied by maps and estimates; all of which are herewith transmitted to the house of representatives. They are now engaged in the examination of the other passes, which will soon be completed, and a report on the whole subject will be laid before the general assembly at an early period of the session.

By an act, passed on the 22d day of December, 1835, the sum of ten thousand dollars was appropriated for the improvement of the navigation of Flint river, and the sum of twenty thousand dollars for the improvement of the Chattahoochee. No part of either of these sums has been drawn from the treasury, because the provisions of the act have not been complied with, and no application has been made for the money, except on the part of the commissioners of Flint river, who adopted a plan of operations which seemed to me to be contrary to the directions of the law, and particularly to the 4th section.

Whilst on the subject of internal improvements, it is proper that I should call the attention of the general assembly to the "Savannah, Ogeechee and Altamaha canal." The state has invested *ninety-eight thousand five hundred dollars* in this enterprise, and thus far no dividend of interest or profit has been returned; nor, from present appearances, is it likely that any benefit will be derived from it. It has been advertised by the sheriff of Chatham county to be sold under execution, at the suit of an individual, for the sum of two thousand dollars, and application was made to me, by the director on the part of the state, for advice what course to pursue. Having no authority to draw money from the treasury for such purpose, I so informed the director, and reminded him that the canal was pledged to the state for the return of the sum of fifty thousand dollars, the amount originally loaned to Mr. Jencks; and that the purchaser, at sheriff's sales, would take the property with that incumbrance. I have since learned by a letter from Mr. Arnold, the director, that the sale of the canal has been postponed to the first Tuesday in December next, when it will certainly take place, unless the judgment be paid.

The spirit of internal improvement, so onward and vigorous in our sister states, is extending itself in our own and stimulating private enterprise to efforts, which, though local and personal in their purposes, embrace so many interests, and contribute so greatly to the general convenience, that they seem to be justly entitled to a portion of the public patronage.

Intimately connected with this subject, is that of the geological structure of the state, and of its mineral resources. A proper knowledge of these is necessary to a prudent and profitable location of canals and rail roads, and should have their influence in directing their course. Thus far, Georgia has scarcely looked beneath her surface, and her great staple commodity has been the only article of transportation within the contemplation of those who have projected schemes of internal improvement, whilst the advantage to be derived from geological investigation has been entirely overlooked. In such a survey the whole state is interested, not merely in the increased variety of its products, but in the promotion of the most efficient culture, by disclosing the character and capacity of the soil.—Her territory, and particularly that part comprehended within the Cherokee circuit, is believed to abound in mines of gold, marble, iron, limestone, salt and other valuable minerals. These concealed treasures which should be made tributary to her knowledge and wealth are worthy of your enlightened consideration, and the provision necessary to a full and scientific examination of them ought not longer to be delayed. I suggest, therefore, the propriety of employing a competent geologist to make a thorough survey of the state, with a view to the ascertainment of its mineral and agricultural resources, and the proper location of works of internal improvement.

Since the above was written, I have received from Mr. John R. Cotting, a letter dated at Augusta, on the 25th ultimo, accompanied by a report of a geological and agricultural examination made by him, during the past summer of the counties of Burke and Richmond. This survey was executed at the expense of individuals of those counties, and is highly creditable to their public spirit; and, as far as I can judge, equally to the skill and capacity of Mr. Cotting as a scientific and practical geologist. I avail myself, with pleasure, of the opportunity thus afforded me of sending to the house of representatives this letter and report, with the hope that they may add force to the recommendation I have submitted.

The reports of the inspectors and principal keeper of the penitentiary are herewith submitted. They will show that during the past year a profit has been made on the labor of the convicts, and that after deducting from the good debts due to the institution, those which it owes, there will be a balance in its favor of ten thousand five hundred and thirty-five dollars. This may be considered a prosperous condition, and yet, owing to the practice which has heretofore prevailed of giving a general credit on articles sold, the officers are embarrassed and need the aid of the legislature until collections can be made. This practice will shortly cease, as the inspectors have, I think wisely, determined to require cash for all work done, and articles manufactured after the first day of January next, and to force, if necessary, the payment of all available debts. Other causes have operated to the injury of the institution, but a radical reform has been commenced, and, I have no doubt, will be continued much to its advantage.

I respectfully add my recommendation to that of the inspectors to appropriate, or lend to the penitentiary the sum of five thousand dollars to enable them to provide materials and subsistence until, by collections, they can procure the necessary funds.

I would respectfully invite the attention of the legislature to the amendment of the first section of the third article of the constitution, which provides for the establishment of a supreme court for the correction of errors committed in the superior courts. The judicial system of Georgia (if that can be called a system which has no head) has always been an anomaly in jurisprudence. There are now ten judicial districts, having a judge to preside in each, who is independent of the others and subject to no control. His opinions are the law of the district during the time he shall continue in office, but no longer—they do not bind his successor. These judges often decide the same question differently, so that what is law in one district is not law in another, and, as a matter of course, we have no such thing, in fact, as laws of Georgia, although the legislature have enacted, and do annually enact, what purport to be such. It is a matter, therefore, of the first importance, not only to the interests of the people, but to the character and honor of the state, that you should, at the present session, organize the supreme court, and thereby establish a head to direct the operations of the judiciary and render the law uniform throughout the state. Apart, however, from any reasoning on the subject, the constitution, which we have all sworn to support, is imperative, and declares that "the judicial powers of this state shall be vested in a supreme court for the correction of errors," &c. &c. This court can be organized only by the legislature, and so long as they fail to do it, so long will the people be deprived of their constitutional right.

By an act of congress, approved by the president of the United States on the 23d day of June last, entitled "An act to regulate the deposits of the public money," a portion of the revenue of the federal government has been directed to be deposited with the states. The 13th section of this act provides, that when the money in the treasury of the United States shall exceed the sum of *five millions* of dollars, the surplus shall be deposited with such of the states, in proportion to their representation in the senate and house of representatives of the United States, as shall, by law, authorize their treasurers or the competent authorities to receive the same on the terms in that section specified. These terms are, that the faith of the state shall be pledged for the safe keeping and repayment of the money and every part thereof, from time to time, whenever the same shall be required by the secretary of the treasury of the United States for the purpose of defraying any wants of the public treasury beyond the amount of five millions. And, as an inducement to each state to receive its proportion of the public treasure on deposit, it is declared in the same section, that if any states declines to do so on the terms mentioned in the act, the same shall be deposited with the other states agreeing to accept the same on deposit in the proportion pointed out by the act. It is then declared, that when these deposits, or any part of them shall be wanted by the secretary to meet the appropriations made by law, the same shall be called for in ratable proportions within one year, as nearly as conveniently may be, from the different states with which the same is deposited; and shall not be called for in sums exceeding ten thousand dollars from any one state in any one month, without previous notice of 30 days for every additional sum of twenty thousand dollars, which may, at any time, be required. By the 14th section of the act, this surplus money is ordered to be paid to the states in the following proportions, and at the following times, viz: One quarter part on the first day of June 1837, or as soon thereafter as may be: one quarter part on the first day of April: one quarter

part on the first day of July, and one quarter part on the first day of October; all in the same year. A copy of the law, and of the letter of the secretary of the treasury on the subject, will be found among the documents accompanying this message.

This act of congress presents a subject of no ordinary interest, and involves principles which demand the deliberate investigation of the general assembly. Although the law is nominally constitutional because it purports to be "an act to regulate the deposits of the public money," and so far as that purpose was entertained, may be considered as *really* so, yet, declarations at the time of its enactment, and since, by some of its ablest advocates, that these deposits were intended as *donations* never to be reclaimed; and the simultaneous avowal by the great beneficiaries of the tariff, that this policy was to become a system to conciliate the complaining states, are calculated to excite a jealous watchfulness of innovation, and of every effort to allure, or force us from the primitive purity of our government.

"We must fear these Greeks, even though they come with presents in their hands."

The framers of the constitution never could have contemplated the accumulation of redundant revenue, to foster particular interests in its collection, and subsidize others in its distribution. Against such a system of injustice and corruption, I trust that Georgia will enter her solemn protest, and call for such a reduction of the tariff, as will prevent further unnecessary accumulation and division of the people's money.

Georgia, will, I hope, never consent to give up her independence and be supported by the surplus revenue of the United States. She has ample resources of her own, and if she had not, she could obtain money from her people, who are too proud to permit her to be the beneficiary of the federal government, which has no means of supplying her wants, other than those obtained from the people by the exercise of a power delegated for another purpose, but improperly applied to raise money to corrupt them.

Two questions for the consideration of the general assembly arise on this law. First, will the state receive her proportion of the surplus upon the terms proposed? And secondly, if she so receive it, how shall it be disposed of?

As regards the first, I presume there can be little, or no difference of opinion, because, if rejected, it would go to the other states and strengthen opposition to any objection she might urge against a measure already sustained by an overwhelming majority.

And as there is no reasonable ground to hope that all, or even a majority of the states, will refuse to receive the money, Georgia, by doing so, could not, unaided by her sister states, arrest the operation of the law, or give a sufficient rebuke to congress for thus sporting with the best interest of the republic. Under these circumstances, the state will act with commendable policy and violate no principle, if she receive her proportion of the surplus revenue upon the terms and condition prescribed in the act.

The second question is one upon which, it is probable, there may be some diversity of opinion—not in regard to the nature of the state's interest in the fund, and her obligation to return it, but, as to the mode of investing it.

The money to be deposited is, and will continue to be the property of the United States. It may be, that this fund is not intended to be reclaimed, and unless war should cut off the revenue from commerce, it probably never will be, but, whatever may have been the real design of those who enacted the law, we will be bound by its terms and should be prepared, *at all times*, to redeem the pledge it exacts.

The amount to be received by Georgia will probably be one million of dollars. This sum, at a moderate interest, will yield an income which, added to the other income of the state, will be sufficient to support the government. I would, therefore, respectfully recommend that the fund be so disposed of as to make it, by loan on good security, available, when required, to redeem our pledge, and profitable whilst it remains on deposit.

These, fellow citizens, are the principal subjects to which I have deemed it my duty, at this time, to call your attention, and I earnestly invite your deliberate consideration of all the topics of general interest to which I have adverted. Other matters of less importance, as also such as may arise during the session, will be submitted to you in special communications—and no exertions on my part shall be wanting to render you such aid, in the course of your labors, as my official situation may render proper, or enable me to afford.

WILLIAM SCHLEY.

FOREIGN CHRONICLE.

Poverty. We little dream in this country of the reverses which attend some of the titled personages of Europe. An inquest was lately held in England on the body of a baronet who died for want of proper food in a miserable lodging. He had been ruined by a law suit. Among some debtors, proclaimed outlaws at a sheriff's court, were lord William Paget, sir John de Beauvoir and Long Wellesley, the brother of Wellington. The unfortunate col. Gustafson, the ex-king of Sweden, the lineal descendant of the great Gustavus is wandering about Europe, often an outside passenger on a stage coach, because he is too poor to pay for a more comfortable seat. Compared with such instances of fallen rank, how enviable is the condition of our republican farmers and mechanics, whose industry secures them from the possibility of want. As the population of the world increases, all aristocracy, save that of money, will decrease.

Ancient British coins. After all the learning that has been exhausted by Pegg and others to show that the ancient coins bore objects of heathen worship by the Druids, it is admitted that it cannot be satisfactorily proved that a single British coin bears the representation of any deity, weapon or utensil, peculiar to the people by whom they are supposed to have been minted.

The names of the two young sons of Lucien Bonaparte, engaged in the late affray at Canino, are Pierre Napoleon and Antoine Lucien. They were accused of murdering a peasant in the neighborhood. Pierre was the individual whom the Carbineers attempted to arrest on the public square at Canino, and who shot down the lieutenant by a mortal wound, and also used a long knife, (probably a Bowie, imported from America), so fiercely as to severely injure several of the soldiers—receiving himself a number of wounds. His bravery was the subject of general admiration. He is but 20 years of age. The other brother fled to America. Pierre is in prison at Rome.

Information is communicated by telegraph between Liverpool and Holyhead, and back, a distance of 14½ miles, in one minute.

Populating America. The total number of emigrants to America, since January, 1833, from Liverpool alone, is 76,839. There is an increase of over 8,000 the second quarter of this year over the last.

We take the following from the Gazette du Lyonnais—"M. Asquini, the apostolic delegate, arrived at Ancona on the 30th of August from Rome, bringing with him several physicians. On that day there were two processions, in which nearly 1,000 ladies walked barefoot, with tapers in their hands, to the church of Notre Dame de St. Cyriac, to implore her intercession to cause the scourge to cease. A subscription is being raised for the relief the indigent sufferers from the cholera."

Prince Paskevitch lately reviewed the 4th corps of the Russian army stationed in the neighborhood of Warsaw.

No less than 1,227 soldiers and 332 marines of the British military forces, have been flogged within the last five years. Of these 242 were flogged a second time and 44 a third time.

The Hull tars who were lately with captain James Ross, in the Cove, on being paid off, volunteered to go on another expedition to discover a northwest passage.

The royal printing office at Paris, contains 56 fonts of oriental characters—comprehending all the known alphabets of Asia, ancient as well as modern.

There are 16 alphabets of different European nations who do not employ the Roman characters, and of these latter the establishment possesses 46 complete fonts, of various forms and dimensions. All these fonts weigh at least 828,000 lbs. The consumption of paper at the royal printing office in a single year amounts, on an average, to from 80,000 to 100,000 reams per day, which are printed for the use of the several public boards. The number of workmen employed regularly is from 350 to 450.

The queen of Spain. The New York Evening Star says—"The present queen Christina, of Spain, is one of the most remarkable of royal personages for her extreme beauty and the fascination of her manners. It is a singular fact that every one of her premiers has successively become enamoured of his queen and sovereign. Martinez de la Rosa, the first, wrote exquisite sonnets upon her. Mandizabal could not conceal his desperate passion; and Munoz, her present major domo, reigns triumphant in her affections. If Christina resembles her sister,

the unfortunate duchess of Berry, she cannot but be pretty. The latter one was a handsome, light haired, blue eyed blond, of great delicacy of form.

We feel much satisfaction in being enabled to publish the following statement, for the information of the public generally, who are not aware of the extreme productiveness of many of the Cornish tin and copper mines. The undermentioned mines have paid the respective shareholders annually after the following rate:—Wheal Jewell (adjoining the Great Wheal Prosper) £2,000 per cent.; Dolcoath, £760 per cent.; Tresavean, £640 per cent.; Consolidated mines (also adjoining the Great Wheal Prosper) £500 per cent.; Carn Brea, £300 per cent.; Levant, £275 per cent.; Wheal Tolgar, £190 per cent.; East Pool, £180 per cent.; Great St. George, £180 per cent.; Wheal Virgin, £100 per cent. [Sherborne Mercury.]

Etiquette. A letter received at Bombay from Teheran, says that at a grand dinner given by the shah of Persia, Mr. Ellis, the British resident, was grievously offended, and left the durbarr, because the health of the emperor of Russia was the first toast proposed, and that of the king of England only the second.

A snug forfeiture. The London Morning Chronicle lately incurred penalties to the amount of one million of dollars, more or less, in a single day.—And that, too, merely by omitting the date at the end of the last column on the last page, which, it seems, is required by the new act relative to stamp duties, under the penalty of twenty pounds for each copy! The solons of the British radical ministry are not content with the date at the head of the first page, under the title, and its repetition at the head of the editorial columns, but must have it again repeated—in order, no doubt, that they may ascertain the day of the month without the trouble of turning the sheet over. The best of the joke is that the Chronicle—the only paper which did not take note of the new requirement—is the ministerial organ. Well might it exclaim, "Oh save me from my friends!" [N. Y. Courier.]

Thames alligator. A singular circumstance took place yesterday. A man steering his barge past Galleyquay, observed a black motionless object in the water, which upon his attempting to draw it out moved, and his hand was severely lacerated; he, however, succeeded in getting it into the barge, when to his great astonishment, it proved to be a young alligator. It was purchased for and removed to the Surrey Zoological gardens. [London Morning Chronicle.]

DOMESTIC CHRONICLE.

Samuel Ackley has been convicted in New York, on Friday the 18th inst. of the murder of his wife by *impalement*, (having forced a piece of sword nearly six inches long through the anus into the bowels) and was sentenced to be hung on Saturday the 14th of January next. The details brought out on the trial are horrible!

Texian vessels seized. The N. Y. Express states, that the two schooners, Brutus and Invincible, lately in the harbor, have fallen a prey to an unexpected enemy. Warrants were issued on Saturday for their seizure, by part 8d of the revised statutes.—The officers and crew are in the custody of Wm. Hillyer, the sheriff of the city and county.

Profits of litigation. The court of common pleas at Boston lately decided a case which had been protracted one year, and originated in a suit brought by one of the parties for the recovery of a *cider barrel* valued at *seventy-five cents*. In the course of the multiplied trials the litigants paid fees to the state to the amount of \$50, and to the constables, witnesses and lawyers upwards of one hundred more.

Upper Canada. The legislature in this province met on the 9th instant. Among the notices of motions, are the following: A bill to repeal the laws imposing fines on Quakers, &c. for not doing duty as militiamen in time of peace—and resolution with a view to obtain a seaport in Upper Canada, by altering the boundary lines in Lower Canada.—The effect of the latter would be to annex Montreal, in Lower Canada to the upper province.

Governor Schley, of Georgia, has issued his proclamation, offering a reward of two hundred dollars for the apprehension of Thomas J. Chambers, who murdered Moses Camp, in Gwinnett county, on the 24th ult. and has fled from justice. The said Chambers is represented to be about thirty years of age, middle size, blue eyes, fair complexion, with dark hair, has a scar on one of his cheeks, is much given to intoxication and is left handed.

The Globe states that Mr. ALPHONSE PAGZOT presented his credentials to the secretary of state on Saturday last, and was received as charge d'affaires of his majesty, the king of the French near this government.

A correspondent of the New York Star asserts that the rates of domestic exchange between that city and other places are as follows: On Charleston, 5 per cent.; on Savannah, Mobile and Augusta, 6 a 7 per cent.; on New Orleans, 4 a 5 per cent.; on Louisville, 5 a 6 per cent.; on St. Louis, 6 per cent.

Land sales. The Pentotoc (Mi.) Union, says—The third sale of lands terminated at this place on Saturday last. The amount received for the two weeks, ending at that period, is somewhat above \$290,000, which, added to the amount of the previous sales, gives a total of \$316,578 68.

James Anderson, of Canton, Ohio, who committed forgery of \$7,000 on the Massillon, Ohio bank, was tried in Canton last week, and sentenced to the penitentiary for five years. There was nothing developed in the trial that would lead to the detection of any other person engaged in it. There is still, however, some mystery as to the manner in which Anderson first obtained the draft of 400 dollars which was sent through the post office from New Lisbon to Cleveland. Anderson was not in the post office, but must have had some associates there to have obtained the original draft.

Peace society. The Boston Reformer says that Dr. Mather established a society of peacemakers in Boston "150 years ago" whose business it was to settle disputes and prevent law suits. We remember a Massachusetts peace society, which existed some years ago, the aim of which was to put down war between nations. Just as it got in full operation, Bonaparte set all Europe at loggerheads, without ever making an apology to the society, or saying, "by your leave, gentlemen." They took revenge, however, on Alexander of Russia, whom they had elected as an honorary member, by expelling him formally. He never got over it.

Another steamboat accident. We learn from the Cincinnati Whig of the 18th inst. that a most distressing accident occurred on board of the steamboat Flora, capt. R. D. Chapman, on the 17th, while on her way from Louisville to Cincinnati. The boat had approached to within thirty miles of the latter place, when the pipes which connect the two boilers together, commonly called the "connecting pipes," suddenly broke, or separated, causing the death of one man, and the scalding and mutilation of thirteen others, all cabin passengers but one.

Russian minister. It is stated that baron de Maltitz, formerly secretary to the Russian legation, is to succeed baron Krudner as minister from Russia near this government.

The death of Mr. William Brandon in Smith county, Tennessee, is noticed in the southern papers. He was 99 years of age, and was the first male child, of civilized parents, born south of the Yadkin river.

A noble resolution. "Among other resolutions passed at a late meeting of the Mobile rifle corps, respectful to the worth and memory of M. J. Wheeler, late lieutenant in that company, was one adopting his only child, a beautiful little girl, seven years of age and pledging themselves to cherish, support and educate her. This was a noble and magnanimous act, and cannot be extolled in a tone too high and exalted. The father was a man of high and ennobled feelings, was a better friend to others than to himself, and left that only pledge of his love to his wife, which the members of the rifle company have adopted as their own. This is a beautiful moral upon the character of our young population. They now stand to her as a father, and they are to cherish, educate and support her." [Mobile Chron.]

Another slave case. On Friday the 18th inst. a colored man named Jesse Redmond was arrested in New York on a claim set up by Mr. John Turlington, of Accomac county, Virginia, whose agent, Mr. Waddy, made affidavit that Jesse was Mr. Turlington's slave, and ran away in 1828. On investigating the claim, however, before Mr. Justice Usher, it manifestly appeared that Mr. Waddy was in error, and that Jesse had resided for the last thirteen years in this state, and ten years before that in Nova Scotia. The claim was of course withdrawn. Suit for false imprisonment has been commenced by Jesse against Mr. Waddy.

Bank failure. It is stated in Hicknell's Reporter that the Nahant bank at Lynn, Massachusetts, has stopped payment in consequence of a run upon it for specie. The president of the institution failed, and this distrust was created in the public mind.

NILES' WEEKLY REGISTER.

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[Vol. LI.—WHOLE No 1,314

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED, BY WILLIAM OGDEN NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

(3) The second session of the twenty-fourth congress will commence on Monday next, and to meet the extra demands it will impose upon our time and attention, we have made arrangements to furnish faithful accounts of its proceedings and the prompt insertion of all documents, speeches, &c. of general interest, that cannot fail to satisfy the numerous patrons of this work who have expressed their approbation of the attention we have usually paid to these matters. The same impartial spirit which has heretofore governed us will be maintained, and with our new arrangements and the increased room afforded by our enlarged pages, whereby the use of small type is rendered unnecessary, we hope to render this department of the "REGISTER" more than usually interesting.

(4) We publish within a fraction of 3,500 copies of the "REGISTER," and it has been a work of great labor to furnish them with the ordinary hand-presses in time for the earliest mails. To overcome this difficulty and to meet the increasing patronage bestowed on this work, we have recently procured one of "Adams' improved printing machines," which is now in operation. It is a beautiful invention, and with the addition of "Clayton's patent springs" for holding the sheets and insuring "register," will enable us to issue our publication with great rapidity and in a handsome style of workmanship.

THE PRESIDENTIAL ELECTION. We have published all the official returns received since our last. The states from which authentic returns have not been received, are Louisiana, Mississippi, Illinois, Missouri and Arkansas. The reports relative to the vote of the first are very contradictory. The New Orleans Standard of the 24th says, that from official returns "as far as received at the governor's office," and authentic accounts "otherwise received," all the state except the parish of Claiborne, is heard from, and the Van Buren majority is thirty votes. "But should Claiborne give the counterbalancing majority expected, the vote of Louisiana will be for the White electoral ticket." On the other hand, the Bee says, "all the returns of this state have been received officially, except five.—The democratic ticket is 207 votes ahead, but our probable majority will be about 272. In no event will it be less than 200." Another account says, that Amite, Claiborne and Wilkinson, have gone for White, and Franklin for Van Buren. But it is not worth while to trouble our readers with the thousand and one rumors that are afloat—a few days will settle the question and relieve the public anxiety.

The governor of Virginia has issued his proclamation announcing the election of the Van Buren electors, but the official returns have not yet been published. The Van Buren majority will be nearly 7,000. The returns from North Carolina, not official, give a Van Buren majority of 3,660.

MR. C. J. INGERSOLL'S OPINION "with reference to the United States' bank and the question of vested rights" is published in the present sheet. It is important as showing the ground which will be assumed by the party of which Mr. J. is a member, in the convention recently chosen to propose amendments to the constitution of Pennsylvania—and, in connection with Dallas' letter, makes an important chapter in the history of the times.

DELAWARE. It has been currently reported for some days past, that the hon. John M. Clayton has resigned his seat in the senate of the United States. The Delaware Journal, which enjoys ample opportunities of knowing the facts, says the statement is premature, and expresses a hope that Mr. Clayton will be induced to retain his appointment.

MARYLAND. A sufficient number of the new senate not having arrived at Annapolis to form a quorum, the house of delegates adjourned on Saturday last to the 4th Monday in the present month. The message of the governor to that body, and an account of its proceedings, will be found in subsequent pages.

It is stated that William Price, esq. of Washington county, and John V. L. McMahon, esq. of Baltimore city, recently elected to the senate, will not accept seats in that body.

VOL LI Sic. 14.

VIRGINIA. The legislature of Virginia will commence its session on Monday next—and among its first acts will be the election of a senator in congress in the place of Mr. Leigh, who has expressed his determination to resign.

NORTH CAROLINA. The legislature of this state assembled at Raleigh, on 21st ult. HUGH WADDLE, (W.) was elected president of the senate over MOSELY, (V. B.) the former president. In the house of commons, HAYWOOD (V. B.) was elected speaker over GRAHAM (W.)

On the 23d ult. the governor sent in his annual message, which is a brief, but comprehensive document. The subjects noticed are chiefly of local interest: The portion of the surplus revenue which North Carolina may receive he regards merely as a deposit for safe keeping, and recommends the investment of it upon unquestioned security as the best means to provide for its safety and its return when demanded. The interest he thinks might be used "for the purpose of diffusing education or some other object." The tariff compromise act of 1833, he does not consider binding, and believes that act should be modified so as to adopt the revenue to the legitimate expenses of the government.

It is said that on joint ballot both parties are equally balanced, there being 26 whig and 24 Van Buren members in the senate, and 59 whig, 61 Van Buren members in the commons.

On Saturday last the honorable WILLIE P. MANCUM resigned his situation as United States senator from this state. An election will therefore take place, as well for his unexpired term, as for the new term which commences on the 4th of March next. The Van Buren party, it is said, have fixed upon Judge Strange as their candidate.

WAR IN FLORIDA. By two arrivals from Jacksonville, E. F. at Charleston, S. C. on the evening of the 25th ult. the editors in that city received the gratifying intelligence, that an express, which reached Garey's Ferry on the 21st ult. (having left the army the preceding morning, at Walloo Swamp) reported that two battles had taken place between the Tennessee and Florida volunteers, and the Indians, in both of which the former were victorious. The first engagement took place on the 18th inst. in which 20 Indians were killed, while the loss of the whites was 5 killed, and several wounded.—The last fight occurred on Saturday afternoon last; the loss on either side not ascertained. The regulars and friendly Indians were not engaged in either battle, having taken another route. High encomiums are bestowed on the gallantry of gen. Armstrong, of the Tennessee volunteers, as well as on col. Reed, of the Florida volunteers.

From an old negro, who was taken prisoner, it was ascertained that not more than half the Indians were engaged, the other portion having taken another course—and that they were short of powder and disposed to yield, but feared to make the proper advances.

Accounts from gov. Call stated that the army had crossed the Wythlacoochee—that no Indians had been discovered, that their villages had been found deserted, and that the army had marched to Volusia, where a supply of provisions had been ordered.

"THE FARMER AND GARDNER." This old and most valuable periodical has recently been purchased by Edward P. Roberts, esq. who for some time past has had charge of the editorial department.—The able manner in which he has performed his duties, is the best evidence of his claims to the patronage and support of every farmer and planter in the union; but we cannot withhold our testimony in favor of the self sacrificing spirit with which he has devoted himself to the interests of agriculture, and the zeal with which he enters into all subjects relating to that most valuable and interesting pursuit. A more honest or a more able advocate of the interests of the farmer and planter there is not in this country, and those "lords of the soil" will be guilty of gross neglect if they do not extend to him the most liberal encouragement.

THE COURT OF ENQUIRY, as we learn from the "Examiner," was again organized at Frederick on Monday last. The same paper states that a com-

munication was received from general Gaines, objecting to general McComb as a member of the court, so far as he (general Gaines) was concerned.

The following is a list of the officers at present in Frederick: Maj. gen. Macomb, maj. gen. Scott, brig. gen. Atkinson, gen. Sanford, col. Bankhead, col. Kenan, col. Lindsey, major Huson, capt. Cooper, capt. McCall, capt. Hitchcock, capt. Green, capt. Dimmock, capt. Lee, capt. Newcomb, resigned, formerly U. S. A.

TEXAS. Files of the Texas Telegraph to the 12th ultimo, have been received at New Orleans. They contain the inaugural addresses of president Huston and vice president Lamar.

A discussion on the liberation of gen. Santa Ana had taken place in congress, but it was resolved, by a large majority, to retain him as a prisoner for some time to come.

Mr. Ellis, chairman of the committee on foreign relations, had made a lengthy report upon the condition and prospects of Texas accompanied by resolutions, empowering the president to appoint commissioners to treat with the government of the U. States, for the admission of Texas into the union.

Congress was despatching business rapidly, but great inconvenience was experienced among the officers of government, for want of offices in which to perform their duties.

The Mexican prisoners at Galveston island were transferred to Velasco, on account of the scarcity of provisions at the former place.

Santa Ana and Almonte had been relieved of their irons, and a treaty was negotiating with the former when our informant left Columbia, where these personages remain in durance.

The individuals who attempted the release of Santa Ana, were still prisoners at Velasco, their trials not having as yet taken place.

The Texian privateer Thomas Toby, had taken a Mexican schooner bound to Tampico, while in sight of that place, laden with salt and brandy. The fort at Tampico kept up a continual fire at the T. T. but to no purpose, as the distance was too great for the shot to reach her. The prize was carried into Velasco.

By advices from Mexico, received through the New Orleans papers to the 11th ult. we learn that a division of the Mexican army left Mexico for the invasion of Texas, October 15th, accompanied by a large number of sappers, miners, pioneers, &c.

Some apprehensions were entertained in Mexico, that the departure of the troops would lead to acts of violence by the inhabitants towards the American residents.

Several expresses had arrived at Tampico previous to the sailing of the schooner Lady Hope from that place for New Orleans. These messengers brought information of the approach of the above mentioned invading division (about 3,000 strong) to within a few leagues of Tampico. It was believed that general Rusk would immediately march on to Matamoras and take possession of that place. About fifty cities, towns and seaports of Mexico have voted contributions of supplies of money, clothing, &c. to the invading army.

Tranquillity and a patriotic resolution to put down the Texian rebels are said to reign in Mexico.

The Indians in Chickua and the insurgents in Flaxcala have been subdued.

A brig called the Privilegio has been sent in chase of the Texian corsair Terrible.

The Mexican brig of war Alamo, brigantine Urrea, and schooner Bravo, are on a cruise.

General Bravo commands the army—a second division was about leaving the capital.

GEORGIA AND THE PRESIDENTIAL ELECTION. The following preamble and resolutions were offered by Mr. McAllister, in the senate of Georgia on the 19th ult. and made the order of the day for the Monday following.

"Whereas, the election of president of the U. States may be transferred from its legitimate tribunal, the people, to the house of representatives: And whereas, the elevation of William Henry Harrison to the presidency, is an event to be deprecated by every republican, and if consummated, to be deplored by every southern man: And whereas, the question of his elevation has never been submitted to the people of Georgia, and it is believed if the

same were submitted, it would be answered by a decided negative: And whereas, although a majority of the people of this state have given their suffrages in favor of the honorable Hugh L. White, such suffrages were not given with a view to the elevation of William Henry Harrison.

Be it therefore resolved, &c. That in case the election of President of the United States shall devolve upon the house of representatives, that our representatives in that body be, and they are hereby requested, IN NO EVENT, to vote for William Henry Harrison.

Be it further resolved, &c. That our representatives in congress be requested, not to urge the claims of the honorable Hugh L. White in that body, if by so doing, the elevation of William Henry Harrison is to be effected."

On the 21st inst. Mr. Davis of Elbert, introduced the following resolutions into the house of representatives.

Whereas, a majority of the representatives from this state in the congress of the United States, have unconditionally pledged themselves in case the election of president should devolve upon that body, to support the candidate for president, who should receive the vote of Georgia; and whereas, the people have given a decided majority to Hugh L. White of Tennessee, for that office:

Be it therefore resolved, by the senate and house of representatives of the state of Georgia in general assembly met, That our representatives in congress are distinctly pledged to, and instructed by the people to vote for Hugh L. White, for president, without any alternative, that they cannot disobey this deliberate and clearly expressed will of their constituents, on a particular and definite subject, without a manifest violation of their own voluntary pledge, and an utter abandonment of the important and fundamental principle of constituent instruction, so deeply interwoven with our republican institutions.

And whereas, the wishes of the people of Georgia have been alike clearly expressed in favor of John Tyler of Virginia, for vice president, over Francis Granger, William Smith and Richard M. Johnson, the opposing candidates for that office.

And whereas, said election for vice president is likely to devolve upon the senate of the United States.

Be it therefore resolved, That our senators be, and they are hereby instructed to vote for John Tyler.

Be it further resolved, That his excellency the governor of Georgia, be requested to transmit a copy of the last aforesaid preamble and resolutions relative to the election of vice president, to each of our senators in congress.

SLAVERY IN THE DISTRICT. From the following resolutions introduced into the legislatures of Georgia and Vermont, we may anticipate another exciting discussion of this question during the ensuing session of congress. Mr. Pinckney's resolutions were not satisfactory to either party and were urged more as an expedient than as establishing a principle.

On the 19th ult. Mr. Bond introduced the following preamble and resolutions into the senate of Georgia:

"Whereas, during the last session of congress various petitions were submitted to and received by that body, having for their object the abolition of slavery within the District of Columbia: And whereas various opinions exist in relation to the right of that body to receive such petitions and act upon them: and strange as it may appear that diversity of opinion was found even among the delegation from this state; and we, believing that the period has arrived when not only Georgia but the whole south should present one undivided and uniform front upon this all absorbing subject: Be it therefore resolved by the senate and house of representatives, in general assembly met:

1. That congress has no right under the constitution to interfere with slavery in the District of Columbia, or any where else within the limits of the United States.

2. Resolved, that congress has no right to receive any petitions whatever for the action of that body, upon any matter whatsoever not within the constitutional sphere of its action.

3. Resolved, that congress, in receiving petitions for the abolition of slavery in the District of Columbia, violated the spirit of the constitution, and that the members from Georgia, who voted for the reception, by that body, grossly betrayed the interest of their constituents.

The following resolutions were adopted by the legislature of Vermont at its recent session.

Resolved, by the general assembly of the state of Vermont, that neither congress, nor the state gov-

vernments, have any constitutional right to abridge the free expression of opinion or the transmission of them through the medium of the public mails.

Resolved, That congress do possess the power to abolish slavery in the District of Columbia.

TROY INDIA RUBBER COMPANY. There are few people, we believe, even in this city, who are aware of the manufacture and extent of the business which is carried on by the Troy India Rubber company. The individuals who chiefly compose the company commenced the erection of a building but little more than a year ago. That building was consumed by fire in April last. During the last session of the legislature the company obtained an act of incorporation. Immediately after the destruction of the first building the company commenced the erection of another of much larger dimensions, and in an almost incredible space of time it was completed.

There are now employed in the establishment about 120 persons, in the various departments of the business. Four are occupied in the manufacture of the composition. Five in applying it to cloth. Fifty, one-half of whom are females, are engaged in the manufacture of shoes. Sixty, nearly all females, in the making up of garments, such as coats, aprons, caps, &c. &c.

More than one thousand yards of cloth are used every day. From seventy-five to one hundred pairs of shoes are made daily. In the manufacture of composition, 400 lbs. of rubber and 15 lbs. of spirits are used per week. Three coats can be made up in a day by one female. In the making up of shoes, a process somewhat novel is adopted. Each workman performs a specific portion of the labor on the shoe, and passes it to another workman, who performs his part of the labor, and the shoe is passed to a third; and before it is completed, it passes through the hands of eight different workmen.

Notwithstanding the immense amount of work executed in this manufactory, the agent finds it impossible to supply the demand. Orders come in upon him for greater quantities of manufactured articles than can be furnished. [Budget.]

INSURANCE CASE. The case of George O. Lamson vs. Edward A. Mix, Elihu L. Mix and W. Westervelt, having occupied the United States circuit court three days, terminated yesterday morning in a verdict for the plaintiff. The following is a brief outline of it:—In December, 1833, Elihu Mix was either whole or part owner of the ship Gen. Smith, and the other defendants were interested in a voyage which she was about to make to the western coast of America to purchase Lima wood. Previous to the vessel's sailing, the defendants obtained a letter of credit from H. D. Cothel, of this city, in favor of Edward A. Mix, who went with the ship, to the plaintiff, who was then doing business at Carthage, in the province of Costa Rica. Cothel's letter instructed Lamson to furnish Edward A. Mix with whatever funds he might want, and to obtain from him in return his draft at 60 days, on Elihu L. Mix, and also to have the ship consigned on her homeward voyage to Cothel. Acting upon this letter, Lamson guaranteed the payment of a cargo of Lima wood, which Edward A. Mix purchased from a man named Gerald. But, instead of obtaining Edward A. Mix's draft on Elihu L. Mix, as Cothel had instructed him to do, he forwarded his own draft on Elihu L. Mix to Cothel, to get it accepted. Elihu L. Mix refused to accept, unless a commission of five per cent. charged by Lamson was deducted. This Cothel declined doing, and about the same time, learned that the ship had been consigned to Fitch, Brothers & Co. of Marseilles, but that the bill of lading had been made out to him. As Lamson had not obtained the draft of Edward A. Mix, nor was the ship consigned to Cothel, he considered that the conditions on which he gave the letter of credit had not been observed, and that he was exonerated from any liability to Lamson; he therefore declined having any thing further to do in the matter, and left Lamson to look to the defendants for the amount of indebtedness on their account, and Lamson instituted the present suit to recover it. The principal point of defence was, that the letter of credit was given, and the property obtained solely for account of Edward A. Mix, and that the other two defendants were in no way responsible for it. It was shown however on the part of the plaintiff, that the three defendants were interested in the voyage, and had all taken a part in procuring the letter of credit from Cothel. Verdict for the plaintiff, \$12,997 09. For the plaintiff, Messrs. Selden and Law. For the defendants, the Messrs. Staples.

[Journal of Commerce.]

CUBA. A letter from Havana, published in the Boston Gazette, after giving the particulars of the misunderstanding between the governor general of the island and the governor of St. Jago, concludes thus:

"This state of things has caused great alarm to the inhabitants of St. Jago and the other principal cities of the island. In the former all business was at a stand, and in many other parts of the island great alarm was felt by the people generally, and men of property in particular. Large amounts of money and bills were to be remitted to this country for safe keeping and investment, as many wealthy men have large sums in gold and silver lying idle, and feeling confident (as would be the case) that in the event of any insurrection, their money would be seized, large sums will find their way to the United States beyond doubt, as Cuba has immense sums lying dormant in gold and silver amongst its inhabitants, with whom it is the fashion to hoard up money in this way amongst all classes, more particularly by the wealthy, where there are many instances of single individuals having from 300 to 500,000 dollars in actual gold and silver coins in their possession, which never circulates."

Island of Cuba. A writer from Cuba to the editor of the Pennsylvania Inquirer states that the imports and exports into and from that island have increased very much. According to a statement published, the amount exported from that island to the United States, during the last year, was \$11,346,615, and the amount imported from the United States, \$5,506,508—showing a cash balance of trade in favor of Cuba, of \$5,839,807. From Matanzas, according to the representations of the same writer, the whole exports, during the year 1835, were, of sugar, 184,356 boxes; coffee, 155,779 arrobas; molasses, 42,204 hogsheads; of which 41,680 boxes of sugar, 134,735 arrobas of coffee, and 42,136 hogsheads of molasses, were sent to the U. States. He represents education as being at a low ebb in Cuba, the want of it being by no means confined to the lower classes. Domestic duties, as they may be called, such as sewing, cooking, washing, &c. are, as he says, but little understood by the females, whose time is spent in music and dancing, in which he thinks they can vie with any ladies, although, perhaps, their music is not such as to suit the refined taste of the fair daughters of Europe or America.

THE DEBT OF ENGLAND. The following amusing calculation is from a late London paper. It may appear very strange that a nation can support the burden of such an enormous debt; and yet, with all this weight upon the government and people, there is less pressure upon the men of active business in Great Britain, than there is upon the same classes in the United States, where we have a surplus of 40 millions in the public treasury.

The weight of the national debt, in gold, amounts to 14,088,472 lbs. or 6,282 tons 9 cwt. 3 qrs. 13 lbs.; in silver to 266,666,666 lbs. or 119,047 tons 12 cwt. 1 qr. 14 lbs. To transport this debt across the seas, in gold, it would require a fleet of 25 ships of 250 tons burthen, each. To carry the debt by land would require 12,580 one-horse carts, each cart being loaded with half a ton of gold.—These would extend, in one unbroken line, 35½ miles. If conveyed by soldiers, and every soldier were to carry 50 lbs. weight in his knapsack, it would require an army of 281,769 men. Eight hundred millions of sovereigns, piled one upon another, or formed into one close column, would extend 710 miles. If this column were commenced at the Lizard, or extreme point of Cornwall, and continued northward, it would reach ten miles beyond John o'Groat's house, at the extreme point of Scotland. The same number of sovereigns laid flat, in a straight line, and touching each other, would extend 11,048 miles; or more than 13 times round the moon. Eight hundred millions of one-pound bank of England notes, sewed together, would cover a turnpike road 40 feet wide, and 1,050 miles long; or from Land's-end to John o'Groat's house, and nearly half-way back again. If the notes were sewed together, end to end, they would form a belt long enough to go four times round the world, or sixteen times round the moon. The whole population of the world is estimated at one thousand millions of souls. An equal distribution of the national debt would give sixteen shillings to every man, woman and child; or four pounds to every family on the face of the earth.—Were England to conquer all Europe, and levy a general poll-tax to pay off her present debt, she must have from every man, woman and child, £5 17s. 7½d.; or from every family throughout Europe £29 8s. 2½d. Supposing, for a moment such a thing possible, as that we could procure from the Mexican mines silver in sufficient quantity to pay

off the debt, it would require to bring it to England, a fleet of 476 ships of 250 tons each. To carry it to the bank of England in one-horse carts, each containing half a ton of silver, it would take 238,095. These ranged in one unbroken line, would extend 676 miles; or from Land's-end to within 24 miles of John o'Groat's house. If carried by men, each loaded with fifty lbs. weight, it would require 5,383,333; or 1,891,033 men in addition to the whole adult male population of Great Britain.

ELECTIONS.

MAINE—OFFICIAL.

From the *Maine Age*.

The governor and council examined yesterday, the returns of votes for electors of president and vice president. The following table exhibits the vote of each county in the state, taking as a test the highest candidate on each ticket.

Counties.	Van Buren.	Unpledged Opp.
York,	3,393	1,913
Cumberland,	4,812	3,608
Lincoln,	2,527	2,264
Hancock,	1,005	634
Washington,	1,530	792
Kennebec,	1,791	1,867
Oxford,	2,150	852
Somerset,	1,658	1,521
Penobscot,	2,423	1,483
Waldo,	1,611	805
	22,900	15,239

No returns from Cape Elizabeth, (Cumberland co.)—Richmond, (Lincoln co.)—Brooksville, Deer Isle, Hancock, Otis, Swan's Island and Waltham, (Hancock co.)—Princeton and Prescott, (Washington co.)—Fayette, Gardner, Litchfield, New Sharon, Rome, Sidney, Winthrop, and Winslow, (Kennebec co.)—Howard's Gore, Hamblin's Grant, Peru, Roxbury, Stoneham and Weld, (Oxford co.)—Blanchard, Kingsbury and Kingfield, (Somerset co.)—Bowerbank, Garland, Medawaska, Maxfield, Orono, Springfield, No. 1, North Division and No. 4, E. P. River, (Penobscot co.)—and Palermo, (Waldo co.)

If these town had been returned, the Van Buren majority would have been increased at least 700 votes.

Democratic majority of votes returned	7,661
Add do. of votes not returned	700
	8,361

NEW HAMPSHIRE—OFFICIAL.

From the report of the committee of the legislature appointed to examine the votes and report the result.

Van Buren.	Opposition.
Jonathan Harvey, 19,697	John Wallace, Jr. 1,624
Isaac Waldron, 18,655	John Wallace, 4,491
Tristram Shaw, 18,699	Samuel Bell, 6,228
Stephen Gale, 18,669	William A. Kent, 6,219
Josiah Russell, 18,722	Samuel Grant, 6,148
Gawen Gilmore, 18,695	Joseph Healey, 6,212
Eben. Carleton, 18,697	Jeremiah Wilson, 6,132
	Joseph Sawyer, 6,190

The votes received by John Wallace, Jr. were, no doubt, intended for John Wallace. There were also 708 scattering votes. The highest vote on the Van Buren ticket is 13,722—the highest on the opposition 6,228. Majority, 12,494.

RHODE ISLAND—OFFICIAL.

Towns.	Van Buren.	Opposition.
Providence	279	703
North Providence	60	71
Smithfield	164	84
Cranston	88	36
Scituate	167	42
Cumberland	90	117
Gloucester	156	44
Johnson, no return.		
Foster	143	66
Burrillville	100	33
Newport	187	302
Portsmouth	53	95
Middletown	16	56
Jamestown	23	19
Tiverton	95	30
Little Compton	42	65
New Shoreham	90	1
Bristol	95	142
Warren	59	45
Barrington	29	31
South Kingstown	153	158
North Kingstown	115	30
Exeter	71	9
Hopkinton	109	62
Richmond	41	31
Charlestown	49	42
Westerly	59	75
Warwick	147	104
Coventry	158	107

East Greenwich	42	81
West Greenwich	79	29
	2,964	2,710
	2,710	

Majority for Van Buren 254
There was one scattering vote in Newport.

NEW JERSEY—OFFICIAL.

The Newark Daily of Saturday gives the following complete returns from the several counties in this state.

	Harrison.	Van Buren.	Total.
Bergen,		233	3,870
Essex,	1,009		7,682
Morris,	29		3,679
Sussex,		1,479	3,299
Warren,		563	2,645
Somerset,	94		2,779
Middlesex,	283		3,727
Monmouth,		201	5,200
Hunterdon,		229	4,463
Burlington,	907		5,157
Gloucester,	174		4,584
Salem,	300		2,371
Cumberland,	200		2,159
Cape May,	254		724
	3,250	2,705	52,239
	2,705		
	545		

The Daily further states that at the congressional election in 1834, the total vote in the state was 53,818—being 1,579 more than at the present election. The Jackson majority then was 1,009, there being a change of 1,554 in favor of the whig ticket.

NEW YORK—OFFICIAL.

Counties.	Van Buren.	Harrison.
Albany	4,947	4,261
Allegany	2,615	2,696
Broome	1,642	1,465
Chattaraugus	1,898	1,489
Cayuga	4,284	3,724
Clinton	1,331	854
Columbia	3,767	3,051
Chemung	3,612	2,734
Cortland	1,724	2,017
Chautauque	3,095	3,895
Chemung	1,724	1,000
Delaware	2,823	800
Dutchess	3,973	2,366
Erie	2,661	4,882
Essex	1,603	1,855
Franklin	862	910
Genesee	3,271	5,060
Greene	2,976	1,888
Herkimer	3,036	1,184
Jefferson	4,595	3,761
Kings	2,321	1,868
Lewis	1,094	411
Livingston	1,902	2,643
Madison	2,909	1,708
Montgomery	4,303	3,170
Monroe	3,932	4,887
Niagara	2,143	2,267
New York	17,417	16,348
Ontario	2,731	3,485
Oneida	5,477	3,621
Onondaga	4,776	2,981
Orange	3,541	2,242
Orleans	1,825	1,859
Oswego	3,105	1,946
Otsego	4,027	2,469
Putnam	817	236
Queens	1,654	1,899
Rensselaer	4,981	4,634
Richmond	649	649
Rockland	1,044	371
Saratoga	3,339	3,013
Schenectada	1,490	1,149
Schoharie	2,437	1,422
Seneca	2,036	1,501
St. Lawrence	3,089	2,235
Steuben	3,650	2,891
Suffolk	2,071	1,037
Sullivan	1,227	838
Tompkins	2,935	2,786
Tioga	1,625	1,253
Ulster	3,658	2,167
Wayne	2,968	2,653
Warren	1,316	570
Westchester	3,009	1,749
Washington	2,592	3,583
Yates	1,686	1,172
	166,815	133,543
	133,543	
Van Buren majority,	29,272	

At the election for governor in 1834 the vote of the state stood as follows:

For William L. Marcy	181,905
“ William H. Seward	168,969

Marcy's majority, 12,936

The Van Buren electors received 15,090 votes less than the Van Buren candidate for governor in 1834, and the Harrison electors 80,426 less than the whig candidate for that office at the same election.

GEORGIA.

The Augusta Sentinel of the 22d ult. contains returns from all the counties except five which give 24,458 for the White and 21,447 for the Van Buren ticket. Mr. Dawson has been elected to congress by a majority of about 3,000 over Mr. Sanford.—Particulars, from the official returns, will be given in the next “REGISTER.”

OHIO—OFFICIAL.

Counties.	Van Buren.	Harrison.
Adams	1,060	786
Allen	458	494
Ashtabula	805	2,793
Athens	957	1,098
Belmont	2,358	2,666
Brown	1,675	1,223
Butler	3,004	1,487
Carroll	1,187	1,233
Champaign	907	1,641
Clark	731	1,964
Clermont	2,029	1,467
Clinton	807	1,448
Columbiana	2,992	2,656
Coshocton	1,518	1,086
Crawford	733	714
Cuyahoga	1,694	2,529
Dark	668	656
Delaware	1,254	1,550
Fairfield	2,906	1,846
Fayette	774	823
Franklin	1,375	2,166
Gallia	490	887
Geauga	1,465	3,219
Greene	903	1,908
Guernsey	1,652	2,074
Hamilton	4,871	4,032
Hancock	701	464
Hardin	196	274
Harrison	1,638	1,584
Henry	87	94
Highland	1,476	1,492
Hocking	536	292
Holmes	1,137	594
Huron	2,143	2,798
Jackson	475	454
Jefferson	1,992	1,552
Knox	2,174	1,800
Lawrence	378	433
Licking	2,831	2,206
Logan	622	1,388
Lorain	1,410	1,460
Lucas	396	630
Madison	574	973
Marion	844	1,016
Medina	1,094	1,858
Meigs	446	724
Mercer	315	245
Miami	1,050	1,787
Monroe	1,182	402
Montgomery	2,810	2,554
Morgan	1,262	1,107
Muskingum	2,069	3,321
Paulding		
Perry	1,501	1,080
Pickaway	1,591	1,508
Pike	491	422
Portage	2,683	3,302
Preble	978	1,777
Putnam	238	179
Richland	3,233	2,247
Ross	1,905	2,515
Sandusky	799	642
Scioto	568	1,049
Seneca	1,129	948
Shelby	533	654
Stark	2,417	1,945
Trumbull	2,892	3,386
Tuscarawas	1,370	1,459
Union	493	643
Van Wert		
Warren	1,326	2,260
Washington	906	1,070
Wayne	2,696	1,630
Williams	198	176
Wood	275	490
Total	96,948	105,405
		96,948
Harrison's majority		8,457

Paulding votes with Putnam, and Van Wert with Mercer.

The counties of Allen, Coshocton, Crawford, Fayette, Holmes, Jackson, Knox, Lawrence and Licking, each returned poll books in one or two of the townships, which were rejected for want of formality—a palpable omission of duty on the part of the judges and clerks of elections. We have, however, included them in the above statement, for the purpose of showing the actual vote in each county, to which the candidates were justly entitled. We annex a statement of the votes in the rejected townships, giving the reasons for which they were rejected.

	V. B.	H.
Allen county, Washington township, electors' names omitted	38	7
Coshocton county, Jefferson and Jackson townships, rejected for the same reason	108	86
Crawford county, the name of the township not given	31	37
Fayette county, Concord township, electors' names omitted	71	64
Holmes county, German township, rejected for the same reason	56	44
Jackson co. Jackson township, do. do.	38	11
Knox count, Jackson do. do. do.	79	68
Lawrence county, Aid do. do. do.	8	19
Licking county, Bowling Green, and Fallsburg townships, do. do.	254	123

Total
KENTUCKY—OFFICIAL.

	Harrison.	Van Buren.
Adair	223	401
Allen	201	373
Anderson	181	375
Bracken	486	275
Bourbon	992	416
Boone	580	488
Butler	180	187
Bullitt	209	819
Barren	787	825
Bath	485	470
Breckenridge	755	176
Clay	207	153
Campbell	484	1,026
Clarke	833	226
Christian	670	470
Cumberland	304	144
Caldwell	302	497
Calloway	99	716
Casey	176	224
Clinton	94	206
Daviess	445	344
Estill	269	318
Edmonson	122	149
Fayette	1,266	689
Franklin	509	560
Fleming	898	464
Floyd	80	549
Garrard	814	218
Greenup	357	265
Greene	274	890
Grant	247	225
Gallatin	483	525
Grayson	268	153
Graves	158	363
Harrison	545	714
Henderson	364	360
Hardin	698	526
Harlan	174	53
Hickman	198	521
Hopkins	403	381
Henry	625	794
Hart	216	387
Hancock	152	72
Jefferson	610	584
Jessamine	513	339
Knox	309	95
Lewis	345	302
Livingston	225	361
Lincoln	613	317
Logan	902	289
Lawrence	68	207
Laurel	171	100
Louisville city	1,473	960
Mason	1,231	508
Mercer	739	938
Madison	972	420
Montgomery	522	341
Muhlenburg	344	227
Marion	314	616
Monroe	179	220
McCracken	149	106
Morgan	57	335
Meade	339	128
Nelson	765	425
Nicholas	428	439
Ohio	313	247
Owan	174	649

Oldham	354	590
Pike	24	218
Pendleton	183	342
Pulaski	514	448
Perry	83	172
Russell	226	127
Rockcastle	400	58
Scott	544	993
Shelby	1,827	586
Simpson	327	257
Spencer	292	347
Trigg	271	359
Todd	550	212
Union	205	266
Woodford	615	325
Wayne	388	349
Whitley	269	80
Warren	763	440
Washington	252	636
	36,955	33,435
	33,485	
Majority	3,520	

PRESIDENTIAL ELECTIONS.

From the New York Journal of Commerce.

It was originally provided by the constitution that each member of the electoral college should vote for two persons for president and vice president, without designating the particular office of either. The one having the highest number of votes was declared to be president, and the one having the next highest number, vice president. This however, was found inconvenient in practice, and in 1801 was abandoned for the better system now in operation, by which the electors name in their ballots the person voted for as president, and in distinct ballots the person voted for as vice president.

Since the declaration of independence there have been twelve presidential elections, exclusive of the present, and in only two cases has the choice devolved upon congress. The first was in 1801, when Thomas Jefferson and Aaron Burr had an equal number of votes in the electoral college, and the second in 1825, when the electoral votes were so divided between Andrew Jackson, John Quincy Adams, Wm. H. Crawford and Henry Clay, that neither had a majority. The following schedule will show the number of votes received by the principal candidates at each election from the origin of the government to the present time.

First term, 1789. Electors 69. George Washington was therefore declared elected to the presidency, and John Adams to the vice presidency.

Second term, 1793. Electors 135. George Washington had 132 votes, and was elected president; John Adams 77, and was elected vice president.—The next highest candidate was George Clinton, who received 50 votes.

Third term, 1797. Electors 138. John Adams received 71 votes and was elected president; Thomas Jefferson 69, and was elected vice president. The next highest candidate was Thomas Pinckney, who received 59 votes, and after him Aaron Burr, who received 30.

Fourth term, 1801. Electors 138. Thomas Jefferson and Aaron Burr had each 73 votes, John Adams 65, and Charles C. Pinckney 64. There being no choice of president, the election was carried into the house of representatives, and on the 36th ballot, Thomas Jefferson received the votes of nine states out of sixteen, and was declared elected. Aaron Burr was declared elected vice president.

Fifth term, 1805. Electors 176. The new system of voting introduced. Thomas Jefferson received 162 votes for president; George Clinton 162 votes for vice president; and were elected. Charles C. Pinckney, the only other candidate for the presidency, received 14 votes, and Rufus King 14 votes for the vice presidency.

Sixth term, 1809. Electors 176. James Madison received 122 votes for president, and Chas. C. Pinckney 47. George Clinton 113 votes for vice president, and Rufus King 47. Madison and Clinton were accordingly elected.

Seventh term, 1813. Electors 217. James Madison received 128 votes for president, and De Witt Clinton, 39. Eldridge Gerry 131 votes for vice president, and Jared Ingersoll 86. Madison and Gerry elected.

Eighth term, 1817. Electors 217. James Monroe received 183 votes for president, and Rufus King 34; Daniel D. Tompkins 183 votes for vice president; and John E. Howard 22. Monroe and Tompkins elected.

Ninth term, 1821. Electors 232. James Monroe received 231 votes for president, and Daniel D. Tompkins 218 for vice president.

Tenth term, 1825. Electors 261. Andrew Jackson received 99 votes for president; John Quincy

Adams 84; Wm. H. Crawford 41; Henry Clay 37. Neither candidate having a majority, the election was carried into the house, where, on the first ballot, John Quincy Adams received the votes of 13 states out of 24, and was declared elected. Seven states voted for Jackson, and 4 for Crawford. John C. Calhoun was chosen vice president by the electoral college, having received 182 votes. The next highest candidates were N. Sandford, who received 30 votes, and Nathaniel Macon, who received 24.

Eleventh term, 1829. Electors 261. Andrew Jackson received 178 votes for president, and John Quincy Adams 83. John C. Calhoun 171 votes for vice president, and Richard Rush 83. Jackson and Calhoun elected.

Twelfth term, 1833. Electors 288. Andrew Jackson received 219 votes for president, Henry Clay 49, John Floyd 11, William Wirt 7, Martin Van Buren received 189 votes for vice president, John Sergeant 49, William Wilkins 80, Henry Lee 11, Amos Ellmaker 7. Jackson and Van Buren elected.

SPECIE CIRCULAR.

From the "Globe" of Wednesday last.

It was recently alleged in a Missouri opposition paper, with much exultation, that there was an "end of the humbug," as the specie circular had so courteously been called.

It declared, that some new treasury circular had been issued, which it seemed to consider as a modification or repeal of the original one.

We inquired at the proper place if there had been any such treasury circular issued, and was informed that there had not.

This we published; and though admitted to be true, yet some of the bank presses assert it was evasive or liable to misconception; and imputations have been made both on us and the treasury department of a design to mislead.

But these are wholly unfounded. In point of fact, neither the treasury department nor any of its bureaux have issued any new circular on that subject or as to disbursing officers; nor have any bureaux in any other department issued any, which alters or annuls the original specie circular in any respect.

We have since learned, however, that a bureau in the war department, on a complaint some time ago, that its disbursing officers had suddenly drawn large sums in specie from some of the deposite banks, has cautioned them in relation to that course. But this has nothing to do with the original specie circular from the treasury, and we never inquired at the war department, in respect to it, and neither knew, nor published anything as to its proceedings on that point.

We neither knew nor inquired any where as to any point, except the circulars of the treasury, and thought only of some measure modifying the original specie circular.

Had we known of the course which had been taken by the war department, in respect to its disbursing officers, as to drawing on the banks, though having nothing to do with the imputed "humbug," we certainly should have published it, because it reflects credit on those who suggested it, with a view to protect the banks from unnecessary and vexatious demands for specie.

But we did not know it, and did not ask concerning it, and we learn that it was not then known at the treasury, though the latter had some time previously invited the attention of the war department to the subject.

From the New York American.

The veracity of the Globe, and the consistency of the party, on the subject of the Jackson, or specie currency, were directly impugned by an article we copied on Thursday from the National Intelligencer, charging that the denial by the Globe that instructions had been given by the treasury department to the various fiscal agents and disbursing officers, not to demand specie from the deposite banks, was a mere evasion, inasmuch as these instructions, though not given by the secretary of the treasury, were given at his request, by intermediate agents.

What the National Intelligencer thus generally stated, our readers will find established by the annexed circular of the commissary general of subsistence.

CIRCULAR.

Office of the commissary general of subsistence, Washington, October 17, 1836.

SIR: The secretary of the treasury has requested that disbursing officers, acting under the orders of the department of war, may be cautioned respecting the making or authorising large calls for specie from the deposite banks.

In concurrence with the views of the department of war upon this subject, you will not demand nor authorise any demand for a large amount of specie, at one time, from any of the deposite banks, without

giving them reasonable notice; and whenever such calls are anticipated at the period for rendering estimates for funds, it will be remarked on the estimate, that "the amount will be required in specie," in order that the secretary of the treasury may be so notified upon the requisition, and make his arrangements accordingly.

Respectfully, your most obedient servant,

Com. gen. of sub.

From this one circular which has come to light, we may fairly argue the existence of similar ones in all the departments; and then what a figure, in the eyes of honest and truth-loving people, does the secretary of the treasury cut, when he authorises so palpable an evasion and prevarication as that above referred to in the *Globe*!

[Let us do justice, as far as we can, to all men. We do not believe that the evasion referred to was authorised, and we doubt whether it was approved by the secretary of the treasury.] [Nat. Intel.]

MESSAGE OF THE GOVERNOR OF MARYLAND.

Executive department, Annapolis, Nov. 25, 1836.
Gentlemen of the senate, and
of the house of delegates:

The extraordinary occurrences, which, in our judgment, rendered it proper and necessary that you should meet in general assembly at this time, having been briefly detailed in the proclamation calling you together, a copy of which is herewith submitted, we proceed to state to you, more at large, the views by which we were influenced, and the objects sought to be accomplished by calling for the exertion of your authority, in the unprecedented crisis in our affairs, so faithfully and wantonly brought about.

It was with deep regret, that we felt ourselves called upon to expose to the world conduct of Marylanders, so utterly unworthy of the name, and so little to have been expected of descendants from, and partakers in the honor and fame of ancestors of such unsullied purity and glorious memory, as every son of the state should be proud of and strive to emulate. But, after waiting in vain, with painful anxiety and deep solicitude, in hopes that a returning sense of duty, moral and political, would cause at least a sufficient number of the recusant electors, to attend the college, and with those who had qualified, elect a senate, until after the last of the exciting elections of the season was over, but not until its result was ascertained, when there could be no suspicion of partizan design or political motive for our action, we felt that we could no longer forbear, in duty to the people of the state and justice to ourselves, to take a firm and determined stand in support of the constitution and authority of the government, against the designs and proceedings intended to effect their overthrow.

It is believed that the annals of party contention, and political errors and aberrations from duty, to which all party spirit naturally tends, would be searched in vain for a case of such plain and palpable violation of constitutional duty and moral obligation, as the conduct of the recusant electors of the senate of Maryland exhibits; and although all who have approved of their unholy designs, and lent their aid and assistance to carry them into effect, have been guilty of gross dereliction and violation of the duty of good citizens, it is only those who counseled, beguiled and misled them to the course they pursued, that equal them in degree of guilt.

A painful sense of duty having required of us to denounce the conduct of the recusant electors and their abettors, in terms suited to the nature and design of their offences, it is with the greatest satisfaction that we turn from them to do justice to the patriotic and noble conduct of many of their political partisans. In some parts of the state, and particularly in Allegany county, the party to which they belong, almost with one voice condemned, and, from the first, reprobated their conduct, with as much severity as their political opponents have done; and we believe this has been the case with a very respectable portion of their political friends in every part of the state. Such patriotic conduct, breaking and rising above all party trammels, when the constitution and government—the tranquillity and welfare of the state were endangered, merits all praise, and meets our unqualified admiration. And we have great gratification in expressing the highest confidence, inspired by manifestations and evidences in every quarter of the state, that when the recent excitements shall have passed away, and reason shall have triumphed over the madness of party, and resumed her empire, that the number even of the political partisans of the recusant electors, who will continue to countenance and support them in their delinquency, and revolutionary

designs and proceedings, will be comparatively very few, and be confined to such of their prominent counsellors and principal abettors as will have no hope of re-establishing themselves in the good opinion and confidence of the community. We will not allow ourselves to doubt, that even among the recusants themselves, there will be found some, whose honesty and patriotism will finally triumph over their misguided passions, and cause them to look back upon their late conduct with mingled astonishment and shame, and the most profound abhorrence of the wily, evil advisers by whom they were led astray.

As soon as the recusant electors had taken their course, it became the duty of the executive, and indeed of all good citizens, to inform themselves of the constitutional and best means of defeating their designs, and supporting the constitution and government, and providing a remedy for their dereliction of duty. Upon examination of the constitution and form of government with this view, we found cause of increased admiration of the wisdom and forecast of the patriotic and eminent statesmen by whom it was framed. We found that they had not left it in the power of any unfaithful agents of the people, to destroy this work of their wise heads and pure hearts. They provided that "the general assembly of Maryland" should consist of a senate and house of delegates, and for periodical elections of the members of each branch, without otherwise limiting the term of service of either. But although they had the forecast so to frame the provisions in relation to the elections of members of the senate and house of delegates, as to guard against the effects of improper conduct, or omissions of unfaithful agents, willing to leave the state without a general assembly, by leaving the term of service of the members of each house unlimited, otherwise than by the election of successors, yet it is manifest that they intended the people should have the power and means, and expected they would be exercised, of terminating the service of the members of the senate every fifth year, and of the members of the house of delegates every year. It was in this view, undoubtedly, that they provided for elections to fill vacancies in the senate, "for the residue of the said term of five years."

If any support were necessary to this plain view of the provisions of the constitution, it is abundantly supplied by numerous judicial authorities and decisions, both English and American, in cases directly in point. In *Foot v. Prowse mayor of the town of Truro*, reported in *Strange*, page 625, "it was held, that the words, *annuatim eligende* (to be chosen annually,) were only directory, and that an annual election of them was not necessary to make an election in their presence good, and King, C. J. who delivered the opinion of the court, compared it to the case of constables and other annual officers, who are good officers after the year is out, until another is elected and sworn." In this case, the charter of the town directed, that the election of aldermen should be made annually, and that the election of mayor should be held in the presence of the aldermen. The aldermen, in whose presence *Prowse* had been elected mayor, had not been elected annually, but held their offices of aldermen in virtue of an election held some years before. *Prowse's* election was held to be valid. To the same effect, substantially, are the following decisions, viz:—*Hicks vs. town of Launceston*, 1 *Rolle's abridgment*, page 518. *Queen vs. The corporation of Durham*, 10th modern reports, page 146. *Smith vs. Smith*, 3d equity reports of South Carolina, and the people vs. *Runkles*, 9th *Johnson's New York reports*, page 147. in which all the other cases here mentioned, and several text books, are cited as authorities.

The continuance of the senate, until superseded by the election of successors being thus settled in our minds beyond a doubt, we should at once have called the general assembly together, with a view of their making provision for the election of other electors in the place of those who had refused and neglected to attend the college and perform their duty, but for the additional excitement and misconstruction of motive, which we apprehended would be produced in the public mind by such a step, during the pendency of the recent election of electors of president and vice president of the U. States; and we determined to call the general assembly for that purpose, immediately after that election should be over, without regard to, or intention to be influenced in the least by, what might be the result of that election.

Considering that the spirit of the constitution, and the plain intent of its framers require that the term of senators shall be terminated by the election of successors every five years, or as soon thereafter as circumstances may admit of, our first object in convening the general assembly was, that they might pass a law providing for the election of elec-

tors of the senate, in the place of those who had refused or neglected to attend the college and perform their duty. That the general assembly have the authority to provide by law for a new election in such a case, is a proposition so clear of rational doubt, that, but for the lawless and anarchical spirit of the day, which calls in question the most venerable and best settled doctrines of constitutional law, and embraces in their stead the most wild and monstrous absurdities, no argument or authority would be necessary or even proper to sustain it.—Even if the original constitutional provision on the subject remained entire and unchanged, the power to provide for the election in such a case, would be ample, but all such parts of that constitutional provision, as relates to the *judges, time, place and manner* of holding elections, having been abolished at the November sessions 1798 and 1799, and left thereafter to be regulated by law, it would seem impossible that doubt could be raised on the subject.—Yet being aware that the authority of the general assembly in this respect, has been not only questioned but strenuously denied, we deem it proper to refer to a few conclusive authorities in support of it. That eminent jurist, James Kent, late chancellor of New York, in the second volume of his commentaries, says—that "the power of election, or the supplying of members in the room of such as are removed by death or otherwise, is said to be a power incident to, and necessarily implied in every aggregate corporation, from the principle of self preservation," that "it was decided in the case of *Newling vs. Francis*, 3d term reports, 189," that "when the mode of electing corporate officers, was not regulated by charter or prescription, the corporation might make by-laws to regulate the election, provided they did not infringe the charter." And he refers to various other authorities in support of his position. Such power being "an incident to, and necessarily implied in every aggregate corporation" how can it be doubted that the legislative authority, which grant charters of incorporation, possess at least equal powers of "self preservation?"

That there is no existing legal provision for an election to supply vacancies in the senatorial electoral college, it is presumed, is for the same reason, that the punishment of the crime of parricide, when first committed in the Athenian commonwealth, was found to be unprovided for: because it had never entered into the conceptions of the framers of the constitution or laws, that such a provision was or would become necessary.

A sufficient number of the recusant electors having, since the issuing of our proclamation and before the day assigned for the meeting of the general assembly, attended the electoral college, qualified and joined with those faithful electors who had from the first been ready to perform their duty, and a new senate having been elected, it will now only be necessary, in reference to the conduct of the recusants and their abettors, to provide appropriate remedies to meet any future like conduct or occurrences. And for this purpose, we respectfully recommend an amendment of our election laws, providing for new elections to fill any vacancies which may occur in any future electoral college, by death or resignation, or by refusal or neglect to attend and qualify within a specified time; and we also recommend an amendment in our criminal laws, providing for suitable and adequate punishment of any agents of the people who may hereafter solicit and receive, or accept of any public trust, and refuse or wilfully neglect to perform the duties enjoined by the constitution or laws.

Supposing that you will concur with us in the opinion, that at this extraordinary session your attention and labors ought to be confined to the special objects of calling you together, and such other business of importance as the welfare of the state requires to be acted upon without delay, we shall forbear to call to your notice or attention any other subjects of interest to the state. Among these we esteem the passage of such laws as you may deem necessary and proper for suppressing all revolutionary designs and proceedings; for the better support of the constitution and government, and for bringing to justice and deserved punishment their future violators. As the constitution provides that no part thereof shall be altered, changed or abolished, unless a bill so to alter, change or abolish the same shall pass the general assembly, and be published at least three months before a new election, and shall be confirmed by the general assembly, after a new election of delegates, in the first session after such new election; and as several bills for alterations of the constitution were passed by the last general assembly, it is necessary to their confirmation as a part of the constitution, that you should act upon them at the present session.

And as the act of congress, providing for the deposit with the states of the surplus revenue of the

United States, requires that legal provision shall be made by each state for receiving her proportion thereof, and giving the required obligations for its return when legally called for, before receiving any part of said surplus, and as the distribution is to commence on, or soon after the first day of January next, we recommend the passage of a law in conformity to the requirements of the act of congress: a copy of which, with a circular from the secretary of the treasury of the United States, we herewith submit for your consideration.

Reform of the constitution, having been held forth by the recusant electors as their *ostensible* object in the course of conduct pursued by them and their abettors, our views upon that subject are perhaps justly and properly expected.

In an address to the people of the state, the recusant electors undertook to defend their attempt to subvert the constitution by revolutionary means, upon the unfounded assumption that all hope of adequate amendment, or, in the cant, various meaning, and undefined phrase of the day—*reform*, by the constitutional method, are vain and illusory; and they quoted, with a view to support their assumption of right to pursue the course they had adopted and recommended to their coadjutors, from our bill of rights, the unquestionable truth "that whenever the ends of government are perverted, and public liberty manifestly endangered, and all other means of redress are ineffectual, the people may, and of right ought, to reform the old or establish a new government." But they omitted all attempts to show that these circumstances had occurred, or, that they were the people, or even the representatives of any part of them, for such a purpose.

What are the *ends of government*? The security of life, liberty and property, may be the brief but comprehensive answer; and we state with honest pride, and in the fullest confidence, that in no community have these *ends* been more effectually provided for, or more amply enjoyed, and that an instance cannot be cited from our history under the constitution, in which any of them have been violated, by color of law. "When public liberty is manifestly endangered?" As it is notoriously felt by all, so it needs no argument to prove, that public liberty has never been endangered, or even threatened here, save by the rash or misguided men, and their abettors whose conduct is now under review. But, were it otherwise, and had these events occurred, can it be said, with the least semblance of truth, "that all other means of redress" have been tried and found "ineffectual?" No other constitution or form of government has provided more amply for its amendment, or a mode more ready, easy, safe and judicious for that purpose than ours, nor has there ever occurred, since its adoption, a time when the assumption or assertion that there is no hope of reform under it, was so evidently untrue as at the present.

In the lapse of sixty years, the position of society has materially varied, so that the provisions of the constitution are less perfect in theory, and less adapted to ideas of right, and to the present condition, wishes and interest of the people, than at the time of its establishment. There are several parts of the instrument which it is generally believed might be beneficially changed. The establishment of a different basis and apportionment of representation is required by a just regard to the rights, interests and wishes of the people of the more populous sections of the state, and there is every reason to believe that such a change, in this respect, as ought to satisfy the large and populous sections, and can be safely conceded by the smaller and less populous, can, and will be obtained, in the constitutional manner, and with general consent. The comparative inequality of the representation of different sections of the state, with reference to population, taxation and business, has been pressed upon the attention of the people and the legislature for several years past, and, as evidence of the impression which had been made in favor of conceding to the more populous sections, an increase of representation and political power, or, in other words, of the advance of the principal cause of reform, the general assembly, at the last annual session, and but just before it has been so boldly, but untruly asserted or assumed, that all hope of obtaining reform in the constitutional mode, was vain and illusory, passed two bills, such as had frequently before been rejected, which, when confirmed, will give an increase of six representatives to the most populous sections—two to the city of Baltimore, and four to the people who now compose the counties of Baltimore and Frederick!!

Can any sane mind believe, under these circumstances, that the *real*, and *main object* of the recusant electors and their abettors, in the course they have pursued, was reform in the constitution? But one

answer, in substance and truth, can be given to this question. It is as manifest that the *ostensible* was not the *real* and *main object*, as that the assumptions upon which their measures were predicated, were, and are utterly destitute of foundation, untrue, and have been disproved by unquestionable facts.

We feel warranted by the facts which we have stated, and by the evidences of public sentiment in every quarter of the state, in expressing the fullest confidence, that whenever, and in whatever peaceable and orderly manner, the people of the state shall have clearly indicated the *kind* and *extent* of further just, reasonable and proper amendments desired by them, that their wishes will be carried into effect, in the regular manner, and with as little delay as a just and prudent consideration of, and the necessary action upon them, will admit of.

As a change in the basis of representation, is the great question of reform most generally desired and justly insisted upon, we beg leave to suggest for consideration, as a fair compromise of the conflicting views and interests in relation to the nature and proper extent of such change, and as suited to our condition and local circumstances, that our constitution, in this respect, be altered so as to conform, as nearly as our circumstances will justify, to that of the United States: that the representation in the house of delegates be based on population of federal numbers, limited however, by a maximum for the larger counties, and the city of Baltimore, and by a minimum for the smaller counties and the city of Annapolis, and that a senator be allowed to each county, and the city of Baltimore.

And lastly,

Gentlemen of the house of delegates,

It is with you to consider of the necessity or expediency of exerting the powers with which you are clothed by the constitution, "as the grand inquest of the state, to inquire into the complaints, grievances and offences," which have occasioned you to be called together.

With humble supplications to Divine Providence, that all our labors may be directed and controlled by virtue and wisdom, and result in the promotion of the welfare and prosperity of the state,

We remain, with the highest consideration and respect, your obedient servants,

THO. W. VEAZEY.

MARYLAND LEGISLATURE.

A sufficient number of the new senate to form a quorum, having failed to attend at Annapolis, the house of delegates adjourned on Saturday last, after having adopted the following order, submitted by Mr. Gough, as a substitute for one offered by Mr. Risteau, which was a mere motion for adjournment, *sine die*, without allusion to the circumstances under which the legislature was convened.

"Whereas, the firm, dignified and energetic stand taken by his excellency, governor Veazey, in his proclamation, convoking an extraordinary session of the legislature to defeat the revolutionary designs and proceedings entertained and carried on by the recusant electors, with the view of overthrowing the constitution and form of government, has superseded the necessity of any immediate legislative action on that subject, by inducing a sufficient number of the aforesaid recusant electors, to the performance of their duty; And whereas, it is the opinion of this house that immediate action on the various other matters referred to its consideration, by the message of the governor, received on yesterday is not indispensably requisite; And whereas, it is uncertain whether a quorum of the senate can be assembled without considerable delay and consequent expense to the state, therefore,

"Ordered, That it is expedient that this house shall adjourn immediately, *without day*."

The Annapolis "Republican" of Tuesday last contains the following sketch of the questions which were considered during the brief session, which cannot fail to interest our readers and be useful for reference.

THE SESSION OF A WEEK.

The house of delegates, nearly every member of which, obeying to the governor's proclamation, attended at the seat of government on Monday last, found themselves in a position entirely new, and not without its difficulties.

The electors had failed to provide a new senate. The wisdom and foresight of the enlightened framers of our state constitution was made strikingly manifest, as we evidenced the importance of that arrangement therein, whereby the term for which either branch of the legislature as well as some of the other most important offices are elected, is made to depend not upon a specified time, but upon the fact of successors being provided to assume their duties. The time wherein new elections shall take place, is fixed, but if from any cause an elec-

tion fails to be effected, the government is not thereby allowed to expire, as the recusant electors imagined, but is continued in the hands of those last elected, until a new election is effected. The people of this state have been perfectly familiar with this valuable trait in their constitution, as it operated upon those most important officers, the sheriffs of the several counties, the tenor of whose appointments is arranged in this respect similar to that of the senate and house of delegates. The authority of a sheriff does not cease upon a specified day, but upon the election and qualification of a person to assume his duties. The value of this arrangement has long been obvious in his case. Its still greater value in regard to legislative bodies has just been tested, though it is quite likely that few constitution makers of the present day would have duly estimated its importance.

The governor accordingly in his proclamation convening the general assembly, intimated in the preamble, that the senate elected in 1831, continued to be the senate of Maryland, and the inference was that their attendance was required by the proclamation.

On the very eve of the day when their attendance was required, and after several of them had actually reached the spot, a new senate is elected, and thereby their term of service terminated.

Several technical questions immediately arose. The executive proclamation had in due form summoned "THE GENERAL ASSEMBLY OF MARYLAND," to meet on a given day, allowing them, as the constitution requires "at least ten day's notice." It was strenuously contended on one hand, that though the general assembly had had ten day's notice, yet that the new members now elected to constitute one branch thereof, had not had ten day's notice, nor had any proclamation been issued that they could recognize as embracing themselves—and further, some maintained that even if they or a quorum of them should attend, in consequence of informal notification, the legality of holding a session with them, would be contested on the ground of their not having had the notice which the constitution stipulated. The members who entertained these opinions, most if not all of them, objected to forming a house of delegates, and proposed that the members should return home without forming a quorum.

This was objected to by a majority of the body, upon the ground, that as they have been summoned by the executive, according to the provisions of the constitution, they were compelled to obey. The executive power in this respect is of the very last importance, and an evasion, even though unimportant at the time, might furnish precedent of most disastrous effect.

The idea that the executive might countermand their own proclamation was started and gravely considered. Though not forbidden expressly by the constitution, yet such a measure would be treading very closely indeed upon the margin of sacred ground. Of nothing were the framers of the constitution of Maryland more jealous, than of the executive power to prorogue the legislature, under an exercise of which the previous province had so severely smarted from the very first settlement of the country. This would not exactly be *proroguing*, but it would be so near it, that any future governor who might summon a legislature, if he ascertained upon their reaching the seat of government, that his own or his party's views would be thwarted by the body, would not hesitate to plead as precedent the present exercise of the power to issue a counter-proclamation, and thereby send the members home again. This view of the subject we presume operated with the executive to reject the idea.

On the other hand as the constitution forbids one branch to adjourn a session without the concurrence of the other—it was questioned whether one branch having convened and the other not, the one could rightfully adjourn without waiting for the other. The constitution not having contemplated such a case, is silent thereon.

Debates arose on several occasions, upon motions to adjourn, in which not only these difficulties were discussed, but others of somewhat similar complexion. Two of the electors elect of president and vice president, are also members elect of the new senate, and it was insisted upon by Colonel Ely and some others, that those gentlemen could not constitutionally fulfil the duties of electors, if they previously qualified as senators, because the constitution of Maryland forbids members of the state senate to hold any office of trust or profit under the United States government.

Another difficulty was still more embarrassing. There were four or five bills which passed the last legislature, for amending the constitution—two of them involving the great question of REFORM—one for creating a new county upon the Western Shore.

(Carroll county), and the other for increasing the delegation of the city of Baltimore. If both houses assembled, and a session of the general assembly was convened under the proclamation, it was maintained by some gentlemen of high legal attainments, that those laws must be confirmed at this extra session, or they could not be constitutionally confirmed by the subsequent annual session; the constitution requiring that such proposed alterations must be confirmed "by the next succeeding general assembly, and at the first session thereof."

Other legal gentlemen standing equally high, gave it as their decided opinion, that those laws might be confirmed at the annual session, and their only doubt was, whether they could constitutionally be confirmed at an extra session held *previous* to the period fixed by the constitution for holding the annual session.

To obviate those difficulties, the idea was suggested of adjourning this extra session over to the very day before the annual session commences, and hereby, by letting the one run into the other, both would be in fact "the first session." Upon examining this proposition, it was found also full of difficulties. The practice of the legislature of Maryland was found to have afforded two or three precedents in favor, but Jefferson's Manual of parliamentary or congress usage was directly to the contrary. He lays it down, and apparently with good reason, that a session convened by executive authority, can by no means supersede the constitutional requisition, that a session must commence at the period fixed by the constitution, and any session commenced previously, must cease before that commences.

There were serious difficulties in all these questions. To take up the constitutional subjects, and give to them the deliberation which their importance demanded, would consume much more time than it was desirable or convenient to appropriate to the extra session; to have them defeated by refusing to consider them "at the first session after such new election," would be treating their advocates ungenerously—and yet, to pass upon them at a session whose legality of decision would be matter of great doubt, ought to be avoided if possible.

The best way in the opinion of many, of avoiding these embarrassments, was for the house to adjourn, without waiting for the senate to form a quorum, and thereby leaving the annual session to be undisputedly "the first session" of this general assembly.

The general expectation that a sufficiency of the new senators would attend within the week, to form a quorum, and enable the two branches to attend to one or two of the most urgent subjects requiring legislative action, particularly the election of a senator of the United States, in the place of the lamented Goldsborough, and an act to authorise the treasurer to receive the state's portion of the surplus revenue, induced a majority of the house to remain in session for some days. Saturday arrived however without bringing a quorum of the senate, whereupon the house determined to adjourn.

REFORM CONVENTION.

Baltimore, Nov. 16, 1836.

According to previous notice, the delegates to the reform convention of Maryland, assembled this day—when it was ascertained that the following counties and city had chosen delegates:

Allegany, Washington, Frederick, Montgomery, Baltimore county, Baltimore city, Anne Arundel, Harford, Cecil, Kent, Caroline, Queen Anne's and Somerset.

The convention, on motion of Benjamin C. Howard, of Baltimore city, appointed the hon. Charles S. Sewall, of Harford county, president, and George Cooke, of Anne Arundel county, secretary.

The convention adjourned from day to day, until the 19th, when their deliberations closed. During its sittings all the counties aforesaid were represented, excepting Allegany, Queen Anne's and Somerset. On examination of the returns from various counties where polls had been opened to receive votes for the delegates, it was ascertained that a majority of all the votes taken for president on the first Monday of November, in nine counties and the city of Baltimore, having a free white population of 203,000, out of 291,000 of the whole white population of the state, had been given to their convention ticket.

On motion of John S. Tyson, of Baltimore county, the following members were appointed to prepare and report to the convention resolutions for its adoption:

John S. Tyson, Benjamin C. Howard, Francis Thomas, John A. Carter, Washington Hall, James W. Williams, George Cooke.

November 19th, 1836.

The chair, on behalf of the aforesaid committee, reported the following resolutions, which were read and unanimously adopted:

Resolved, That the unexpected call on the part of the executive upon the members elect to the house of delegates, and of the old senate to assemble at Annapolis, on Monday next, has rendered it expedient to postpone the meeting of the reform convention to a day when ample opportunity shall have been afforded to understand fully the reasons which have induced the executive to adopt this extraordinary procedure, and to ascertain the results of their deliberation.

Resolved, That this convention repels proudly and indignantly the aspersions cast upon its members, and those whom they represent, in the late proclamation of governor Veazey, and regards its doctrines as unsound and dangerous—its language undignified, and its temper and spirit unbefitting the executive of Maryland. The friends of conventional reform have neither done nor designed any thing inconsistent with their duties as peaceable citizens, or in violation of the laws of the state. They have proposed to adopt measures, solemnly sanctioned by the bill of rights of Maryland, to ascertain whether a majority of the people of the state desire a convention assembled to devise and submit for their adoption that which they certainly do not enjoy, a republican form of government.

Resolved, That the people of Maryland, like those of every other republican community, have the right to change the form of government which they have voluntarily adopted whenever it may appear to them expedient to do so, and of this inalienable right our ancestors neither did nor could deprive us.

Resolved, That this right should be exercised cautiously, temperately and with great deliberation; but if a majority of the people of the state should determine, by solemn vote, to establish a new government, it would, by virtue of such sanction, become the regular and only government entitled to respect or obedience, and those who would refuse to obey it, ought to be considered enemies of the public peace and order.

Resolved, That we believe that a majority of the people of Maryland desire to change the present constitution, by a direct vote in favor of or against a new one to be submitted to them by a convention, and are unwilling to await the slow and uncertain action of the legislature, the organization of that department of the government being such as to preclude all reasonable hope of their redressing the grievances of which the people have so long complained.

Resolved, That if the theory of those opposed to conventional reform be true, the people of Maryland are placed in an extraordinary position, differing wholly from our brethren in other states in the union who have control over their constitution, and can fashion it to suit their interests, wishes or even prejudices, whilst we are debarred from exercising the same power over ours, being compelled to lie under the government of associated counties, having a confederacy instead of a republican government.

Resolved, That if the theory of the constitutional reformers be true, that our ancestors had a right to transfer the power of altering the constitution from the people to two legislatures, they had also the right to ordain that there should be no alteration in any way whatsoever, a conclusion to which the intelligent freemen of Maryland can never be brought to assent.

Resolved, That we have no confidence in the opinion that the legislature, if a new senate had been chosen, would have gratified the known wishes of conventional reformers; neither do we believe that this will be done by the old senate and new house of delegates. We anticipate that at a day not far distant, those impressions will become general if not universal, and with that expectation we think it will be expedient hereafter to open the polls again throughout the state, and invite the people to clothe with the necessary power, a convention, to submit to them a form of government, for acceptance or rejection.

Resolved, That the essential difference between a republic and monarchy, consists in the power of the people in the former peacefully to change the features of the constitution, as well as the men who administer it, whereas, in a monarchy such a change must necessarily be accompanied with violence and civil war. Whatever therefore tends to create a resistance to the will of a majority of the people, who desire to change their mode of government, must spring from some anti-republican quality in the government which the people originally established.

Resolved, That the votes given for the delegates to this convention in some of the less populous counties of the state are especially encouraging, as

they indicate that magnanimous sense of justice in the bosoms of generous and just Marylanders wherever located, which guided and governed those who framed the present constitution, and bids us hope that the day is now rapidly approaching when a convention of delegates from every county and city will be held fully empowered to harmonize all conflicting views and wishes which now prevail in the state, by some honorable compromise of the claims of the population and of the counties similar to that which clothed with immortal honor the labors of the convention of 1789, in the formation of the existing constitution of the United States.

Resolved, That a very large majority of the people are favorable to conventional reform, and would have manifested more fully than has been done, this wish at the late election, but for the pendency of the presidential election, and the prevalent belief with a portion of the people that the legislature would authorize a convention empowered to grant the reform in the constitution imperiously required by every consideration of justice and propriety.

Resolved, That the friends of conventional reform desire a new constitution to be submitted to the people for adoption or rejection, containing among others the following provisions:

1st. The election of the governor by the people, and the abolition of the council.

2d. The election of one senator from each county and the city of Baltimore, directly by the people.

3d. The reapportionment of the house of delegates so as to do justice to the populous districts, and at the same time give to the small counties, and the city of Annapolis, ample power to protect their interest.

4th. The abolition of all officers for life, the appointment of judges for a limited time, by the joint action of the governor and senate.

5th. The election of clerks and registers by the people.

6th. Limitation and restraint on the powers of the legislature in the future grant of charters.

7th. The whole constitution to be so arranged and digested as to be free from uncertainty and obscurity.

Resolved, That this convention will meet at the city of Annapolis, on the first Monday of January next, unless otherwise notified by the president thereof, and that it is recommended earnestly and respectfully to the people of those portions of the state not represented herein, to choose delegates in time to meet this convention, when it shall again assemble.

Resolved, That the chair appoint a committee to prepare and publish an address to the people of Maryland, enforcing and explaining the views and opinions maintained in the foregoing resolutions, and that said committee be authorized to nominate a central reform committee for the state.

Resolved, That the thanks of this convention be presented to the Trades' Union for the use of their hall.

Resolved, That the thanks of this convention be presented to the president and secretary for the dignified and able manner in which they have discharged their respective duties.

Signed, C. S. SEWALL, president,
GEORGE COOKE, secretary.

OPINION OF C. J. INGERSOLL, ESQ.

"WITH REFERENCE TO THE U. STATES BANK AND THE QUESTION OF VESTED RIGHTS."

Philadelphia Nov. 15, 1836.

Charles J. Ingersoll, esq.

DEAR SIR: As you have been elected a delegate to the convention to "propose amendments to the constitution of Pennsylvania," the undersigned, members elect of the legislature, are desirous that you should make known publicly your views on the general powers of the convention, and particularly with reference to the *United States bank*, and the question of "vested rights."

We are induced to make this call on you from the belief that your experience in public life, will add weight to your opinions.

Very respectfully,

A. M. PELTZ,
SAMUEL STEVENSON,
PETER RAMBO,
D. ETTER,
WM. ENGLISH,
THOMAS LEWELLEN,
WM. RHEINER, Jr.

Forest Hill, Philadelphia Co. Nov. 24th, 1836.

Messrs. A. M. Peltz, Samuel Stevenson, Peter Rambo, D. Etter, Wm. English, Thomas Lewellen, Wm. Rheiner, Jr., member elect of the legislature of Pennsylvania—

GENTLEMEN: In compliance with your letter of the 15th inst. by which you condescend to ask my

views for publication, I beg leave to separate the two topics you mention, and beginning with the U. States bank, I wish to be understood as considering it as representing state banks altogether. Contrary to, perhaps, prevailing sentiment, in my humble opinion, bank charters, and above all, the charter of that bank, may be repealed by act of assembly, without a convention; and such act will not be contrary to the constitution of the United States. I propose to consider, separately, first, the state authority, and secondly, the federal authority connected with banks.

Rather than present any view of my own, it will be more acceptable and effectual to submit those of the earliest republicans of Pennsylvania, who fifty years ago established a precedent precisely in point, resting on principles of right, and illustrated by arguments, a departure from which since, has been the source of great evil to the commonwealth. The bank of North America became a law of the state of Pennsylvania, by an act dated the 1st of April, 1782, which was repealed by a subsequent act of the 13th September, 1785. In the following year, petitions being presented for the renewal of the charter, were referred to a committee consisting of Messrs. Clymer, Robinson, Lilly, Rittenhouse and Edgar. Animated, elaborate, and acrimonious debates ensued, in which Messrs. Clymer, Morris, Fitzsimmons and Robinson were the principal speakers for the bank, and Messrs. Findley, Smilie, Edgar and Whitehill against it. Of these discussions, a digest will show that the arguments then used were the same which prevail at present; and that parties were divided then, much on the same principles of politics and economy which separate them now. The gentlemen sustaining the bank—most of them were its projectors, stockholders and directors, and recommended it as a fiscal measure, beneficial to commerce and credit, contending that in granting bank charters the legislature acts in a ministerial capacity; that granting charters is an act of agency, distinct from the power of making laws; and that charters so granted cannot be abrogated; that laws are general rules, which extend to the whole community; whereas, charters bestow particular privileges upon a certain number of people; that as in taking away charters, the legislature acts judicially, it has no power to take them away; because it cannot act judicially; that charters are a species of property to be forfeited only by misconduct when proved by judicial proceeding, with the benefit of trial by jury. The doctrine of vested rights was asserted by some of the speakers in favor of the bank, principally by Mr. Morris, and the power of the legislature to revoke a bank charter which it had granted, was denied. On the other hand, the opponents of the bank referred to the minutes of the house, granting the charter, for a vote against the clause, which was proposed to empower a future assembly to alter or amend the charter, which clause was rejected for the express reason that the charter must necessarily be always in the power of the house. They asserted that charters, as originally granted in the twelfth and thirteenth centuries, to towns and cities, exempting them from the general vassalage then prevalent, were sacred instruments, because they secured to the persons on whom they were bestowed their natural rights and immunities, that charters are sacred or otherwise, not because they are granted by legislative or sovereign power, but according to the objects for which they are granted; that if a charter is given for a monopoly, whereby the natural and legal rights of mankind are invaded, it would be dangerous to hold that it cannot be annulled; that all charters granting exclusive privileges, infringe on the great charter of mankind, whose happiness is the supreme law; that the legislature did not repeal the charter of the bank for misbehavior of the bank, or proceed on any allegation of forfeiture, but taking the matter upon much higher ground, enquired whether the bank was compatible with the safety and welfare of the state, of whose interests they were the guardians. Let us suppose, said Mr. Smilie, a legislature so lost to all sense of their duty, and so corrupt as to give a charter of monopoly to five men, for all our East India trade, and that the next legislature, beholding this monster in face of the constitution, has not the power to give redress—of what use would be annual elections? If the house cannot afford a remedy in such a case, the people must have recourse to the means God and nature have given them for redress. The right of the house to repeal charters was debated in the council of censors, and a member of that body, now in this house, and in favor of the bank, conceded the right of the legislature to revoke them. The charter of the bank was not taken away for what the president and directors had done, but from a conviction of its dangerous tendency. The former house, considering that the bank was a bar to the improvement of the

country and to agriculture, thought themselves fully justified in taking away the charter. The bank has not suffered; the stockholders have gained enough. Why should we injure our country in favor of an institution incompatible with the public welfare? The question at present is, said Mr. Whitehill, whether the state shall give way to the bank or the bank to the state; for the bank is set up as a party in the state, it has created great disturbance. The house did not take away any of their property; the charter was not their property; it was a piece of sealed writing, which the house might burn when it pleased. Their property is as safe as it was. The late house of assembly did not take away the charter of the bank for any crime, nor charge the directors with having forfeited the charter. They took up the consideration of the matter upon general principles. If charters cannot be repealed because they are contracts, it affords a great invitation to fraud. Charters of public corporations, when not found agreeable to the welfare of the people may be taken away by the legislature. Two instances of this sort have occurred in this state—one was the charter of the college of Pennsylvania, and the other the charter of the proprietaries. All governments, said Mr. Findley, being instituted for the good of the society to which they belong, the supreme legislative power of every community necessarily possesses a power of repealing every law inimical to the public safety. But the government of Pennsylvania being a democracy, the bank is inconsistent with the bill of rights thereof, which says that government is not instituted for the emolument of any man, family, or set of men. Therefore this institution being a monopoly, and having a natural tendency by affording the means to promote the spirit of monopolizing, is inconsistent, with not only the frame but the spirit of our government.—If the legislature may mortgage, or in other words charter away portions of either the power or privileges of the state, if they may incorporate bodies for the sole purpose of gain, with the power of making by-laws, and of enjoying an emolument of privileges, profit, influence or power, and cannot disannul their own deed, and restore to the citizens their rights of equal protection, power, privilege and influence, the consequence is, that some foolish and wanton assembly may parcel out the commonwealth into little aristocracies, and so overturn the nature of our government without remedy.—This institution is inconsistent with our laws, our habits, our manners. What security can we propose to ourselves against the eventual influence of such wealth, conducted under direction of such a boundless charter.

The last house did no injustice to the bank by repealing its charter; they took away none of its property; the holders have their money; therefore it is not like an agrarian law, as the gentlemen alleged. They may still keep a private bank, and as a private bank is all the constitution admits of, so it would have the same advantages in trade and more security to the people than a chartered bank.

Mr. Morris having said that the assembly has the sole right of granting charters, but no right to take them away, that in Great Britain the sovereign grants charters, but he cannot take them away, the laws of the land having pointed out another mode of annulling them; and that it might as well be said of the assembly of this state having exercised their sovereign authority for the establishment of a land office, from whence grants of lands are made to individuals, that it has the right to exercise the same sovereign authority by destroying that office, and resuming the lands again, which would be exercising the power to give and the power to take away, but that the assembly has no right to such power.

Mr. Finley answered that against the right of the legislature to dissolve such charters it has been often said that body might as well disannul the patents of our lands, and for the same purpose agrarian laws have been improperly mentioned—but what do these arguments mean? Is dissolving the charter of the bank the same thing as entering into it to take away the gold and silver from the owners? The dissolution of the charter is merely for the public use. The right of the legislature is so clearly confessed by gentlemen of legal knowledge, it is so essential to the safety of government, that it would be an insult to the good sense of the house to say any thing more about it.

And Mr. Smilie added that the question of the right of the house to take away a charter had been pretty well discussed, and seemed to be well understood; that two of the members on the other side had conceded the point, and that though the others had not, yet their arguments amount to that when our situation is considered. As charters are granted by the assembly, they can be revoked in no other way than by the assembly. They can not be taken

away by the courts of justice as they are given by the legislature.

We are one great family and the laws are our inheritance; they are general rules and common in their nature; no man has a greater claim of special privilege for his hundred thousand pounds than I have for my five pounds; the laws are a common property; the legislature are entrusted with the distribution of them; this house will not, this house has no right, no constitutional power to give monopolies of legal privilege, to bestow unequal portions of our inheritance on favorites.

Finally after a protracted discussion, which is well reported by Mr. Carey, and dedicated to Dr. Franklin, then president of the commonwealth, (well worth republication at large at this time), the vote on the adoption of Mr. Clymer's resolution for a special committee to report a bill to repeal an act to incorporate the subscribers to the bank of North America, was negatived by a vote of 28 yeas to 41 nays.

Thus among the earliest acts of legislation by the commonwealth of Pennsylvania, was the repeal of a bank charter, without any allegation of forfeiture, but upon the ground of its public detriment. Vested rights were pleaded, though not very strenuously, by some few of the advocates of the bank. But it was generally acknowledged, and completely demonstrated, that the legislature is empowered to resume a bank charter without judicial proceeding or interposition, or any charge of misconduct in the bank, whenever the public good requires it.

At the subsequent session banking influence so far prevailed as to procure a recharter for the bank for fourteen years instead of a perpetuity, and with a moderate instead of a large capital.

But this does not affect the force of the precedent of repeal; and it is impossible to read the debates, from which the few preceding extracts have been taken, without being struck by the wisdom and foresight of the forefathers of republicanism.

All their arguments apply at the present moment; and establish both the power and the policy of legislative resummptions of bank charters whenever the public good requires it. No property is disturbed by it, no vested interest divested—a privilege conferred on a few individuals in derogation of common right is revoked as it may and should be whenever its public inconvenience is acknowledged.—The bank and its stockholders are left in the full enjoyment of all the property they ever had, not a cent of which is taken from them, but a monopoly or privilege, perhaps improvidently granted, and certainly contrary to the common rights of all who do not share in it, is recalled by the power which granted it, because it proves injurious to the community.

It is not however on this precedent and these views of our own statesmen, that the argument rests alone. I shall select one of the many instances afforded by British history to the same effect, in which the most enlightened and respectable of modern English statesmen, about the period of the repeal of the charter of the bank of North America, pursued the same course in an analogous instance, and maintained it by reason, authority and eloquence never surpassed; in which though ably opposed, and indeed defeated, yet the principle was fully established, and the right in question conceded even by those who successfully denied the policy of its exercise on that occasion.

The coalition ministry, as it was called, brought forward Mr. Fox's well known bill for revoking the charter of the East India company, and I shall here insert a short view of the discussion in the house of commons on that subject.

A petition was presented from the lord mayor, aldermen and commons of the city of London, in common council assembled, setting forth—

That the petitioners observe by the votes that a bill is depending before the house, for vesting the affairs of the East India company in certain commissioners, for the benefit of the proprietors and the public; and that the said bill which directs a seizure and confiscation of powers, privileges and property granted by charter, secured and confirmed by various acts of parliament, hath exceedingly alarmed the petitioners, and raised their fears and apprehensions at so unconstitutional a measure: and therefore praying that the said bill may not pass into a law.

Mr. Secretary Fox said—It is objected that the charter of the company should not be violated; and upon this point, sir, I shall deliver my opinion without disguise. A charter is a trust to one or more persons for some given benefit. If this trust be abused, if the benefit be not obtained, and its failure arises from palpable guilt, or (what in this case is full as bad) from palpable ignorance or mismanagement, will any man gravely say, that trust should not be resumed, and delivered to other hands, more espe-

cially in the case of the East India company, whose manner of executing this trust, whose laxity and languor produced, and tend to produce consequences diametrically opposite to the ends of confiding that trust, and of the institution for which it was granted? I beg of gentlemen to be aware of the lengths to which their arguments upon the tangibility of this charter may be carried. Every syllable virtually impeaches the establishment by which we sit in this house, in the enjoyment of this freedom, and of every other blessing of our government. These kind of arguments are batteries against the main pillar of the British constitution.

Had I lived in the reign of James the second, I should most certainly have contributed my efforts, and borne part in those illustrious struggles which vindicated an empire from hereditary servitude, and recorded this VALUABLE DOCTRINE, THAT "TRUST ABUSED IS REVOCABLE."

He allows (Mr. Dundas) the frangibility of charters, when absolute occasion requires it, and admits that the charter of the company should not prevent the adoption of a proper plan for the future government of India, if a proper plan can be achieved upon no other terms.

To this reasoning of Fox, Burke added one of the most masterly of his memorable speeches, from which the following extract is taken, as the whole was revised and published by himself.

To show this, I will consider the objections, which I think are—

First: That the bill is an attack upon the chartered rights of man.

As to that, I must observe, that the "phrase of the chartered rights of men," is full of affectation, and very unusual in the discussion of privileges conferred by charter of the present description.—But it is not difficult to discover what end that ambiguous mode of expression, so often reiterated, is meant to answer.

The rights of men, that is to say, the natural rights of mankind, are indeed sacred things; and if any public measure is proved mischievously to affect them, the objection ought to be fatal to that measure, even if no charter at all could be set up against it. If these natural rights are further affirmed and declared by express covenants, if they are already defined and secured against chicanery, against power and authority, by written instruments and positive engagements, they are in a still better condition; they partake not only of the sanctity of the object so secured, but of that solemn public faith itself, which secures an object of so much importance. Indeed this formal recognition by the sovereign power, of an original right in the subject, can never be subverted, but by rooting up the holding radical principles of government, and even of society itself. The charters, which we call by distinction great, are public instruments of this nature. I mean the charters of king John and king Henry the third. The things secured by these instruments may, without any deceitful ambiguity, be very fitly called the *chartered rights of men*.

These charters have made the very name of a charter dear to the heart of every Englishman.—But, sir, there may be, and there are charters, not only different in nature, but formed on principles the very reverse of those of the great charter. Of this kind is the charter of the East India company. *Magna charta* is a charter to restrain power, and to destroy monopoly. The East India charter is a charter to establish monopoly, and to create power. Political power and commercial monopoly are not the rights of men; and the rights to them derived from charters, it is fallacious and sophistical to call "*the chartered rights of men*."

These chartered rights, (to speak of such charters and of their effects in terms of the greatest possible moderation), do at least suspend the natural rights of mankind at large; and in their very frame and constitution are liable to fall into a direct violation to them.

It is a charter of this latter description, (that is to say a charter of power and monopoly), which is affected by the bill before you.

The bill, sir, does, without question, affect it; it does affect it effectually and substantially. But having stated to you of what description the chartered rights are which this bill touches, I feel no difficulty at all in acknowledging the existence of those chartered rights in their fullest extent. They belong to the company in the surest manner; and they are secured to that body by every sort of public sanction. They are stamped by the faith of the king, they are stamped by the faith of the parliament; they have been bought for money, for money honestly and fairly paid; they have been bought for valuable consideration, over and over again.

I therefore freely admit to the East India company their claim to exclude their fellow subjects from the commerce of half the globe.

I admit their claim to administer an annual territorial revenue of seven millions sterling; to command an army of sixty thousand men; and to dispose (under the control of a sovereign imperial discretion, and with the due observance of the natural and local law) of the lives and fortunes of thirty millions of their fellow creatures. All this they possess by charter and by acts of parliament, (in my opinion) without a shadow of controversy.

Those who carry the rights and claims of the company the furthest do not contend for more than this, and all this I freely grant. But granting all this, they must grant to me in my turn, that all political power which is set over men, and that all privileges claimed or exercised in exclusion of them, being wholly artificial, and for so much, a derogation from the natural equality of mankind at large, ought to be some way or other exercised ultimately for their benefit.

If this is true with regard to every species of political dominion, and every description of commercial privilege, none of which can be original self derived rights, or grants for the mere private benefit of the holders, then such rights or privileges, or whatever else you choose to call them, are all in the strictest sense a *trust*; and it is of the very essence of every trust to be rendered *accountable*, and even totally to cease, when it substantially varies from the purposes for which alone it could have a lawful existence.

This, I conceive, sir, to be true of trusts of power vested in the highest hands, and of such as seem to hold of no human creature. But about the application of this principle to subordinate derivative trusts, I do not see how a controversy can be maintained. To whom then would I make the East India company accountable? Why, to parliament to be sure; to parliament, from whom their trust was derived; to parliament, which alone is capable of comprehending the magnitude of its object, and its abuse; and alone capable of an effectual legislative remedy. The very charter, which is held out to exclude parliament from correcting malversation with regard to the high trust vested in the company, is the very thing which at once gives a title and imposes a duty on us to interfere with effect, wherever power and authority originating from ourselves are perverted from their purposes, and become instruments of wrong and violence.

If parliament, sir, had nothing to do with this charter, we might have some sort of epicurian excuse to stand aloof, indifferent spectators of what passes in India and in London. But if we are the very cause of the evil, we are in a special manner engaged to the redress; and for us passively to bear with oppressions committed under the sanction of our own authority, is in truth and reason for this house to be an active accomplice in the abuse.

That the power notoriously, grossly abused, has been bought from us is very certain. But this circumstance, which is urged against the bill, becomes an individual motive for our interference lest we should be thought to have sold the blood of millions of men, for the base consideration of money.

We sold, I admit, all that we had to sell, that is, our authority, not our control. We had not a right to make a market of our duties.

I ground myself therefore on this principle—that if the abuse is proved, the contract is broken; and we re-enter into all our rights; that is, into the exercise of all our duties.

Our own authority is indeed as much a trust originally, as the company's authority is a trust derivatively, and it is the use we make of the resumed power that must justify or condemn us in the resumption of it. When we have perfected the plan laid before us by the right honorable mover, the world will then see what it is we destroy, and what it is we create. By that test we stand or fall; and by that test I trust that it will be found in the issue, that we are going to supersede a charter abused to the full extent of all the powers which it could abuse, and exercised in the plenitude of despotism, tyranny and corruption; and that in one and the same plan, we provide a real and chartered security for the RIGHTS OF MEN cruelly violated under that charter.

It would be impossible to adduce reason more convincing, clothed in language more beautiful than this noble vindication of the vested rights of man, as superior to chartered privileges.

In the course of the present debate, Scott, (the present lord Eldon), Dallas, Erskine, Plomer, Kenyon, Macdonald and Mansfield, six chief justices, as they afterwards became, and the seventh also a

high judicial functionary, took part, uniting their more professional doctrines with the great statesman-like views of Burke and Fox. Not one of these great lawyers denied the right or powers of parliament to revoke charters whenever the case of adequate state necessity arises. The principle was granted by all, and the whole question resolved into one of policy.

I am not unmindful of the alleged omnipotence of parliament: but in this respect it has no power that does not belong to the legislature of Pennsylvania. Nor do I overlook the fact that some of the speakers in parliament, like some in the assembly of Pennsylvania, asserted the vested and indefeasible right in a corporate privilege. But such assertion was refuted by the opposite arguments on both these occasions. Ever since the first attempt to repeal laws of mortmain, vested rights have been pleaded against the constantly asserted right to improve the public condition. Titles of nobility were vested rights. Entails and primogeniture were vested rights; with more reason than state bank charters are vested rights. The least spark of liberalism has never failed to shew its light against all such pretensions. In England the enlightened patriots, Milton, Locke and others of old times down to those of the present day, who are uprooting charters innumerable, have uniformly asserted, with Burke, the higher right and supreme law of liberty and equality, above the claims of even property, much less privilege. Indeed it is the right of property to be freed from privilege, of equality to be joined with liberty. It is the right of individual industry and of free labor to be protected against privileged orders and artificial immunities, detrimental and derogatory to all but those who enjoy them. We republicans should be degenerate offspring of the English whigs if we refrain from dealing radically with such vested rights. Nor is there any difficulty till we pass from the question of legislative power to that of its supposed qualification by our federal government, which is the supreme law.

Secondly. The only question arises on the clause of the federal constitution prohibiting state laws, impairing the obligation of contracts: a just and salutary provision to protect contracts between individuals from unjust state legislation. After it had remained more than twenty years a dead letter, the supreme court of the United States, in 1810, applied this prohibition to a law of Georgia granting land to individuals, which was construed to be a contract, that must not be impaired, by another law of the same state, revoking the grant; and in 1819, the court determined that a royal charter for a college granted before the revolution, is a contract, which the state of New Hampshire, after the recognition of American independence, would impair by a law changing the college into a university. Encouraged by these and other like constructions, frequent attempts were made, to bring various laws within the constitutional interdict, as impairing the obligation of contracts, and to prohibit all judicial powers to the state legislatures. But the supreme court, overruling most of these attempts, determined that retrospective laws, which do not impair the obligation of contracts, or partake of the character of *ex post facto* laws, are not contrary to the constitution; that there is nothing in it which forbids the legislature of a state to exercise judicial functions; or to divest vested rights, provided the law divesting them does not impair the obligation of contracts: and the judges have taken care to make it known that none of their determinations have intimated that a state statute which divests a vested right, is repugnant to the constitution of the United States.

If, as seems to be the prevailing opinion, they have construed the kindred clause against *ex post facto* laws as confined to criminal laws, adopting Blackstone's erroneous and always controlling assertion, that court have impaired, if not destroyed, an excellent conservative guard provided by the constitution, and, in fact, a principle of natural justice, against unjust legislation; and while construing the clause against laws impairing the obligation of contracts in the year 1827 the judges were so irreconcilably divided in opinion on its meaning that the state judiciaries and the community are unable since to know what it means.—Thus the *ex post facto* clause has been constructively rendered almost useless; and the clause against impairing contracts applied to laws by embarrassing construction has left the whole subject in doubt and difficulty. By recent appointments there is now a majority of that bench, not involved in these perplexing contradictions, and when these clauses of the constitution come once more to be considered by the supreme court, the public may expect a final, harmonious and satisfactory interpretation of them.

The question, whether a state bank charter is a contract so obligatory on the state that it cannot repeal or reform it, never has been passed upon by the supreme court of the United States; and I respectfully submit that bank charters are not contracts within the constitutional prohibition. A bank charter is a grant of privilege, and not property, the ordinary subject of contract; privilege in derogation of common right, which the state should be at liberty to resume whenever public interest requires it; which when resumed affects no private right of property, and impairs no contract concerning it. This distinction is pointedly acknowledged by an authentic publication from the United States bank in the National Gazette of 23d September last, which, after enumerating the items of the bonus paid to the state for the charter, proceeds to say: "For all these benefits the state in return gave absolutely nothing. They merely furnished what is called a charter, that is, they said that these stockholders should be called the bank of the United States, and be able to sue for their debts—a convenience this in managing their capital, but adding not a dollar of advantage to that capital, any more than the mere piece of tape which is used to tie up a bundle of notes gives value to the notes." The true distinction is forcibly shewn in this view of the subject by the bank itself. The incorporeal means by which a bank is impersonated are totally distinct from the pecuniary means which form its capital; the former being granted by the state, the latter subscribed by the stockholders. The state gives authority to transact business like an individual exempted from individual liabilities; and the stock is managed with the advantages of that exemption. But by granting the charter the state gives no property. It leaves the capital or property whatever the stockholders make it; and by repealing the charter the state resumes merely the incorporeal privilege, leaving the property as it was.

Almost any dealing between a state and an individual may be construed to be a contract in some senses of the term. But it is clear that every contract does not fall within the constitutional interdict. Salaries and marriages are created by contract, yet the salary granted with an office created by law may be recalled by a subsequent law from reasons of state, without impairing the obligation of the original contract between the officer and the state. The contract of marriage may be dissolved by law without exposing it to be annulled as unconstitutional. It is giving at least force enough to the constitutional interdict, when it is construed to prevent laws impairing the obligation of contracts not only between individuals, but also some laws deemed contracts, between states and individuals, such as direct grants of lands. But to inflict this prohibition on every law a state may make, would be equally insufferable by the business and by the sovereignty of a state. Nor is it pretended that it can be. The clause must have some limit beyond its mere terms, or it would unbind society. As all laws then are not contracts, what laws are contracts? I answer that personal rights, the rights of individual property, and laws concerning them, are those alone contemplated by the constitution.—They alone are the ordinary subjects of contracts. There is no obligation on a state not to resume a privilege granted in derogation of common right.—The constitution was not made for privileges, and in the sense of the constitution there is no contract or obligation when the object is privilege. If a charter were granted to a corporation sole, as it might be, as well as to a corporation aggregate, for example to the president of the United States bank alone, instead of the president, directors and company conferring on him and his successors in that office all the privileges and immunities conferred on the body of stockholders, might not the state afterwards revoke such ill-advised privilege, without violating the constitution, or impairing the obligation of a contract? It never could have been, in contemplation of the constitution that such a corporation should be protected as a binding contract which state legislation cannot regulate or repeal.—When a bonus is paid, it is the price of privilege; and therefore perhaps restoration of the bonus must accompany resumption of the charter. But it does not follow that even if there is a species of contract so far as respects the bonus, that the state is incapacitated from resuming the privilege on refunding the bonus. By so doing the commonwealth would be reinstated in its sovereign rights to recall a privilege injurious to the public. If it should not refund the bonus, the law of revocation would only so far impair the obligation of the contract; (if a law even selling privilege can be deemed a contract obligatory) for a law may be unconstitutional in part without being void altogether. Repealing a charter affects only the privilege and still leaves all the capital to the stockholders.

There is an expression of chief justice Marshall in the case of the Providence bank, taking for granted, for argument's sake, that a bank charter is a contract. But that it was so taken for granted, merely for argument's sake, as was asserted at the bar, is clear from the judgment pronounced, which is that for a state to tax a bank is not unconstitutional as impairing the obligation of a contract by the charter. This judgment goes far to the conclusion, that the sovereign rights of states remain to be exercised over banks without violating the constitutional protection of contracts; for the reason of the thing cannot be that banks may be destroyed indirectly, through the taxing power, and not repealed directly by the same sovereign power in another exercise of it. In fact a practical construction has been put on the power of states to regulate banks, and with universal acceptance throughout the United States, by the laws suppressing small notes, which if carried up to the denomination of notes contemplated, might work a repeal of some of their charters—an improvement in which Pennsylvania was first, I believe.

The Georgia case, the New Jersey case, and the Virginia case, in which state laws were adjudged contracts, and posterior laws deemed unconstitutional for repealing them, were all cases in which land was granted, so that all these cases turned directly on grants of private property resumed. The Dartmouth college case, was also a case involving a grant and the possession of large property, which although held in trust, was nevertheless taken by the New Hampshire law from the original trustees or their successors, and placed in the disposition of others created by that law. The distinction between all this series of adjudications and the case of bank charters is therefore obvious. There are many considerate persons who question the constructive extension of obligatory contracts to mean laws at all, believing that the constitution contemplates individual not public transactions. There are others who think that this construction was strained beyond right or reason in the case of the Dartmouth college. My purpose is not to gainsay these decisions of the supreme court; but to distinguish bank charters from them.

Far from disparaging the supreme court of the United States or the great chief justice who was for thirty years its presiding genius, constitutional history must still record that during the first twenty years of this union that court never sentenced a law to be a contract; that when at last it did so, the law in question was a direct grant of lands to individuals; that the whole judgment is engrossed with making the constitutional meaning of the mere word contract the same as Blackstones' meaning of the word grant; that even then it was the judgment of a bare majority of a divided court, such a majority as no longer ventures to determine constitutional questions; that this judgment was pronounced without the benefit of full argument at the bar, and without foreseeing the unmanageable embarrassment from giving judgment on the word contract, without attending to its associated word obligation. Mr. Dallas perhaps, and Mr. Forward certainly in their published letters, yield the contract of a bank charter without a question: but I trust those learned gentlemen will think better of it. Americans are of all others the most docile to judicial authority, and I should be sorry to disturb this reverence. The constitutional historian of England has said that the bigotry of lawyers leads them to defend every pretension to which their received standard of authority gives a sanction. A most eminent and learned judge of the supreme court of the United States, whose accession to it was soon followed by a flood of cases, including that of the Dartmouth college, bearing hard on state sovereignty, may perhaps recollect the warning of a friend that receding or reaction must be the only alternatives of such departure from the Madisonian understanding of the constitution.

All considerate friends of the federal constitution must view with alarm so formidable an increase of its judicial powers by construction as that which requires courts to deprive states of sovereign authority over the already six hundred banks, and probably six thousand other corporations, which by special privileges and perpetuities, now engross the circulating medium and much more of the property, the business and the welfare of the whole country. Even if the supreme court had by any one or more of its judgments countenanced this deprivation, it would not be unreasonable to expect a reconsideration of it. As far as the direct question of bank charters is concerned, the supreme court has never passed upon it; and we are at liberty to discuss it free from the weight of their authority.—That court it is submitted, will give to one clause of the ninth section of the first article of the constitution, much less, and to another clause of that

section much more meaning, than its framers contemplated, if they restrict the prohibition of ex post facto laws to those concerning crimes only, and if they extend that against laws impairing the obligation of contracts to bank charters. The first lets loose all the mischiefs of retroactive legislation, which the federal constitution interdicts. The last withdraws from state sovereignty power indispensable to its well being. The country would be subjugated by bank corporations, instead of being governed by states. By construing laws to be contracts within the latter prohibition, the supreme court brought themselves to irreconcilable conflict of opinion, leaving the country at large, in what an ancient writer justly calls that wretched servitude which is caused by vagueness and uncertainty of law. That elevated tribunal for its own sake, especially the surviving judges who were parties to a conflict of construction so deplorable in its effects, must desire to review the clauses in question, and give them altogether an interpretation at once conservative of the private rights of men, the sovereign rights of states, and the duration of the federal constitution.

Nothing is more unsatisfactory than the construction of constitutions by the literal meaning of words. It is a rule of municipal law that written instruments should speak for themselves, without explanation from witnesses. But it is a principle of politics that cotemporaneous commentary or historical recollection is of more reliance than literal interpretation. By this better light, we are informed and well assured that the constitutional provision concerning the obligation of contracts means nothing more than to protect private rights and personal interests; contracts of property, not grants of privilege; private grants, not incorporeal hereditaments and perpetuities. Mr. Luther Martin, in his report to the legislature of Maryland says so expressly—he had no idea of any other state law than such as interfere between private debtors and private creditors. Mr. Madison, in his luminous vindication of the clause in question in the federalist as expressly confines it to personal security and private rights: not only so, but he as obviously excludes from it all incorporated privileges and special immunity. He calls the clause a constitutional bulwark against legislative interference in cases affecting personal rights, against such legislation as becomes jobs in the hands of influential and enterprising speculators, snares to the more industrious and less informed. The object was, he says, such a thorough reform as would banish speculation in public measures, inspire general prudence and industry, and give a regular course to the business of society.—What was this business of society? Not banking. What were prudence and industry to be exercised in or upon? Not corporations. What was the mischief to be remedied by this salutary provision as Mr. Madison understood and recommended it?—The jobs of influential and enterprising speculators. His uniform opposition to the whole credit and paper system is well known. It was this aversion which at last subdued his repugnance to the bank of the United States as unconstitutional, and prevailed on him to sanction it as indispensable to control the numerous state banks, which had usurped and contaminated the constitutional currency. The framers of the constitution never contemplated the case of state banks at all. Such institutions were not anticipated. It is well known that chief justice Marshall considered them repugnant to the constitution. One of his last judgments, that on the Missouri state certificates, assumes for its basis (and it was concurred in by a majority of the court) what judge Thompson says, "renders it difficult to escape the conclusion that all bank notes issued by a state, or under state authority, or permission, or bills of credit falling within the constitutional prohibition." In that case judge McLean likewise says, "If a state legislature pass an ex post facto law or law impairing the obligation of contracts, it remains a harmless enactment on the statute books, until it is brought to bear injuriously on individual rights." It was far from the anticipation of the constitution that innumerable banks could be held sacred from all state interference, as obligatory contracts to be upheld by the judiciary in perpetual, irresponsible and intangible succession. Such a result is not only not countenanced by the clause against laws impairing the obligation of contracts, but the philosophy of the whole section of the same article contradicts it. Mr. Madison could never have denounced laws, regulating the issues, the by laws, and the business generally of banks as contrary to the first principles of the social compact and to every principle of social legislation. The letter of the convention to the states recommends the constitution to their adoption as leaving to each of the states all rights of independent sovereignty.—What shall we say of Mr. Madison's eloquent and

prophetic denunciation, on the same page of the *Federalist*, against "the pestilent effects of paper money on the industry and morals of the people, and on the character of republican government, constituting an enormous debt against the states, or rather an accumulation of guilt, to be expiated no otherwise than by a voluntary sacrifice on the altar of justice of the power which has been the instrument of it."—if the same great prophet is to be made one of those short-sighted lawgivers who by the next clause concerning contracts has perpetuated the very power of pestilent evils they were so anxiously guarding against, and offering up a solemn sacrifice to atone on the altar of justice for their accumulated guilt. The construction which makes contracts of bank charters breaks this altar of justice, protects the guilty and perpetuates the pestilent effects of paper money which the constitution was to have sacrificed. The constitution never intended to make a contract of every state bank charter.

The last clause in the same article forbids the states to grant titles of nobility, as another article lays congress too under the same interdict. Construe this clause *literally* as the word *contract* is construed in the adjoining clause; and the consequence is inevitable that both congress and the several states may confer all the privileges and immunities, the entails and promogeniture; in short, perpetuate all the evils of nobility; provided that in so doing they avoid the mere *title*. While no one will deny that the prohibition strikes at a thing, at a class of persons, at a privileged order, not at their *denomination* by a word; just as the word *contract* designs to protect those personal rights and that private property which form its common subjects, not to comprehend treaties, ordinances and acts of state; nor above all to vouchsafe special privileges, derogatory to common rights, and more inconsistent with free government than nobility itself. To raise bank charters into contracts intangible by state law, is at the same time to annihilate the state governments; reducing them below corporations; to deprive the federal government of its indisputable regulation of coin, and the value thereof; and to authorize a privileged order more inconsistent with our institutions than a titled nobility.

But now taking leave of the mere clause against laws impairing the obligation of contracts, and looking to the reason of things, I proceed to shew by other views of the subject, that the U. S. bank does not hold its charter by contract in the sense of that clause. Granting all that can be said for the Yazoo case, and the case of the Dartmouth college, and all the others before alluded to; and yielding to the obligations of contracts all that even the broadest or wildest construction of that phrase has ever dreamt of, there is an acknowledged and settled limit to corporate immunity, and an acknowledged pale of legislation, which all jurisprudence proclaims.—That limitation and authority pervade the cases determined by the supreme court of the U. States.—It is, that all *public* corporations, and such as partake of political power, are necessarily within the power of legislation. The bank of the U. States was adjudged by the supreme court of the United States to be constitutional solely on the ground of its being such, that is a public or political; as contradistinguished from private corporations. Such is the whole strain of the argument, and the very pedestal of the lofty decision against the law of Maryland taxing the branch. And when, some years afterward, the supreme court was prevailed upon to review that judgment, on the memorable occasion of the taxing law of Ohio, chief justice Marshall solemnly and earnestly in the name of the court denied that the bank was for the management of a private concern, or founded on a contract between individuals, having private trade and private profit for its great and principal object, as was asserted by the advocates of Ohio. The bank, said he, is *not considered as a private corporation, but as a public corporation, created for public and national purposes*. The mere business of banking, he adds, is in its own nature, a private business, and may be carried on by individuals or companies, having no political connexion with the government: *but the bank is not such an individual or company*. Strong, plain and decisive as this acknowledgment and decision are, they need no enforcement. Even without their high authority, however, as judgment, I should venture respectfully to submit as reason that banking institutions which make and regulate most of the circulating medium, must be public corporations and political institutions, amenable to law as such, to be dealt with for reasons of state, and subjected to general legislation.

But relieved from all occasion for further argument to this effect, I use the decisions of the supreme court of the United States in the two cases of *Maryland* and *Ohio*, as I did the *Pennsylvania*

and English precedents of the bank of North America and the East India company, as conclusive far beyond any reasoning of mine.

Beside the distinction, therefore, between privilege and property, and the mere meaning of the terms obligation and contract, we are thus authorized by the highest judgment and plainest reason to consider the former bank of the United States a public agent of political organization, and not a mere private corporation; and the only corollary remaining is whether the bank of the United States as chartered by congress, and the United States bank as chartered by the legislature of Pennsylvania are one and the same; a proposition that answers itself. That bank of the United States is the present United States bank, rechartered for state purposes, as it was formerly for purposes of the United States; in more intimate political connexion with the state government; a public corporation, without which that government would be deranged in all its functions. The act of assembly of the 16th February, 1836, erects the present stockholders of the bank of the United States, to an amount not exceeding the present capital of the bank, into a corporation and body politic. The title of the act is an act to repeal certain tax laws, and to continue and extend the improvements of the state, by rail roads and canals, and to charter a state bank to be called the United States bank. The first section repeals those taxes; (then about to expire by limitation), other sections regulate the by laws and privileges of the bank; and others place the internal improvements and common schools of the state under its contributions for their support. Thus the bank has been made as it were the state itself. Its resources, territorial and intellectual amelioration, welfare, policy, power and existence are associated with the bank.

At the meeting of the stockholders on the 20th February, 1836, the reasons assigned by the president for accepting the new charter, were that the capital was all paid without the necessity of obtaining a new one; that bearing the same name, continuing in the same place, and with the same organization, it enjoys its established credit, as well as its old connexions abroad and at home, and inherits a circulation of twenty-two millions.

Thus the identity is indisputable: and it is difficult to conceive how such a political connexion between the commonwealth and a corporation, such a complete unity of interest, can be deemed a common contract which the state for thirty years is obliged not to affect by legislation without impairing the obligation. If so, the state in granting the bank charter has surrendered its own.

If the federal judiciary may bind the state irrevocably and immutably to such a contract, Pennsylvania is no longer a state. All the attributes of sovereignty are gone. The laws of the state are subject to the by laws of the bank; and whether a canal boat shall ply, or a child be educated, depends not on the resources or laws of the state, but on the income and dividends of the bank. If the bank should become insolvent, its assignees might still hold the state bound by the contract, even though the bank should be no longer able to continue the improvements and education of the state. If the stockholders, their successors or assigns, should dispose of the bank charter to citizens of other states, (as it is understood the United States bank have, since their late charter, purchased a bank in New Orleans) or to foreigners, the contract would even then, if it be such as is alleged, remain binding on the state. Though inhabitants of Europe, of Asia, or of Africa should become exclusive proprietors of the stock, if it be held by intangible contract with the state, the state could not meddle with it; and it is not a forced or extravagant fancy to imagine the United States at war with a nation owning the United States bank of Pennsylvania, and compelling the supreme court of the United States to annul a law of Pennsylvania resuming the charter. This distressing condition of the state is indeed more stringent than was imagined, till the publication before mentioned by the bank in the *National Gazette* of the 22d September last, which announces the fact, (otherwise incredible) that "*official application was made by the legislature to the bank to know whether the stockholders would accept a charter from Pennsylvania; that the answer was, that it would be accepted on certain terms; and that the legislature and the governor accordingly passed a bill for rechartering the bank on payment of certain sums*." The compact, therefore, which created this union of bank and state was, it seems, solicited by the state as its resource for taxes to be repealed, roads and canals to be made, and schools to be founded. Without expressing any opinion on the policy of such arrangements, it is plain that the state has power to change them as its exigencies may require, or it has no power at all. If the old

bank of the United States was a public agent, the new bank is more—it is a public succedaneum. It is not merely currency that is supplied and regulated, but state income and support. It is, I repeat, the state itself. An English statesman called the finances of England, the state of England, as an absolute monarch of France said, that he, the king, was the state. The bank must be within the political power of the state, or the state within the fiscal power of the bank from their intimate relations. It falls therefore directly within the only principle on which the federal judiciary sustained the bank of the United States; and is a stronger instance of that principle.

In the case of the Planter's bank of Georgia, chief justice Marshall considers the case of a state stockholder in a bank, and says that when a government becomes a partner in a trading company, it divests itself, as far as concerns the transactions of the company, of its sovereign character, and takes that of a private citizen. But this principle does not affect that we are considering, of a state in political, no pecuniary connexion with a bank.

A South Carolina court has determined that a debt due to the bank of South Carolina, which is owned entirely by the state, is not a debt entitled to state priority of payment; and a North Carolina court has determined that the state bank of North Carolina cannot give its books in evidence, to prove an overdraft by one of its debtors, because the bank, as the chief justice said, is only a private corporation. But these peculiar adjudications, confined to the local laws of public priority and the rules of evidence, are distinguishable from the doctrine of the supreme court of the United States, that a bank which aids the treasury, and furnishes the circulation of a government, is a public institution. It would be inconvenient to allow banks priority as public creditors, in the payment of debts, or to declare their books equal to public records as matters of evidence. But it by no means follows from such premises, that they are private corporations, on the ground of contract for all the purposes of the constitutional protection of contracts from posterior legislation.

An American Law Treatise on Corporations, divides them into public and private; and classes banks as of the latter denomination. But this is without reference to the question we are considering, and without reference to any authority for it, but such as also does not regard that question. In the Dartmouth college case, the great question was, whether a college is a private or public corporation. The decision was, that by private foundation, public charities become private, though incorporated. Insurance companies, canal, bridge and turnpike companies are supposed to be also private. But *political* corporations, for the government of towns, counties, &c. though involving private interests, are allowed to be public institutions, of which government preserves the regulation.—The civil code of Louisiana, divides all corporations into *political* and *private*, and defines the former to be those which have principally for their object the administration of a portion of the state, and to whom a part of the power of government is delegated to that effect, which is nearly if not exactly the relation between the United States bank and the state of Pennsylvania.

Thus my endeavor is accomplished to shew that all sovereignties have the right to resume charters for reasons of state; that it is a right which the state of Pennsylvania exercised in the instance of the bank of North America, before it yielded by the present federal constitution, some part of its sovereignty; and that in the only clause of that constitution which can be appealed to, there is no surrender of the state sovereignty over bank charters: while in cotemporary understanding, subsequent events, and the reason of things, there is conclusive evidence that this power remains with the state.

Other reasons of a more abstract character might be added, though I trust the foregoing does not need corroboration. In the Georgia case so often alluded to, chief justice Marshall says: It may well be doubted whether the nature of society and government does not prescribe the limits to the legislative power; and it is the peculiar province of the legislature to prescribe general rules for government. May we not then seriously doubt the authority of any legislature to devolve upon twenty private assignees for thirty years the great public trusts, annually recurring, of supplying the income, supporting the schools and furthering the internal improvements of the state?

Are these duties which those annually elected by the people and annually accountable to them, can devolve upon others not elected by the people, and not accountable to them? Furthermore, when such profound investigators of the principles of free

government as Locke and Jefferson doubt the power of one legislature to bind another at all, may it not be questioned whether any legislatures are under the obligation of contracts but such as make them? If the highways, the navigable rivers, and the currency of states may be sold or transferred by their public agents by contract to private assignees, which contracts bind generations, there is no occasion for elective or legislative government at all, but all its functions may be made over to a few individuals.

By the report of the secretary of the treasury of the 5th January last, there were five hundred and fifty-eight banks in the United States reported, since when the bank of the United States and many more have been erected. Thus, there must be now several thousand bank stockholders, privileged by special exemptions from the course of law; whose directors, by charter in effect perpetual, change the standard and value, and tax all property, the exclusive emolument of this privileged order. Mr. Jefferson said of this state of things, before it was aggravated as it is that "the bank mania is one of the most threatening of our false imitations of England. It is raising up a moneyed aristocracy in our country, which has already set the government at defiance; and although forced to yield a little on the first essay of their strength, their principles are unyielded and unyielding. They have taken deep root in the hearts of that class from which our legislators are drawn, and the sop to Cerebus from fable has become history. Their principles take hold of the good, their pelf of the bad, and thus those whom the constitution has placed as guard to its portals, are sophisticated or suborned from their duties. That paper money has some advantage must be admitted: but its abuses are also inveterate: and that it, by breaking up the measure of value, makes a lottery of all private property, cannot be denied. Shall we ever be able to put a constitutional veto upon it?" A distinguished member elect of the convention to improve the constitution of Pennsylvania, judge Hopkinson, declared in his place in congress that he considered "the litter of banks lately created in Pennsylvania as the offspring of private legislation and legislative fraud." Those were the banks which governor Snyder tried to prevent by the veto. Governor Wolf recently applied that check to other banks. Governor Ritner tried it also, but in vain; and in his inaugural address he likewise denounced our banking as a fraud. Should frauds be contracts protected by the judiciary from legislative interference?

Gambling in bank stocks, and others of which they are the stimulants, is now the most pernicious offence in the catalogue of vice and immorality.—Stocks are gambler's dice, and legislators the journeymen who make them. Five thousand of them are annually engaged in their fabrication. Enterprising and influential speculators, branded by Mr. Madison, have increased in numbers and boldness far beyond those he reprobated. Fortified by charters, they are the outlaw barons of the day; with numerous united, well informed, and unscrupulous retainers; often, as Mr. Jefferson says, the makers and interpreters of laws, and the regulators of public opinion. They stigmatize those who question their dominion, as jacobins, levellers, agrarians, radicals and revolutionists. They maintain public journals; they publish learned treatises, to suit their purposes, on law, currency and political economy. They have foreign correspondents who reverberate their abuses from abroad. They venture to disgrace whoever exposes their ravages on property, as piratical invaders of its vested rights. They claim the American prodigies of liberty and industry, as productions of paper money, corporate privileges and licentious speculation; and they find dupes enough to believe them. Poor and inconsiderable as this speculating and privileged class is compared with the mass of the community, they have in privileges and special immunities, levers that move the world.

To extinguish such privileges cannot divest vested rights or right of any kind: nor should securing property from such depredations on it, be regarded otherwise than with satisfaction by all those who are anxious for the security of property. Those sober people before characterized by Mr. Madison as weary of jobs and speculations, together with all men of property, must see that it is their interest. Every industrious man is a man of property, whose five pounds, as was well said by Mr. Findley, in the debate on the bank of North America, are as important to him, as a rich man's hundred thousand pounds to him. The working men of the towns, whose much abused Trades Unions are but struggles forced upon them, to rescue property from privilege, and wages, fuel, and subsistence from paper money; and the rural population, that mass and majesty of yeomen, whose property is worth ten thousand times that of all the rich, the speculating, and the influential put together, the whole producing

class, with even most of the consuming, must be convinced, that divested of prejudice and mystification, it is the interest of all to disfranchise a few of the monstrous and intolerable power by law, to unsettle the standard of value, and speculate on prices at their secret and selfish will. No part of the community has any social or political right whatever to such monopoly. A Baltimore mob destroyed the dwellings of those accused of abusing it, and other such outrages may be expected if it is not abolished; for a nation born of a Boston riot, will be always apt to resent by revolutionary energy oppressive privilege sanctioned by law. But legislative justice will prove a security against popular tumult, as the abolition of privilege is the best guarantee of property.

Nor perhaps would its extinguishment be so injurious to the disfranchised themselves, as their clamorous retainers cause the timorous and unthinking to apprehend. Monopolies and privileges are held by the invidious and costly tenure of perpetual resistance to the constant efforts of the mass to recover their rights; and those who from habit deem them indispensable to their emoluments would find that private, unchartered and responsible associations, are their gain as well as that of all the rest. The significant publication by the bank in the National Gazette of the 23d September last, puts this strikingly by the avowal that its charter "adds not a dollar of advantage to the capital any more than the mere piece of tape which is used to tie up a bundle of notes, gives value to the notes." While the country was in its infancy and poor, it was perhaps politic to compromise with corporations as the means of creating capital, though even this is very questionable, and there is now no reason nor any excuse for them.

It will be a great and an easy reform which restores to the people their equality, to the states their sovereignty, and to the union its supremacy over coin and currency. The federal government has done much towards this restoration. But the states can do still more. While a large body of most intelligent citizens has been deriding the attempt to restore hard money as absurd and impracticable, it is already half done—there is twice as much of it now in the United States as there was when the derided attempt began. Establish gold as the invariable standard of value for the wages of the wonder working industry, and for the prices of the immense productions of this enterprising country, and the incredible prosperity of the past will be transcended by that of the future, relieved from the shocking vicissitudes and depreciation of our monetary system.

It so happens that the party which claims to be most careful of vested rights has cast on the common people the guardianship of property in this banking strife. It has been a curious spectacle for the last few years to the calm observer to see the men of property as they are called, endeavoring to dislodge a chief magistrate, contending as strenuously and successfully for property as he ever did as a soldier for victory. His successor by his letter to Mr. Williams of Kentucky, a paper which would do honor to Mr. Madison, has proved his adhesion to a cause which has become the great desideratum of the American government.

Having thus, gentlemen, at too great length, discussed one of the subjects of which you have done me the honor to ask my views, I beg leave to reserve the powers of the convention for another letter.

Remaining, very respectfully, your humble serv't.
C. J. INGERSOLL.

LETTER FROM GENERAL TALLMAGE.

The following letter from our respected townsman, general Tallmage, president of the American institute was received here, says the New York Gazette, a few days previous to his return from Europe. It is dated at St. Petersburg, August 18th, 1836—

"I wrote to you about two weeks since, and sent a communication from Mr. Clay in relation to the indigo plant from Tiflis. He obtained from a president of a society, a small quantity of the seed, and I sent to Moscow for more, but without success.

"The city of Moscow is a place of great interest, combining events of antiquity with those of modern times, and exhibiting many of the peculiarities of an Asiatic city. For the first time I there attended a Tartar church, and witnessed the ceremonies, and the language of the Mahomedan worship. The congregation was collected by a loud howling call of a person from a minaret of the church, and not by the ringing of any bell. The ladies of my party were not only permitted to remain with me as spectators, but the principal minister proffered us a seat upon the steps used to light the candles, while every other person in the house was either

prostrate or seated cross legged on the open floor in the full observance of their devotion. Their habits and religion admit not of the presence of any of their own females, nor recognize them as accountable beings, to whom the door of salvation can be open. The Greek church is the established religion of Russia, and while it has many peculiarities, it has many resemblances to the Catholic church. Their places of worship are more numerous than any other sect, and peculiar, in having from three to ten steeples or domes on every church. Moscow is indeed remarkable for its numerous churches. Its profile view presents a forest of spires, domes and steeples. Many of them are literally filled with bells, but, unlike ours, and of various sizes and tones, they are suspended, immovable, and the skillful bell-ringer with cords to the various hammers, produces the ringing, and works out their delightful chimes. The size, tone, variety and perfection of the bells surpass expectation. The great bell of Moscow, so famed in history, and which has lain buried in the ground for more than one hundred years has been recently dug out and raised. Its height and diameter is about 20 feet, and its weight is above 200 tons.

"The Kremlin yet stands the monument of ages; and those parts of the palaces of the Czars which have withstood the buffeting of time, and survived the wreck of wars, are there to bear witness of by-gone days. Moscow, like the phoenix, has risen from her ashes, renovated and improved. Her wounds are healed, and her scars are scarcely visible. Her population has returned, and with an energy and enterprise, which promise improvement in her condition. She is fast advancing in manufactures—has many factories of silk and cotton, and several others are now in progress of erection. I saw at Moscow and on my return met on their way there, many bales of New Orleans cotton—this commerce will be much increased in a very few years.

"There is throughout Russia a growing attention to manufactures, and they have the full encouragement of the government. This is a matter of some irritation to our English friends, who are kindly supplying them fabrics to supersede home productions, and with books and essays on free trade, to convince them of their errors against their own interests. It is, however, made evidence of patriotism in the nobility and men of fortune, to embark in manufactures; many establishments, and especially of cotton, are springing up in various places. The production of iron and duck has the vantage ground; but it is pleasing to view the various other manufactures in their infant condition, struggling into prosperity, and in so many respects resembling the condition of our own country, a few years ago, when in "the golden days of her commercial prosperity," less amount of bread stuffs passed from our city out of the Hook, than has since turned eastward to the market furnished by the manufactories of New England—and before the New York canals had proved a nursery for our seamen, by opening Albany as a new and better market to our fisheries than I believe any other place in the world.

"The government has various extensive manufactories at Alexandrofsky, a few miles from St. Petersburg, where machinery is also made. The superintendent informed me that they could not supply one-quarter of the cotton machinery ordered, and they are obliged to look to England for machinery for several cotton factories now erecting. It has often been asked of me, how and where we obtained our machinery in America? and it was a matter of surprise when I answered, that we made them in America: and that I believed we could furnish them in Russia as good and as cheap, and with the most modern improvements, as they could be obtained from England; and without the added costs of about 40 per cent. for getting them out of England. The English law against the exportation of machinery, being undoubtedly intended for the good of other people, and only to prevent their injuring themselves with the use of improper instruments, before being sufficiently instructed by the books sent them in favor of a "free trade." This subject is worthy the attention of our machinists, and of great interest to our commerce.

"It may with propriety be remarked, that the head man of one of the principal machine establishments in Manchester, and perhaps the greatest in the world, is an American, and I believe from Providence. The principal manufacturer employed by the king of Prussia, is from Baltimore. No person in Europe can shut his eyes to the fact, that measures are pursued for the improvement of the internal condition of the different kingdoms by the encouragement of domestic productions, especially in manufactures, and particularly by Russia, Prussia and France, and recently by the Germanic commercial union—less violent, but becoming more

effective than the memorable continental system of Napoleon. The agriculture, commerce and manufactures of America, have a deep interest in the present and coming state of things in Europe.

"The public buildings of Russia are fine, spacious and imposing, but to me do not seem to present any particular subjects of architectural study. The Isaacs church at St. Petersburg, is colossal in its dimensions, and in the size of its materials, and is surpassed by few modern buildings in Europe. It is surrounded by granite columns, seven feet in diameter at the top, eight feet at base and fifty-six feet shaft, with bronze Corinthian capitals finely executed; and as a whole it is very imposing but I think there are too many columns; and they appear crowded. The Kazam church is a noble edifice. There are the monuments of Suvaroff and Katusoff, so well known to our day and the pages of history. In this church, as in several others, are hung, upon the walls, the keys of the cities captured in the course of their many wars; and their domes and walls are festooned with the flags of their conquered enemies. This custom is carried so far that some of their churches appear almost like a magazine of military trophies.

"The Russian common people have a curious custom of holding an anniversary in their burial grounds, by a collation to the memory, and on the graves of their deceased friends; but it sometimes degenerates into excesses and irregularities.

"At the Pra Bragenski church, (a spacious and beautiful building), we saw exhibited by the chief priest, the ceremony of annual offering, of *flowers and fruits*, upon a richly gilded altar, as a propitiation to the *harvest and the season*. The emperor and empress attended on behalf of their subjects, attired in costly dresses. Female train bearers bore up her robes, and they passed through the many thousands pressing to witness the ceremony. One of the churches is surrounded with a fence made of captured cannon—the larger ones serving as the principal posts. At the Kazam church is shown the spy glass of marshal Davoust left behind in the flight of the French army. At the Kremlin rest, in marshaled order, and open to public view, several hundred cannons, the captured trophies of that memorable and mad campaign—and at the palace of Czarka-selo is shown to favored visitors, the portfolio, maps, plans, &c. and the *camp table furniture of Napoleon*, left by him at Moscow in his precipitate flight from winter and the *Cossacks*.

"The ancient crown, jewels, furniture and apparel of the czars are curious and incomparably rich in gold and precious stones. The many presents from Asiatic princes are rich, unique and grotesque. The cabinets of minerals are rare and extensive, and among them is a magnet holding in suspension an anchor of iron weighing more than two hundred pounds. The armory exhibits every variety of ancient warlike instruments, especially of eastern peculiarity, from the simple bow and arrow to the cannon made to discharge *stone balls*, with a calibre equal to receive a small barrel.

"Our visit to Russia has been one of much gratification and delight. We have been received with kindness and entertained with generous hospitality, and have had many demonstrations of friendly feelings towards our country. The fete given on the birth day of the empress was beautiful and splendid. The pass-times of the day, and the court dinner and supper had much of interest. The palace and gardens at Peterhoff are modeled somewhat after those of Versailles. The gardens are as extensive, the fountains much more abundant, and the water works more bold, and quite as beautiful. The illuminations, arches and transparencies, were full, high, rich and brilliant—and the trellised avenue—said to be more than three miles in extent—spangled with lights, and mingling their reflections with the flowers, shrubbery, trees and water works, presented a fairy scene imposing and beautiful beyond description. One or two hundred thousand spectators thronged the busy scene, enlivened and animated by bands of music: trumpets proclaimed the coming host, when the emperor with his family, the ladies and attendants of the court, and the invited guests, seated upon low carriages, open like double sofas, rode through the assembled multitude, passing in procession the lighted cascades, the arches and illuminated avenues. The fete continued the two succeeding days, for the court and guests, who were entertained with amusements, feasting, balls and unrestrained social intercourse with the emperor and family. Then followed a review of the fleet in the Finland bay, exhibiting sixty-eight vessels of war, of which twenty-eight were ships of the line, including several of one hundred guns each—they appeared in good condition, manned and well found, and successively fired their salutes, in good order, as the steamboats with the company passed by.

"Russia abounds with more palaces than any other country I have seen; perhaps in some instances they are less perfect, as specimens of the arts, but quite as extensive and well adapted to their intended purposes. Many of them are rich in the interior, even to excess, and so as to become tawdry; and all of them are supplied with extensive grounds and gardens, laid out with modern taste.

"The palace and rooms in which the empress Catharine was entertained by her favorite prince Potemkin, and which is so pleasingly described, I believe in some of our annuals, is yet with the fixtures, in preservation and beauty.

"The fete at Peterhoff was but the beginning of the court recreations at the numerous summer palaces. Remaining but a few days at each, the court removing from place to place; enlivened by theatres, balls and every variety of amusements. Military spectacles, of great interest, were often exhibited, and with every variety of troops. Specimens of Cossack skill, as riding and firing, when in full speed were displayed. One day 50,000 troops in equal divisions exhibited, save the use of balls, all the action and varied incidents of actual battle. On another a pursuing army of 20,000, with their baggage train, passed in view, and crossed a river on a bridge of boats, made in less than one hour, and under the resisting fire of a fleeing enemy. The military spectacle closed with a review and inspection, in one collected mass of 80,000 men, of every variety of equipments, and every peculiarity of costume, and with all the implements and baggage train necessary for actual service. Extensive and brilliant fire-works ended this part of the display. Well trained horses were provided for the gentlemen visitors, who, thus mounted, were permitted to accompany the emperor, surrounded with his staff.

"The emperor had several exchange horses ready on the field, upon which he moved with unequalled activity and was every where at the crisis; while his visitors, hurrying onward often came up behind the occasion; indeed it was sufficient occupation for most of them to keep out of the way of the moving columns. The place of a spectator was no sinecure upon a battle ground, embracing an area of many miles in its varied and rapid movements. The empress, sometimes on horseback, but usually in her carriage, and with a few invited ladies, passed among the battalions, witnessing and animating the busy scene, and occasionally resting at head-quarters under the imperial banners.

"The emperor is the soul and spirit of this moving mass. He is forty years of age, and as we say, "above six feet, and well proportioned." He seems to have been chosen from the fifty-two millions of his own subjects, if not from the whole of collected Europe, as a *specimen* man. He mingles unreservedly among his people, and is always to be distinguished by a deferential opening in the crowd wherever he stands or moves. He is diligent and untiring in his attention to the concerns of his empire; liberal in his policies, but cautious in making innovations in established usages. With a firm constitution, a cultivated and vigorous intellect, he is kind in his manners and free in conversation; and is exempt from those conceits which would hinder his frequent and pertinent enquiries concerning the interests, habits, usages and ideas of other nations and countries. The empress is the daughter of the king of Prussia, so advantageously known as the founder of the most perfect system of free schools in the world—and which we have republished and adopted in our country with such just commendation. She has all the benevolence of character which might be expected from such a parentage, and, in the language of Byron, "she is one made up of feminine attractions"—rigid in the etiquette of her court, yet she has a rare gift, and willing disposition to put those around her at ease, and make them happy. They are blessed with a fine family of promising children. Distinguished for their private worth, and estimable in any condition of society, the most interesting part of the imperial spectacle was the pleasing opportunity to observe the cordial intercourse of this family, and witness their private relations and domestic happiness.

"French is the prevailing language of the court while Russian, German and English are continually spoken, and well understood. The imperial family all speak with fluency and ease, these four languages.

"Inquiries are often made here after our American literature; they have the works of our Cooper and Irving; and showing by their side those of Hall and Trollope, they ask if some fair description of our country cannot be obtained for them?—adding, that as the English and French writers misrepresent them, they presume the same is done of us. What have we to send? Why sleep the graphic powers

of our talented countrymen? A concise description of our country, its society and manners, its soil and its rivers, its agriculture, commerce and manufactures, canals, rail roads, internal improvements, naval architecture and steam power—and, contrasting its condition some twenty years ago with its present advance, especially in population, wealth, prosperity and power, and, above all, a country without a debt, and dividing its surplus revenue amongst its people—would reach stationary Europe, perhaps as a work of fiction, but, teaching by example, have an essential influence, and benefit our country, and profit the author, more than any other work that can be imagined. Europe is now seeking this information.

"Our commerce might be much increased with this country, where many kindnesses are proffered to Americans, and all the facilities afforded which are allowable, under the laws and usages of the government. The emperor has his attention pointed to the vexatious *quarantine* enacted at Elsinour, injurious alike to the commerce of America and Russia. There is cause to hope its removal, or, at least, its modification.

"I send this by the next post, and shall follow in a few days; and hope soon to be with you, and with my friends in my country, and at my home."

FOREIGN EXTRACTS.

The Courier Francais gives a letter of the 9th ult. from Athens, containing some particulars of the trial and condemnation of the journal the Sotir, and the events by which it was followed. According to the correspondent of the Courier, the responsible editor of the Sotir, assisted by his counsel, M. Skouffo, the principal editor of that journal, and another advocate, contested the competency of the president Enian, and a new judge, named Belieario. The tribunal, however, overruled the objections of the responsible editor, and moreover condemned him to a fine of 20 drachmas for having urged them. The observations of the accused parties were interrupted by the law officers of the crown, who declared that the ordinances already issued were irrevocable. The advocates of the responsible editor immediately retired, and the latter, having attempted to follow them, was arrested by order of the president. A riot then ensued amongst the auditory who, with loud cries of "Down with the oppressors!" proceeded to liberate the prisoners.—At half past eight in the evening the tribunal pronounced sentence, and immediately withdrew, amidst the hisses of the crowd. By the terms of the sentence, the responsible editor is condemned to a year's imprisonment and a fine of 200 drachmas, and M. Skouffo is suspended from the exercise of his profession as an advocate. Both have appealed against the sentence to the Areopagus; but M. d'Armanseperg, without awaiting the decision of the higher court, has suspended the publication of the Sotir. A subscription had been opened at Athens and elsewhere to discharge the amount of the fine, and it was expected that the journal would shortly reappear.

The Aulic chamber of Vienna has taken off several prohibitions, and reduced the duty upon several articles of importation. It has also suppressed the tax of ten per cent. hitherto required for permits for certain articles of merchandise, which previously could not be brought into the country for sale. For example, permits for the introduction of French wines were only granted to the higher dignitaries and opulent families for their own consumption. However, lately, several depots of French wines have been formed in the interior of Austria, and they are advertised to be sold, wholesale and retail. [Constitutionnel.]

A letter from St. Petersburg announces that the emperor was expected to return to that capital in the first week of the present month.

A mere bonfire! Doeff, in his "recollections of Japan," relates the particulars of a fire which raged twelve hours in the city of Jeddo, and which consumed all the houses, and every thing within the space of three leagues (nine miles) in length, and a mile and a half in breadth! Among the buildings destroyed, were fifty-seven palaces of princes; and there were 1,200 persons either burnt to death or drowned, among whom was the daughter of the prince of Awar. The young lady met this fate by the giving way of the Nipon Bas, a famous bridge in Jeddo, under the weight of the flying multitude. Thin walls of clay, timbers and partitions of deal, matted roofs, and roofs of shingle, sufficiently account for catastrophes which must far exceed in frequency and violence even those of New York or Constantinople. This fire was extinguished by rain.

A serious contest has arisen between the Ottoman porte and the representatives of France and

England, not only upon the increase of the tax on the exportation of silk, but upon the principle which causes these constant exactions, and the effect they will produce upon European commerce in Turkey. It is well known that the chief of the customs, after prohibiting the colonial coffee, which is in such consumption in the east, has done the same by the Asia Minor silk, which is an article of even greater exportation than the former. The porte has been obliged to accede to both articles, but has not indemnified the merchants, who have experienced considerable loss by this event. The chief of the customs is nothing but an instrument. Whilst the French and English merchants were deprived of the purchase of these silks, considerable quantities were sent by the Russian ones to the manufactories of Moscow. By a manifest violation of all treaties, the increase of the exportation tax was not applied to them. At the very same time that the ambassadors were promised the redress of their wrongs, the custom houses of Scala Nova, Metelin and Trebisonde, were preventing the sailing of their vessels by new exactions. No commercial system can be founded upon a base which is both arbitrary and retroactive. It is to be hoped that the sultan will at length put an end to such proceedings. [Courrier Francais.]

Statistics. In the article "France," of the *Dictionnaire Geographique Universel*, now publishing in Paris, by a geographical society, the following statement is given of the capital of the French soil, and of the revenues of the empire. The arable lands are worth 13,890,800,000 francs; the woods, vineyards, meadows and other lands, 2,828,800,000; ponds and marshes, 31,920,000; rustic buildings, 3,000,000,000; cattle, valued at the lowest price, 16,708,941,676; poultry, 51,600,000 head, at 1 franc, 51,600,000; swine, 3,900,000 head, at 40 francs, 156,000,000; asses, 2,400,000 head, at 25 francs, 60,000,000; farming utensils, 3,000,000,000; total, 39,522,061,676 francs. To this may be added the annual receipt from manufactures, 1,820,102,000; agriculture, 4,678,708,000; colonies, 40,880,000; foreign countries, 346,020,000; in warehouse, 52,000,000; total, 6,937,210,000 francs. The produce of the taxes of every class is 924,410,000 francs.

The following is a brief abstract of a report made on the various revolutionary societies of Switzerland, whose proceedings have led to the existing disputes between that country and France.—The associations were six in number—1. La Jeune Europe; 2. La Jeune Pologne; 3. La Jeune Italie; 4. La Jeune France; 5. La Jeune Allemagne; 6. La Jeune Suisse. La Jeune Europe was founded by Mazzini, in April, 1834. It concluded at Lausanne on the 10th of April, 1835, an alliance with the French republicans then confined at St. Pelagie.—On the 24th of January a treaty was concluded between it and the Carbonari of Corsica. La Jeune Pologne had a committee of horror, to which all persons not noble were obliged to yield a blind obedience. La Jeune Italie had correspondence with secret societies in Paris and London, the object of which was to unite all Italy into one state. La Jeune Suisse was instituted in the spring of 1835, in consequence of the addresses published by La Jeune Europe. M. Drue was president of the association, and drew up the statutes of the society. The plan extended to all the cantons; and general meetings of delegates were held who were in communication with La Jeune Europe. A correspondence was kept up between the whole of the societies and their agents in every country in Europe.

The *Swiss Republican states*, that the grand council of Zurich has transmitted some instructions to its extraordinary deputation on the course to be adopted by it during the extraordinary session of the diet convoked for the 17th instant. The deputation is required to vote in favor of the resolution of the diet in the affair of Conseil, at the same time offering to furnish every explanation to France as to the motives of its vote. Should difficulties arise the deputation is instructed to take part in the deliberations relating to the acceptance of the mediation of a foreign power between France and Switzerland. The deputation is invested with full powers, subject to the necessity of conforming to the letter and the spirit of the instructions above referred to, and is likewise authorised to take part in all deliberations and resolutions having for their object to maintain the independence and security of Switzerland. The Republican states, in conclusion, that a motion made in the grand council for reprisals against the blockade of France failed in obtaining a majority of votes.

A sketch of the military forces of Switzerland, given by the *Journal des Travaux de la Societe Francaise de Statistique Universelle*, shews that these forces consist of—1. The federal contingents,

amounting to 72,000 men. 2. Cantonal reserves, organised federally, the number of which amounts to 120,000 men. 3. Ten thousand men of capitulated troops, who, in case of war, are to return to their country. In such case also, there must be further added to these, 202,000 soldiers, the men from 45 to 60 years of age, who, although gone out of the reserves, and exempt from service, would be ready to fight for the defence of their families and the maintenance of the national independence. The Swiss have no cavalry, because in their country it can be of no utility, but under the name of carbiniers they have excellent marksmen, being all chamois hunters, whom this sport renders extremely skilful in taking and hitting the mark.

ANIMAL MAGNETISM.

From the *Providence Journal* of Nov. 17.

SURPRISING PHENOMENA OF ANIMAL MAGNETISM.

MR. EDITOR: Allow me to communicate to the public, through your columns, some particulars of a wonderful case of magnetical somnambulism, which has occurred in the village of Pawtucket, under my own operation. I am going in the first place, to relate the bare facts, as they could be seen by every one present; I shall afterwards make a few remarks, to show the great philosophical importance of those facts.

The subject of these experiments is a young lady well known in this place, where she has been residing over ten years. There is but one opinion concerning her character: that she is surpassed by no one in purity of mind, disinterestedness, laborious habits, and religious disposition. But, alas! in this "valley of tears" and *hard trials*, called the earth, happiness is not frequently in proportion with virtue. Miss Cynthia Gleason has been for eight or nine years laboring under a complicated nervous and functional disease, which baffled all the skill of physicians. It would be too long, and perhaps insignificant, to describe here the various symptoms of this complaint. I will say only that, in consequence of it, the sleep of the patient had become difficult, short, very much troubled by pains, and always followed with a dullness of the mind and heaviness of the system, for several hours after awakening.

I need not say that I was a perfect stranger to Miss Gleason, and that she was, for her part, entirely ignorant even of the words animal magnetism, when she heard of it for the first time, by her attendant physician, the respectable Dr. Manchester, of Pawtucket. This gentleman proposed to her to try an experiment with the hope that she might receive some benefit from it. She very cheerfully agreed; and, in consequence, I was brought to her lodging, by Dr. Manchester, on Sunday, the 6th inst. at half past four o'clock in the afternoon. I must state here that I was very much pleased to find her perfectly calm and sober; I have acquired since the first visit the full conviction that she is one of those persons upon whom "imagination has very little empire." Miss Gleason told us, among other things, that she had not much faith in animal magnetism, and that she would "defy any person to put her to sleep in this manner." I observed to her that I did not think myself that I could put her to sleep at the first trial, as I intended to magnetize her only fifteen or twenty minutes, with the view of establishing a mere communication between us. Her pulse, taken by Dr. Manchester, gave eighty-four pulsations per minute before the operation. I commenced, and in the course of twenty-five minutes we perceived that her eyes grew dim and her lids fell heavily down—in thirty minutes she was profoundly asleep—pulse gave sixty-four pulsations. We tried her senses in every possible manner; nothing could disturb her; the sleep lasted half an hour; I caused it to cease by a few gestures with my hand at several inches distant from her face.

The next day I resorted again to the patient's house, at a quarter before four in the afternoon, together with Dr. Gardner and E. Walcott, esq.—Miss Gleason told us that she had slept very well all the night, and felt better than usual; the operation commenced at four o'clock, exactly; and, although the patient, according to her own avowal, tried to keep awake, she was fast asleep in ten minutes. On the next day the number of her attendants was still greater. Sleep was produced in seven and a half minutes; on Wednesday in six minutes the desired effect was obtained.

As the patient had already experienced some benefit by these operations, she manifested to us the desire of being magnetized once in public, in order, said she, to convince the unbelievers, and establish a truth so important to religion and the health of mankind. I must also state, as another proof of the qualities of her heart, that she took this

resolution for my reputation's sake, viz: to prove that I was not an impostor, and that my labors really deserved more encouragement than I have hitherto obtained.

Therefore, having previously consulted all my friends about it, and received their unanimous approbation, I concluded to accept Miss Gleason's proposal. The intended experiment took place on Thursday last, at the Pawtucket hotel, before an audience of one hundred and seventy persons, comprising the medical faculty and a part of the clergy of the village.

I commenced operating at a quarter before eight o'clock. In the course of four minutes the patient shut her eyes; then I got up and suddenly thrust with my foot against the floor the chair upon which I was sitting; no sensible effect was produced by this noise. Finally, in five minutes, the lady appearing profoundly asleep; I left her, and commenced my lecture, which lasted nearly three-quarters of an hour, and was listened to with much interest.

Miss Gleason continued sleeping during that length of time. When the lecture was over, we resumed our experiments. We proceeded to ascertain whether the lady was really in the magnetic sleep. We pinched her, pricked her with a pin, tickled her lips, nostrils and eyelids with a bit of paper; no sensation was manifested. A gentleman put his mouth close to her ear, and asked her in a loud voice if she was not tired of sleeping, and wished to get up? She remained perfectly deaf to the sound of this loud voice; another man whistled in a most thrilling manner, and clapped his hands; but all the disturbance was without effect upon her. Hartsborn was held suddenly under her nose for some moments, and though she must have inspired the strong effluvia, no sign of unusual sensation was manifested. Several persons spoke to her in succession, and she took no notice of what they said. Then I stood at the distance of a few feet from her, and *mentally* requested her, without touching her, to give me her hand, and she immediately held out her hand towards mine. I wished her to leave my hand, and she did immediately. Some other individuals tried the same experiment, but without success. A handkerchief was put over her eyes; I stretched again my hand, and she gave me hers without hesitation. There could be no collusion here, because the bandage being fixed closely over her eyes effectually shut up every avenue to her mind, except that by which the mysterious magnetic sympathy is imparted. This last experiment was so fairly made, and so successful, that one of the medical gentlemen present, who had been incredulous until this moment, acknowledged that he was convinced. Then, after telling in a low voice to the ladies and gentlemen who were standing around her, that I was going to cause her, by my will, to open her lids without awakening her, I made a motion upwards with my fore-finger, at the distance of three inches from her face, and immediately we saw her open her lids to the utmost width; there she sat still, perfectly motionless, and gazing at me in the most intent manner. She looked exactly like a wax figure.

With the view of ascertaining whether she was still in the state of magnetic insensibility, I darted suddenly my fingers near to her eye-balls in rapid succession; yet she winked not, and appeared as insensible as a blind person. Rev. Mr. Taft, having noticed that her pupils were extremely dilated, suggested the idea of placing two blazing lamps before her eyes; so we did, and yet the sudden glare of light thus falling on the unprotected pupil was as ineffectual as so much light on the eyes of a corpse. I make a motion downwards with my hand, and the lids were closed again.

At my request, Edward Walcott, esq. asked the somnambulist to drink of water that he presented to her; even he put the tumbler to her lips, but she took no notice of it. I *mentally* asked her whether she wished for some water; she answered, in a tone audible to those who were around her, that she "did not feel thirsty." I *mentally* again urged her, to take some: then she opened her lips, grasped at the tumbler, and drank two or three swallows of the liquid.

And, after she had slept one hour and a half, I walked six or seven feet from her, and, by waving my arm once only, I awakened her immediately.—She awoke quite exhilarated, and to use her own words, "as bright as a dollar." She had no recollection of any one circumstance that had transpired.

Among the persons present, the following gentlemen are ready to certify for the truth of the above statement: rev. Mr. Taft, rev. Daniel Greene, rev. Thomas Worcester, of Bridgewater; Drs. Manchester, Gardner, Cleveland, Bucklin, of Valley Falls, Carpenter; Edward Walcott, John Street,

Samuel Lord, esqrs.; George Crawford, superintendent of the Franklin Print works; Mr. Barshall, professor of the Hebrew, French and German languages at Brown university, &c. &c.

CHARLES POYEN.

There will be, to-morrow, another communication on the same subject, containing the report of four professors of Brown university, and two other gentlemen.

From the Providence Daily Journal.

EXPERIMENTS IN ANIMAL MAGNETISM.

MR. EDITOR: I announced on Thursday that the report of four professors of Brown university, and of some other gentlemen, should be published in the paper of Friday; but since we have consulted together, and concluded, after mature reflection, that it would be much better, in every respect, to attend a few experiments more, before presenting this document to the public, signed by every attendant, and followed with the due certificates. Of course, the report of three or four sittings will have more weight than one only. However, in order not to disappoint your readers, I am going to offer them, in my own name, a short narrative of the facts, as they took place on Tuesday evening last. This narration is made up chiefly with the notes taken by one of the professors during the sitting.

Were present at this sitting, and may be referred to for the truth of the following statement, rev. Dr. Wayland, president of Brown university; professors Caswell and Chace; Mr. Shepherd, a tutor in the college; rev. Edward B. Hall, Drs. Tobey, Manchester, &c. &c.

8h. 8m. Pulse full; 84 beats per minute.

8h. 9m.—I commenced magnetizing her by "will-
ing simply," without resorting to the usual manipulations. I was sitting beside her, at two feet distance.

8h. 10m.—She nodded and looked drowsy.

8h. 11m.—Sound asleep; somebody clapped loudly his hands; another moved her in the chair; she did not awake.

8h. 11½m.—I then magnetized by the usual manipulations.

8h. 15m.—Pulse less full; beat about the same.

The patient was breathing calmly, and her eyes were perfectly shut, as in the natural sleep.

The experiments then commenced. We proceeded, in the first place, to ascertain the suspension of sensibility.

1. A large tavern bell was rung close to her ear; no perceptible change took place; loud shouting in her ears produced no more effect.

8h. 20m.—Respiration 32 per minute; hands colder, pulse 84.

2. A pistol was fired in the room, within five feet of her head; not the slightest change was manifested, whereas some other persons were obliged to leave the room, on account of the violent impression made upon their organ of hearing.

3. A bottle of ammoniacal gas was placed under her nose; respiration became quicker, and she appeared disturbed by it, yet there was no appearance of waking. I was then in the next room.

4. The nostrils were tickled with a feather; no change was perceptible.

8h. 30m.—Pulse 80; respiration 26; hands growing colder.

5. At the suggestion of Dr. Tobey, I caused her to open her lids, simply by moving upward my fore finger a few inches distant from her face. The pupils seemed to be as in the natural state. A lamp was brought suddenly before them, and produced no effect on the pupil, and apparently no sensation at all. I thrust violently my finger toward her eyeball; no perceptible change took place.

Other experiments and observations.

1. I whispered to the person standing next to me, in so low a tone that the sound of my voice could be heard by no other person in the room, that I would mentally ask her to give me her hand. Her eyes were exactly closed; I held my hand a short distance above hers; she immediately raised her hand and grasped mine.

2. Dr. Wayland wrote on a paper, "Tell her, mentally, to clasp her hand." I mentally put the question. She shook her head negatively, but said and did nothing. A few moments after I mentally put to her again the same question. She shook again her head negatively, but did not execute my will.

3. She then began to talk aloud, and told us an amusing anecdote concerning a man she had met in the street.

Professor Caswell. Where did you meet him? No answer.

Writer. Where did you meet him? Somewhere down the street.

Various other questions were put to her, but she would answer no other one than mine.

I mentally asked her where is Dr. Manchester? She answered, I should like to talk to Dr. Manchester about my stomach.

Dr. Manchester. How does it feel? No answer. Writer, (aloud). Do you hear Dr. Manchester? Yes.

Dr. Manchester. Do you feel bad? No answer. Writer, (aloud). Do you feel bad? Yes.

6. A paper was handed to me on which was written "lift up your right hand." Without a word being spoken, she immediately raised it at my mental request.

7. (I, aloud.) Do you see any people around you? No. Did any one come with me this morning? Three or four from Providence, (true).—Who were they? President Wayland, Dr. Tobey, professor Chace and some other.

8. Signs were made to me to tell her mentally to grasp my hand, and then on raising it for this purpose, when Dr. Wayland interposed his, she took no notice of it, but still moved hers towards mine, and moved it one side and the other as I moved mine. She finally grasped it. This was varied and repeated several times, and uniformly with the same result, although there was a large slate placed constantly before her face and chest, in order to prevent entirely the natural vision.

9. I asked, aloud, whether she should like to be magnetized? Yes. Having done so, I asked her if she recollected having replied to my request to magnetize her? She said no.

10. Dr. Wayland grasped her hand, and then by signs requested me to tell her mentally to take my own hand. She, immediately obeying my "wish," pulled her hand away from Dr. Wayland, and grasped at mine.

11. Then I whispered to professor Chace that I would make her give her hand and answer to Dr. Wayland. I wished her to do this, and immediately she grasped at Dr. Wayland's hand.

Dr. Wayland. (Aloud.) What was the weather this morning? Stormy—(true.) How is it now? Clear—(true.) When did it clear off? This afternoon—(true.) How many looms did you attend to to-day? Five—(true.)

12. A small tumbler of water was brought, and I asked her aloud if she would have some water.—She said yes; she took the tumbler, and, raising it to her mouth, drank some. Some chloric ether was then poured into the tumbler, which gave a strong taste to the liquid; she drank some of it, and having been asked by me what taste she found in it, she replied, "no other than that of water." During these experiments a handkerchief, folded several times, was kept over her eyes.

13. I then whispered that I would make her mistake the liquid for paregoric. I gave her again the tumbler; she drank, and I asked her what it was? She answered, "It tastes like wine."

14. Rev. E. B. Hall, sitting close to her, put several questions, to which she made no reply. At Mr. Hall's request, I wished her to hear him, and she answered him immediately. Dr. Tobey also spoke to her, and she made a reply which in all appearances was for the doctor's question. Somebody noticed that she had answered Dr. Tobey, although no communication had been established between him and her. Then I wished her to remain deaf to every voice but mine; and immediately she ceased to answer the questions made to her by the other gentlemen.

15. Dr. Wayland—"How many looms do you usually attend?" No answer. Dr. W. then made me signs to request her mentally to reply to him.—I signified that I had done so. Dr. W.—"How many looms do you usually attend?" "Three: sometimes four." Dr. W.—"You would not answer me before: why now?"—"Because Mr. Poyen told me to." Dr. W.—"Why do you take my hand?" "Because Mr. Poyen told me to." Dr. W.—"But you ought to obey me as well as him." She pulled away her hand, apparently in displeasure.

Nine o'clock, 25m. pulse 72.—The same experiment was tried by some other persons, and with the same results.

16. A slate was held between her eyes and me. Then I extended my foot—she raised hers until they met. Having made a sign that I would mentally tell her to withdraw it, she immediately did so. She would follow my foot with hers wherever I turned.

17. (I aloud.) "You have drunk some water, have you not?" "Yes." "Recollect that when I awake you." "Yes."

18. I retired the length of the room, and endeavored to wake her by simply willing it; in one minute I succeeded so far as to open her eyes, and give every appearance of waking. I then advanced, and by the usual manipulations immediately awoke her. Time, 9h. 38m.

19. "Do you recollect to have taken any thing?" "Yes, some water." "Any thing else?" "No."

When fully awake, she said she felt fatigued—she usually felt refreshed by the magnetic operation; was totally unconscious of every thing that occurred while asleep; did not know how long she had been asleep.

Her pulse was not taken after she awoke.

CHARLES POYEN.

ANOTHER SNAKE STORY.

From the Wheeling Gazette.

About a fortnight ago, as the Mogul steamer, bound from New Orleans to St. Louis, was proceeding up the Mississippi, and had arrived in that part of the river directly opposite to the clids of Selma, an immense aquatic serpent was observed, at the distance of a quarter of a league, by several of the passengers, to direct its course towards the vessel with all that awkwardness of motion so peculiar to large unwieldy bodies, lifting at times a large portion of its enormous body above the surface of the water, and desirous, as it were, of taking an extensive view around and ascertaining the immediate cause of the agitation of its watery dominions.

As the vessel approached, straightway the lengthy monster of the deep began to distort its hideous and misshapen body into a variety of the most fantastic gyrations; at one time, darting impetuously forward its voluminous folds in a direct line towards the vessel with an undulatory motion, which excited in the minds of the female passengers, in particular, serious apprehensions for their immediate safety; at another, submerging its head and the anterior part of its squamous body in the surrounding element, and lashing it with inconceivable fury into a broad and whitening sheet of circumambient foam. My informant who happened to be a passenger on board, assured me that its total length must have been from seventy-five to eighty feet, and that the circumference of its body, which, in bulk, resembled that of an ordinary sized tree, could not have measured less than from 5 to 6 feet at least.

Alarm to a considerable extent pervaded the minds of many on board, lest in the event of its nearer approach, it might fling its prodigious folds across the boat, and thereby unfortunately consign all on board to a watery grave. The man at the helm was forthwith ordered to tack without delay, and steer as wide of it as present circumstances and the depth of the channel would permit; while the carpenter and some others of the boat's crew were ordered to be in immediate readiness, with axes and other instruments of destruction, in order to sever the monster's body, in case it should come unfortunately in contact with the vessel. Most happily, however, for the safety of all, no such necessity existed. At length, when the unwieldy animal, after repeated efforts, found itself incapable, by reason of its enormous length, of overtaking the boat—straightway it appeared to experience all the frightful agony of maddening disappointment and despair, writhing and distorting its squamous body into succession of the most marvellous and intricate convolutions, and rearing itself again into the attitude of some tall and stately pillar, at which time its resplendent hues, radiant as the rainbow, and beautifully diversified with alternate stripes of green and gold, and sundry linear variations of color, which, varying with every change of light, reflected a gleam of inconceivable lustre and beauty in the rays of the setting sun.

A gentleman on board, by the aid of a small microscope, was enabled to take an accurate observation of its body, and of its head, in particular, which, he remarks, from its extraordinary magnitude, and the singular elongation of its jaws, denoted the monster's uncommon capability of swallowing bodies of no ordinary dimensions. As the vessel gradually moved away, leaving the aquatic monster of the deep immeasurably behind—it then, for the last time seen by the passengers, appeared to be stationary, with its body reared aloft in the attitude of a colossal arch, its head and tail, appearing in the distance, to rest only upon the waters. Whether this animal, so extraordinary in its size, and apparently ferocious in its nature, is, according to the classification of fishes by Linneus, to be ranked among the larger species of sea serpents, or not, I leave to others, at present, better acquainted with the subject to determine.

Since writing the above, I have been informed by a gentleman of a similar one seen by him a few years ago, while travelling up the Missouri river.—Whether these animals are indigenous with these waters, or have originally come from the sea hither, indeed I conceive form a fit and interesting subject of inquiry for the naturalist. Should the above prove in any wise interesting to your very intelligent readers, it will afford gratification to

Yours,

T. R.—N.

FOREIGN CHRONICLE.

The sultan Mahmoud is virtually half a Christian. It may not be generally known that his mother was a French lady of Martinique who was captured by Barbary corsairs on her passage to France, and by a vagary of fortune ultimately installed in the seraglio of the then sultan as the favorite sultana. From her Mahmoud has inherited his good sense, his chivalrous courtesy and his liberal principles.

The English language. Ascham, in the epistle prefixed to his "Toxophilus," 1571, observes that "Mayne Englishe writers usinge straunge wordes as Lattine, Frenche and Italian, do make al things darke and harde. Ones," says he, "I communed with a man which reasoned the Englishe tongue to be enriched and encreased thereby, sayinge: 'Who will not prayse that feast, where a man shall drinke at a dinner both wyne, ale and beere?' Truly (quoth I) they be al good every one taken by itselfe alone; but if you put malmesye and sack, redde wyne, and shall make a drinke neither easye to be knowen nor holson for the bodye."

A good fat fee. The Agra Ukhar of May 21 says that the rajah of Lahore had lately dismissed his English surgeon, Dr. Harland, for refusing to relieve his highness of a paralytic affection of the face, unless he was first paid a lak of rupees as a fee. A lak is equivalent, we believe, to some thousands of dollars.

Lord Brougham. A dinner is to be given to lord Brougham at Edinburgh, a mode of doing him honor which is not much relished by certain of his own party. The Examiner says:

"When Brummell quarrelled with the prince regent, he said, 'Egad, I'll punish the shabby dog; I'll bring the old king into fashion.' In like manner some radical, hostile to the ministry, proposes to punish it by bringing lord Brougham into fashion. They are dragging him out like a piece of furniture drawn from a lumber-room, and scouring and furnishing and rubbing up the varnish, and vamping and coaxing together broken joints, and trying to persuade themselves that it is, after all, a very handsome article, which will serve its turn vastly well if it be not looked at too closely."

The sister of Miss Penelope Smyth (princess of Capua) has just been married to a nobleman of Naples.

Two splendid English carriages, the ornaments of solid silver, are to be shipped to Rio for the coronation of the juvenile emperor.

Hoxne church, Suffolk, which is the oldest erected by the East Angles, has lately received the donation of a superb organ from gen. Kerrison.

Shooting parsons. In the published list of game certificates for the county of Derby we observe 22 names with REVEREND attached to them; and in the Yorkshire list there are 91.

The Austrian government, after its disgraceful cruelties to the Lombards, has granted an amnesty to 54 persons banished thence since 1822, for political delinquencies.

In order to accelerate the completion of the Greenwich railway which is raised on iron columns over the road, 5 to 600 men have been employed upon it night and day.

The 48th or Northamptonshire regiment, which gallantly turned the disasters of Talavera after the rashness of the guards, is stationed at Manchester, after 18 years absence in India.

The amount of water cresses daily consumed in Paris and which are gathered chiefly about Chantilly, is computed at £250.

When queen Anne, wishing to compliment Dr. South upon one of his sermons, observed that it was too short, he made the since famous reply that he would have made it shorter if he had had more time. Would that modern speakers and writers would employ a little more frequently of this meliorating process! For, in truth, "a crude abundance is the disease of our American style." Bulk, rather than quality, seems to be the measure of value, and our writers naturally enough study addition, rather than subtraction.

The wooden walls of Old England are to be built of French oak; 300 loads of which, that had been floating down the Loire from Brittany, have reached the Portsmouth dock yard. This is capturing French naval timber sooner than lord Nelson did it.

A hoax. A Paris letter writer says—"A hoax was practised on the academy of sciences, at its last meeting on Monday. An unknown individual ushered in, while the academy was sitting, a fellow dressed as a South Sea Islander, whom he re-

presented as a native of Polynesia. The latter performed his part remarkably well, remained standing in the centre of the hall, staring wildly at those around him, and even showed several parts of his body that had been tattooed. He of course attracted much curiosity; but what was the disappointment of the assembly when M. Geoffroy de St. Hilaire announced that the savage was an European sailor."

Turkey. It is said that the Russians have played sultan Mahmoud a shabby trick in restoring to him his fortress of Silistria in a very dilapidated condition, and stripped of every gun that was good for any thing. The insurrection in Bosnia has been completely put down.

Madame Malibran denied on her death bed that she had ever been addicted to intemperance. A friend of hers for many years, sir George Smart, corroborates this denial, in the most explicit terms. The excitement incident to performances such as hers might well be mistaken for intoxication.

A colossal statue to Shakspeare is to be erected in London, designed by doctor Carque. It is to be raised on an elevation of 200 feet above the level of the Thames. The pedestal is to be 50 feet, and the statue 80 feet high. This is a larger statue than was ever erected to any individual. The cost to be £20,000. The king and queen had consented to be the patron and patroness of the project.

The tomb of OFFA has lately been discovered in digging a vault in the church of Ifamel. The coffin was stuck about four feet beneath the surface, and taken up entire. An inscription was discovered on the coffin, proving the remains to be those of OFFA, the celebrated king of the Mereians, who built the Abbey of St. Albans and who died in the eighth century. The coffin is said to be a very curious piece of workmanship.

Stealing dogs' tails. The singular bounty offered in Sydney, New Holland, for killing dogs by producing in evidence their tails, has led to the practice among the loafers of that convict colony, to curtail the appendages of all the animals of this species running abroad as a more brief way of reaching the reward in question. The municipal government now wisely require the carcass also to be produced.

Among the curiosities in the national library at Berlin, is said to be the identical bible used by Charles I, on the scaffold.

DOMESTIC CHRONICLE.

Specie. The influx of silver into the United States from Mexico and Cuba, via New Orleans, appears to be very great this season. We scarcely open a New Orleans paper in which the arrival of some thousands of dollars is not mentioned. On the 11th ultimo, \$120,000 were received by De Lizardi & Co. from Havana, and but a short time before \$50,000 were received by the same house from the same place.

The editor of the Philadelphia National Gazette states, on competent authority, that there is at this moment in Mexico an amount of ore, valued at fifteen millions of dollars, remaining useless on the surface, on account of the scarcity of quicksilver; the process of smelting depending, in a great degree, upon an adequate supply of that metal.

Opening of the first rail road in Maine. The first locomotive ever put into operation in Maine was that which commenced running on the 21st ultimo; on that part of Bangor and Piscataqua rail road just completed, as far as Old Town. The vast lumber trade here and at Orono, through both of which the road passes, makes this road one of great importance.

Promotions in the army. Major John Bliss, 1st infantry, to be lieutenant colonel in 6th infantry, vice D. Baker, deceased. Captain and brevet major John Garland, 8d infantry, to be major of the 1st infantry, vice Bliss, promoted. First lieutenant, J. W. Cotton, to be captain of the 8d infantry, vice Garland, promoted. First lieutenant, A. S. Miller, 1st infantry, to be captain, vice Boyce, resigned. First lieutenant, L. T. Janison, 5th infantry, to be captain, vice T. Hunt, resigned.

Exploring expedition. This expedition will rendezvous at Norfolk forthwith, and sail some time during the winter. It will consist of the

United States frigate Macedonian, master commandant Armstrong, bearing the broad pendant of commodore Thomas Ap C. Jones:

The barques Pioneer, lieutenant com. Tatnall, and Consort, lieutenant com. Glynn—both built for the service at the Boston yard:

The store ship Relief, lieutenant com. Dornin, built at the Philadelphia yard, and the schooner Pilot, built at the New York yard. [Fred. Arena.

Farewell to steam! There seems no limit to the surprising inventive faculties of our countrymen. We learn by the Freehold, (N. J.) Inquirer that on the 8th December, and following days there will take place in that town under the direction of an examining committee, a series of experiments with a new propelling power for rail roads, invented by Mr. U. Emmons, of that town, and called the spring power locomotive. The speed is computed at from 70 to 100 miles per hour! and that entirely effected by springs, of which there are 500 in the locomotive. No danger of explosions here.

Slander. A suit brought by Nicholas Mills, of Richmond, Va. against Joseph Mason, a merchant of Petersburg, Va. for slanderous words uttered by the defendant's wife in reference to the plaintiff's daughter, came on for hearing at the present term of the superior court, now in session at Petersburg, and after occupying eight days, terminated on Saturday last. The jury after retiring for a few moments returned a verdict of damages to the amount of five thousand dollars against the defendant, accompanied by a special verdict, expressing in the strongest terms, their entire confidence in the innocence of the accused. Forty witnesses were examined on the trial.

Gen. George W. Jones has been elected as the delegate in congress from the territory of Wisconsin by a large majority. The vote stood—for Jones 3,522—Meeker 669.

Reduction of duties. We are assured, says the New York Star, that a numerous and respectable petition will immediately be sent to Washington, after the meeting of congress, to reduce the duties on coal, cheese and butter; these are articles which the poor ought to receive at much lower rates.—Also to reduce, or wholly take off, the duties on foreign wines and distilled spirits. In our notice the other day, we stated that 1,200,000 bushels of grain are yearly distilled in this city and environs, but it appears that 2,000,000 is the correct quantity. To take the duty off of foreign spirits will give us plenty of bread, and no more intemperate men than at the present.

Valuable cargo. The bark Fanny, which cleared at New Orleans on the 11th ult. for Havre, had on board 2,263 bales of cotton, weighing 912,922 lbs. valued at \$159,597.

The Cincinnati Republican states that the hon. G. L. Kinnard, of Indiana, who was so badly scalded by the recent distressing accident on board the steamboat Flora, is in a fair way of recovery.

Destructive fire. On Saturday morning last, a destructive fire broke out in Johnstown, Montgomery co. N. Y. which destroyed a large number of buildings and their contents, covering a loss estimated at \$30,000. Among the buildings destroyed was the Episcopal church, with its fine bell and the old organ, presented to the church by sir William Johnson before the revolution.

Vermont. The legislature of Vermont adjourned a few days since, after passing one hundred and sixty acts. Among them is one requiring the state treasurer to receive its share of the surplus revenue, whenever paid by the United States, and deliver it over to trustees to be appointed by the several towns for that purpose, in proportion to the population of the several towns in 1830, to be loaned to the citizens at six per cent. the principal to remain the property of the several towns, unless called for by the United States; the interest to be appropriated to the support of common schools; distribution to be equalised after 1840, according to the then population of the towns.

Wisconsin territory. The territorial legislature of Wisconsin, assembled, for the first time, by proclamation from governor Dodge, at Belmont, Iowa county, on the 25th ultimo. On the following day, the governor issued his message, an extract from which appears in the Chicago American. He recommends the legislature to immediately organize the several courts necessary for the administration of justice;—also, that the legislature memorialize congress to grant the right of pre-emption to actual settlers; to make appropriations for internal improvements; to cause harbors to be surveyed and constructed; and light-houses to be built; to organize and arm the militia, &c.

A bank failure. In consequence of the recent failure of the president of the Nahant bank, at Lynn, Massachusetts, there was a run on the institution last week, for specie, and the result of which was, as we are informed by our Boston correspondent, and also by a gentleman who left that city last Saturday, that the bank, unable to meet its notes with specie, was obliged to stop payment.

[Bicknell's Reporter, Nov. 22.

NILES' WEEKLY REGISTER.

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[Vol. LI.—Whole No 1,316.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED, BY WILLIAM OGDEN NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

¶ The annual message of the president of the United States was transmitted to both houses of congress on Tuesday last, and is inserted in subsequent pages. It being the last of general Jackson's annual messages it was, from the peculiar condition of the country, looked for with much anxiety, and has, we think, disappointed both parties by the moderation of its tone, and the calm dignity of its language in reference to our foreign relations—especially in its comments upon the position we occupy in the controversy waging between Texas and Mexico. That portion of it which relates to the currency, is also viewed by the opponents of the administration with less alarm than the former doctrines advanced by the president; for although their experience is opposed to the effects which he asserts have been produced by the creation of the deposit banks, they believe the worst fruits of that system have been witnessed, and that in the calm which will speedily succeed the late contest, a more enlarged and liberal plan for managing the fiscal concerns of the country will be mutually agreed upon. The act for the distribution of the surplus revenue, which received the reluctant consent of the president, is viewed as the source of many evils to the state governments and the people. It is not our province to discuss that measure in the bearings presented; but there is one operation of it that has escaped the president's attention, which is, in our opinion, pregnant with more mischiefs to the people than can result from the most liberal distributions of the surplus. We allude to the measures of the deposit banks to meet the demands of the government for the distributive funds in their possession; for to meet those demands, they must necessarily curtail their discounts to the amount of funds subject to the draft of the treasury, which it may be necessary to transfer from one state to another. And thus the surplus, instead of enabling the deposit banks to benefit the people, is made the source of annoyance and vexation by unsettling the fiscal relations of the country—for we all know the guarded policy of banks, which induces them to view each other with distrust, and to graduate their issues by the issues of other institutions. It is on this principle that the curtailment of one or two millions of discounts by a deposit bank, or its refusal to grant discounts to the same amount, checks the ability of other banks to relieve the people—and hence some of the difficulties which at present embarrass the money market.

Under the present system it is, we think, impossible to devise a plan by which the revenue can be used as the basis of discounts by the deposit banks, without producing the evils which are now felt in so much bitterness. For if the reductions are ever so gradual in anticipation of the annual drafts of the treasury, the effect will be the same, though its consequences may not be so immediate—As those banks cannot from the peculiar manner in which they are constituted, act with that unity which will maintain a proper equilibrium in the fiscal relations of the states: and they must, therefore, either keep the government funds locked up in their vaults, or use them subject to the fluctuations which the anticipation of the annual demands may create.

The other topics are discussed in a becoming spirit, and, as a whole, the message will be generally acceptable to the people.

¶ We have on file a number of articles relating to the present difficulties in the money market, and the alleged misconduct of the officers of certain banks, which shall have a place in our next. As a specimen of the former, we insert the following from the Providence "Courier," which cites it as a "common case."

A transaction. The following transaction, which took place in Boston during the last week, will give some idea of the straits to which even the rich are reduced: A rich man had borrowed ten thousand dollars of an institution, which circumstances required that he should pay on such a day. He gave his notes to one of our banks for six months, on interest, and obtained notes of the bank. He then paid a broker one per cent. to get the money for him, giving those notes as security. The broker obtained the money at two and a half per cent. a month for six months! Thus eighteen hundred dollars! were paid for the ten thousand dollars.

Vol. LI. Sis. 15.

lars for six months. How many can afford such sacrifices long?

¶ The letter of Mr. Biddle, president of the bank of the United States, to the hon. John Quincy Adams, in relation to the affairs of that institution, will be found in the present sheet, and is particularly interesting in connection with the president's strictures upon the late bank.

If the capital of the United States bank had been distributed, and the charter broken up, the division, according to Mr. Biddle's letter, would have been as follows:

There were, in all, 3,417 stockholders:—Of whom there were Pennsylvanians 590, other citizens of the United States 2,267, foreigners 560.

To these the funds would be appropriated as follows:

To the New England states	\$3,111,000
New York and New Jersey	4,569,000
Delaware, Maryland and the District of Columbia	2,027,000
Virginia and North Carolina	894,000
South Carolina and Georgia	3,031,000
Other states	99,000
Foreigners	9,163,000
The government of the U. States	6,278,000
Pennsylvania	5,219,000
Pennsylvania, owning little more than five millions, now has the use and management of thirty-five millions of capital.	

¶ The express mail, bearing the president's message, arrived in Baltimore from Washington in 2 hours and 5 minutes, having left the latter city at 20 minutes past 12, and arrived in the former at 25 minutes past 2 o'clock. It arrived in Philadelphia at a quarter past 9 o'clock on the same night, and in N. York at 5 minutes past 2 on the next morning.

¶ The present sheet contains the report of the commissioners of N. Hampshire appointed to investigate the "Indian Stream difficulties;" see page 231.

THE MONEY MARKET. Notwithstanding the continuance of the pressure, Saturday passed off without any commercial disaster. The payments of merchants on that day, are said to have been eight millions, and not a note lay over. An opinion is gaining ground that the crisis is past, and that the money market will shortly be easier. We hope so. On Friday, in Philadelphia, the United States bank discounted 900,000 dollars, and the Girard bank \$300,000. Things were becoming easier there.

[N. Y. Com. of Monday.

In reference to the above, the New York "Express" says, that the 900,000 dollars which the U. States bank discounted in one day, was in merchants' notes; and that when this great discount was made, the directors had before them southern paper, which, if cashed, would have given the bank \$6,000 nett profit for the exchange.

A GREAT DAY. The amount of notes which fell due on Friday and Saturday was very great, especially among the grocers. On Saturday the amount paid into the banks was estimated at eight millions of dollars. Every merchant's note was promptly paid.

[N. Y. Jour. of Com.

FROM FLORIDA. The Jacksonville Courier of the 24th ult. contains a letter from col. Mills, confirming the accounts received a few days ago, of two actions with the Seminoles, by the forces under general Call. The Wythlacoochee was crossed on the 18th of November, with the friendly Creeks, commanded by col. Pierce, three hundred regulars and col. Mills' battalion of East Florida volunteers. On the same day, a detachment of the Tennessee volunteers encountered and defeated the Indians at Warm Spring, not far from the Wahoo Swamp, supposed to be about four hundred strong; nineteen were found dead after the action. Next day, gov. Call met, it is supposed, the whole body of the enemy in the Wahoo Swamp, and after a short brush, it being night, he thought it best to retreat a short distance, to encamp, where he intended to remain until he effected a junction with the other division of the army. The whole American force that had left Fort Drane, is two thousand two hundred.

MICHIGAN. A state convention is to be held on the 14th inst. for the purpose of reversing the decision of the former convention rejecting the terms presented by congress for the admission of that territory into the union as a member of the confederacy. There is little doubt that the new convention will accept the terms of admission. It will be seen, however, in our items of election news, that she has chosen electors of president and vice president, as if she was already a member of the union.

FROM MEXICO. A letter to the editors of the New York Daily "Express," dated Mexico, October 22, says—It is not improbable that Mr. Ellis, the American charge at Mexico, will soon demand his passports, and go home. I learn that he has sent to the government a long list of complaints, DEMANDING answers within a reasonable time, and also reparation for the violation of the flag of the United States in the seizure of an American brig at Vera Cruz.

It is the report that he will go home if these demands are not answered satisfactorily. I learn that many days have elapsed, and that no answer has been given. I am certain that he will go home if no satisfaction is given. Mr. Ellis at the present time is in poor health, which may delay his departure, or protract his negotiations.

On the part of the priests and the present government, there is no good feeling towards the U. States. North Americans live an uneasy life here, not knowing what to expect from day to day. I send this letter to take its chance by the way of Havana.

TEXAS. The hon. Wm. H. Wharton, appointed minister to this government from Texas, with full powers to procure the acknowledgement of the independence of that country and its annexation to the United States, has arrived at New Orleans.

The government now consists of Samuel Houston, president, M. B. Lamar, vice president, T. J. Rusk, secretary of war, H. Smith, secretary of state, S. F. Austin, secretary of the treasury and George Fisher, secretary of the navy. We have before us inaugural addresses from president Houston and vice president Lamar, which, with some resolutions passed by the congress, in relation to the recognition of the independence of the country, shall have a place in the next "REGISTER."

Two commissioners had arrived from Mexico, to negotiate for a peace and an arrangement of difficulties. They had been allowed an interview with Santa Ana, but the propositions they were authorised to make had not transpired.

The blockade of Matamoras has been raised by president Houston.

The Texas Telegraph was again suggesting and advocating, by authority as supposed, the appointment of general James Hamilton, of South Carolina, to the chief command of the Texian armies.

"CAPT. ETHAN ALLEN HITCHCOCK, of the U. States army, and aid to gen. Gaines in his Florida and Sabine campaigns, has been appointed governor of Liberia. He is a very efficient officer and an estimable man."

[We find the above in the New York papers. It is true, we believe, that captain Hitchcock has been offered, by a unanimous vote of the board of managers, the office of governor of Liberia, but it is not known whether he accepts the appointment. We cordially unite in the favorable opinion expressed of his qualifications, which, indeed, we deem superior to those of any other citizen within our knowledge for the office in question, and therefore, as friends of the society, we sincerely hope he will accept the trust which has been tendered to him.

[Nat. Intel.]

A BUSINESS TRANSACTION. The N. Y. Journal of Commerce states that Mr. Stevens, a jeweller in Dey street, who was some time ago robbed of a large amount of jewelry, for the recovery of which he offered a reward of 4,000 dollars, was accosted in the street a few evenings since, and told if he would call at a certain house, at an hour named, and pay the 4,000 dollars, he should receive back his jewelry. He did so—paid his money, and received his property.

THE PRESIDENT'S HEALTH. From the "*Globe*" of Tuesday. The health of the president has gradually improved, but he is still extremely feeble, and unable to meet company. He gives his attention, a few hours every day, to communications laid before him by his cabinet; but he is absolutely interdicted by his physician (Dr. HUNT) from receiving his friends, as the effort to converse threatens a return of the hemorrhage, which, in his present weak condition, might be attended with instant suffocation.

THE MILITARY COURT OF INQUIRY, as will be seen in another part of this sheet, is now duly organized at Frederick, Md. Gen. Scott opened his defence on Tuesday, and the examination of witnesses commenced on Wednesday. Gen. Gaines had not yet reached that place, having been detained at Mobile by the indisposition of his lady, who, we regret to state, died in that city on the 29th ult. after a protracted illness.

EXPRESS MAIL. We learn from the *Globe*, that an arrangement has been made, by which the express mail going east, will leave Washington, during the session of congress, at six o'clock in the evening, arrive in Baltimore at 8½, in Philadelphia at 6½ next morning, and in New York at 8 the next evening.

An attempt was made on Sunday morning to stop the express mail south of Philadelphia, on the Gray's ferry road beyond the bridge.

The express mail of yesterday, between this city and New York, was discovered to be on fire, which was not extinguished until two of the paper bags were partially destroyed. [*Nat. Gaz.*]

APPOINTMENTS BY THE PRESIDENT. Andrew Jackson, jr. to be secretary under the 6th section of the act to reorganize the general land office, approved the 4th of July, 1836, in the place of A. J. Donelson, resigned.

Matthew Burchard, of Ohio, to be solicitor of the general land office, in the place of Wyllis Silliman, declined.

PENNSYLVANIA. The legislature commenced its session on Monday last, gen. *Cunningham* (anti-V. B.) was elected speaker of the senate—for *Cunningham* 18, A. H. Read 13, David Middlecoff 1 and William T. Rogers 1. *Lewis Dewart* (V. B.) was elected speaker of the house. The whigs run *John Parker*, and the anti-masons *Walter Oliver*. *Dewart* received 68 votes, *John Parker* 9, *Walter Oliver* 19, *Hopkins* 1.

VIRGINIA. On Monday last the legislature of this state commenced its session. *Stafford H. Parker* was unanimously elected speaker of the senate, and *Linn Banks*, without opposition, speaker of the house of delegates.

The majority, officially ascertained, for the Van Buren ticket in this state, is 6,893 votes. Other votes, "not strictly in form," says the Enquirer, and therefore not counted, would have made the total majority in Virginia for the Van Buren ticket 7,433.

NORTH CAROLINA. The hon. *Robert Strange* has been chosen a senator of the United States by the legislature of this state, to fill the temporary vacancy occasioned by the resignation of Mr. *Man-gum*. The vote stood thus:—*Strange* (V. B.) 85; *Settle* (whig) 83; scattering, (a whig vote) 1.—The legislature has determined, almost unanimously, to accept that portion of the surplus revenue allotted to North Carolina under the deposit act.

SOUTH CAROLINA. The legislature of this state met at Columbia on Monday week. *Patrick Noble* was elected president of the senate, and *D. L. Wardlaw* was elected speaker of the house of representatives. From the message of gov. *McDuffie* we have published an extract relative to the revolution in Texas, which cannot fail to command the attention of our readers.

GEORGIA. The *Augusta Sentinel* of the 2d inst. announces the resignation of colonel *George W. B. Towns*, a member of the house of representatives from this state. His resignation only extends to the present session of congress, and not to the seat to which he was elected in October. He gives as a reason for his resignation the vote of the state for judge *White*, which he thinks equivalent to an instruction to resign.

ALABAMA. Col. *McKinley* of Lauderdale, has been elected a senator from this state, in place of

Mr. *Moore*, whose term of service expires on the 4th of March next. The vote stood, for *McKinley* 72, for *Hopkins* 45.

MISSOURI. The legislature of this state met at Jefferson on the 21st ult. Mr. *Jamison* was elected speaker of the house without opposition. We have not seen a copy of the governor's message.

ARKANSAS. This state has passed resolutions directing its senators to vote in favor of Mr. *Benton's* expunging resolutions. The legislature has also chartered two banks, one a state bank with a capital of a million and a half of dollars; the other a real estate bank with a capital of two millions of dollars.

SENATOR PORTER. The *Louisiana Advertiser* of November 25, says: "The hon. *Alexander Porter* expects to leave his residence at Oaklawn, in Attakapas, about the 10th of December, to resume his seat in the senate of the United States, by the time congress is ready to commence active business."

THE ANNUAL TREASURY REPORT was transmitted to both houses of congress on the first day of the session. It shall have a place in our next—in the meantime we avail ourselves of the following abstract of its contents prepared by the editors of the "*Intelligencer*."

Receipts and expenditures for 1836. The balance in the treasury on the 1st of January last was \$26,749,803. The receipts for 1836 are estimated at \$47,691,898, of which the receipts from customs for the three first quarters have been \$17,523,151, and the receipts from lands \$20,048,029. The expenditures for 1836 are ascertained and estimated at \$31,435,032, of which the payments for the military service, (including fortifications), during the three first quarters, have amounted to \$13,010,061.

Deducting the expenditures of the year, ascertained and probable, from the receipts, the balance which will be in the treasury on the 1st of January, 1837, is estimated at \$43,005,669, and, deducting the "unavailable funds" of \$1,080,000, leaving "the available balance" \$41,925,669. [This does not include the balance to the credit of the post office department at the end of the year, estimated at \$513,920.]

Revenue and expenditures for 1837. The receipts are estimated as follows: customs, \$16,500,000; lands, \$5,000,000; bank stock and miscellaneous, \$2,500,000. The expenditures (including 1,000,000 dollars for usual excess of appropriations beyond estimates) are estimated at \$26,755,831.

Imports and exports. The imports during the year ending 30th September, 1836, are ascertained and estimated at \$173,540,000, shewing an increase, compared with the preceding year, of \$23,644,258. The exports during the same period are ascertained and estimated at \$121,789,000, of which 101,105,000 dollars were domestic products, and the residue foreign, exhibiting an aggregate increase, compared with the preceding year, of \$35,423, and an amount exceeding the average of the last three years by \$3,829,150.

The surplus revenue. The recommendations of the last annual report are renewed, and reductions suggested of duties on raw materials of foreign origin used in some of our important manufactures, and next on articles of comfort and necessity for the people generally. A prohibition of the sale of the public domain to any but actual settlers is also mentioned as another mode of curtailing the revenue.

The public money. An account is given of the measures adopted in pursuance of the act of June 23d, 1836, to regulate the deposits of the public money, and some recommendations are made of prospective provisions on the subject, such as authority to discontinue as deposit banks, when no longer necessary, those selected under the late act, &c.

The mint and the currency. The coinage of the mint, from the 1st of January to the 1st of November, 1836, has been, of gold, \$3,619,440, and of silver, \$2,877,000. The establishment of a gold coin of one dollar is again urged upon congress. The quantity of gold now in the country is estimated at \$15,000,000. The secretary of the treasury calculates the whole specie in the country in October, 1833, at thirty millions of dollars, and the whole specie now in the country at seventy-three millions. Various speculations on the subject occupy a number of pages in this part of the report.

Miscellaneous. The report concludes with several suggestions of a miscellaneous character, among which the renewed recommendation of the adoption of measures for regulating steamboat navigation

must meet with very general approbation from all those who have as much horror as we have of those appalling catastrophes which class themselves under the head of "steamboat disasters!"

THE TREASURY. *Treasury department, Dec. 2, 1836.* In compliance with the resolution of the senate of the 1st July last, directing that, "during the ensuing recess of congress the secretary of the treasury cause to be published, at the commencement of each month, a statement of the amount of money in the treasury subject to draft, and, also, the amount standing to the credit of disbursing officers," the undersigned hereby gives public notice, that the amount of money in the treasury subject to draft, as shown by the running account of the treasurer, was, on the 1st instant, \$42,899,167 49, and "the amount standing to the credit of the disbursing officers," as shown by the latest returns received, was \$4,177,219 88. Of the amount of money in the treasury subject to draft, the sum of \$430,822 64 belongs to special trusts, and is not applicable to the public service.

LEVI WOODBURY, sec. of the treasury.

RESERVED RIGHTS. The following excellent hit is not without its moral.

Standing upon our reserved rights.

"John," said a gentleman to his coachman, "go to the well and get a pitcher of water."

"Excuse me, sir," said John, "it is not my business."

"True! true! I had forgotten. Harness the horse, and put to, John, and bring the coach to the front door."

"Yes, sir."

The coach is brought.

"Thomas—take the pitcher, get into the coach, John will drive you to the gate. Get a pitcher of water and let John drive you back again to the door, and he may then put up."

Query. How much trouble did John save himself by not going for the water.

LIEUTENANT WILKES of the navy, who recently went to England and France, for the purpose of purchasing instruments for the South Sea expedition, has met with a highly flattering reception, and has been singularly successful in procuring the scientific aid which he required. The *New York Times* says that the law authorising the expedition has commanded the admiration of the scientific men of Great Britain and they are loud and warm in the commendations of the liberal minded and enlightened policy to be carried into effect by our government. The just expectations, not only of the people of this country, but of the scientific men of England, must not, and we are sure will not, be disappointed.

THE TENNESSEE VOLUNTEERS now in Florida have borne themselves with a gallantry deserving the highest praise. After they had left Fort Drane, on their first march towards the Wythlacoochee, a detachment of sixty of their body was detailed as a front guard, and when they were about seeking a suitable place for encampment for the night, the following incidents occurred. They are related in the official account of the officer of the day:—

"Some Indian camps on the left were discovered, which showed conclusively that Indians were not far distant—upon further scrutiny, an Indian poney was discovered tied, not far off, at sight of which the whole front with simultaneous movement charged at high speed, which charge was kept up for 3 or 4 miles, signs still becoming stronger, until at length we discovered a band of Indians retreating at full speed. We pursued and effected the capture of twelve, and the killing of fourteen, that had been seen: some escaped towards the Wythlacoochee, what number I am unable to say, but suppose there might have been fifteen or twenty that escaped. It affords me great pleasure to say that on that occasion each man acted with no less gallant bearing than would have distinguished a Roman soldier in the proudest days of the empire. The conduct of each officer and soldier on that occasion merits special comment, but time and opportunity forbid that I should dwell upon particulars. Permit me to say however that major *Upshaw* acted with distinguished gallantry in the charge, and during the affray he pursued an armed warrior to the edge of a thick hammock and despatched him by splitting his skull by a blow from his Bowie knife—while the Indian was deliberately raising his rifle to his shoulder to shoot his assailant. Capt. *Grundy* and 15 of his company charged in a body, with great enthusiasm, the capt. himself despatching an armed warrior by a shot from his yager."

THE DEPOSITE BILL. At an internal improvement convention at Nashville, on the 12th ult. the honorable *Adam Huntsman*, member of congress, took occasion to deny a rumor that president Jackson intended to recommend a repeal of the distribution or deposit bill in his next message. We quote from the report of his remarks—

"General Jackson was deliberately, and from full conviction, committed to the support of the principles developed in that bill. He spoke, he said, authoritatively, and from facts which came personally under his own observation. He was present when the deposit bill came from the senate. It was handed to general Jackson, who said that in its present shape he would veto it from constitutional principles, but that he could frame an amendment which, if adopted, would meet with his full approbation, and enable him to approve it without any sacrifice of principle. He was requested to do so—and retired with the attorney general, B. F. Butler, wrote the amendment, which was copied by his secretary, Mr. Donelson, and handed to Mr. Anthony, a devoted friend of the president's from Pennsylvania, who offered it in the house, where it was finally adopted, and being then fully and unequivocally expressive of Jackson's sentiments, was approved by him, and is now the law of the land."

To the editors of the *National Intelligencer*.

Washington, Dec. 8, 1836.

Messrs. Gales & Seaton: On looking over your paper of the 5th December, I see something which purports to be an extract of a speech of mine, delivered at the rail road convention, which was held in October last, in Nashville. It is true that I had the honor of being a member of that convention, and it is equally true I made a speech. But, as the reporter of it has entirely mistaken my language upon that occasion, I will take the liberty of correcting it by stating, through your paper, what I did say.

In answer to a remark of a gentleman who alleged that the president intended, at the ensuing session of congress, to recommend the repeal of the deposit bill, I replied that I did not believe he had any such intention: that it was pretty well understood in congress that, in the shape which the bill came from the senate, the executive had some constitutional objections to it, and would most probably veto it. I furthermore stated, that I had been informed by such authority, or sources as left no doubt in my mind of its correctness, that the president had said that an amendment or section could be framed which would steer clear of constitutional objections; and that he had been requested to point out the terms of such an amendment, and that, by the co-operation of the attorney general, the amendment which was ultimately offered by the member from Pennsylvania (Mr. Anthony), and adopted by both houses, had undergone the revision of the executive; and, inasmuch as the president had a full and thorough knowledge of all its bearings, and had given it his approval, I did not believe he intended to recommend its repeal, as the same reasons which would have operated in his mind in regard to its repeal would have induced him to have placed his veto upon it instead of approving it, in the first instance.

This is the substance of what I stated in the convention.

A. HUNTSMAN.

THE MILITARY COURT OF INQUIRY. The *Fredericktown* (Md.) Herald of Saturday gives the following account of the meeting and proceedings of the military court of inquiry in that city.

"Our town is at present enlivened by the presence of many of the most distinguished officers of the United States army, who are in attendance on this court. Among them are the following:

"Maj. gen. Macomb, maj. gen. Scott, brig. gen. Atkinson, gen. Sanford, col. Bankhead, col. Kenas, col. Lindsey, maj. Huson, captain Cooper, captain McCall, capt. Hitchcock, capt. Green, capt. Dimmock, capt. Lee, capt. Newcomb, (resigned) formerly of the United States army.

"The court, consisting of maj. gen. Macomb and brig. generals Atkinson and Brady, proceeded to business on Monday last. There duty was to inquire into the causes of the failure of the southern campaign, and also into the propriety of the publication of certain orders by general Gaines, or other officers.

"As a court of inquiry is somewhat unusual in our country, some curiosity has been felt to know the course and mode of their proceedings. The court is held in public, (the house lately occupied by Casper Weaver, esq. being used for that purpose) and many visitors, both male and female, have attended the investigation. All the officers attend in full-dress uniform, and the judge advocate

conducts the trial. The proceedings, when we have been present, consisted of nothing more than the mere reading, by the judge advocate, of the communications from and to the war department during the southern war, with an occasional remark or explanation from general Scott, whose conduct is at present considered by the court.—Although from the fact that the proceedings are conducted almost entirely in writing, they are not calculated generally to interest those who are not familiar with the whole subject, or who do not understand the minutiae of the campaign, yet the presence of so many of the noble and gallant officers, who have oft-times planted the standard of victory upon the camps of their country's enemies, has an imposing effect. They now having exchanged the field for the forum, are solemnly engaged in the trial of one of their fellow officers, who, like themselves, has often won the applause of his countrymen by his bravery and daring, but has been unsuccessful in the late contest, surrounded, as it appears to have been, with numberless difficulties, which cannot be appreciated by those not having experienced them.

"General Gaines, it is said, objects to general Macomb as a member of the court, so far as he is concerned. The severe indisposition of his lady, we understand, detains him for the present at Mobile."

THE EXPLORING EXPEDITION. We are happy to perceive that all diligence is used in fitting out the vessels destined for this interesting and important service. We were yesterday favored with an opportunity of examining the interior and appliances of the fine staunch store ship, lately built at our navy yard, under the immediate superintendence of commodore Barron. No pains seem to have been spared to render her in all respects suited to her destination. She carries a small armament on her upper deck, and is calculated to receive about 8,000 barrels of freight. The health and comfort of her crew will doubtless be much promoted by the effectual though simple apparatus for ventilation, invented by that officer, capable of producing a complete renovation of the air of her hold in the course of a few minutes. We observed also an improved apparatus in the cook's department adapted to the use of anthracite, and learned that she has already on board a three years' stock of that fuel. Should our explorers find themselves at the south, passing a winter in a scene analogous to that of Melville island, they will, no doubt, among other discoveries, ascertain that the human faculties are wondrously quickened by a due application of this most excellent combustible. We heard it stated that she is to sail in a day or two for her rendezvous at Norfolk, where she will take in her stores.

[*Poulson's Philadelphia American*.]

IMPORTANT SUIT. An action has been in course of trial in the United States Circuit Court for the last three days, which is of a very important nature, as it affects the community at large. In the cause referred to the bank of Bridgeport, appeared as the plaintiffs, and sought to recover from Lewis L. Nevins and others, defendants, the sum of \$3,000, which, in July 1833, was put on board the Providence steamboat for the defendants for the plaintiffs, but which, along with a large amount of other money, was stolen from the steamboat previous to her leaving this city.

This is the second suit which has arisen out of this loss. The first was brought by the plaintiffs against the proprietors of the steamboat, and sought to make them, as common carriers, liable for the amount stolen; having failed, however, in that cause, they now proceeded against the defendants for not having taken sufficient care of the money previous to the steamboat actually starting for her destination; and also, on account of the amount sent having failed to reach the persons for whom it was intended.

His honor, judge Thompson, charged the jury at very great length, and urged as the material point for their consideration; first, whether the defendants had contracted with the plaintiffs to put the money on board the steamboat which he stated, according to the evidence of Mr. Morgan, if he was to be believed they clearly had; and, 2d, whether in doing so they had by their servant been guilty of negligence, or had used due and proper care and caution. It being three o'clock when the learned judge had finished his charge, the jury were directed to bring in a sealed verdict in the morning.

About 11 o'clock at night, the jury having been utterly unable to agree, two of them became ill, and soliciting, obtained the permission of the court to go home, which they did. Yesterday morning they all came into court, and stating their inability to agree, were discharged.

[*N. Y. Trans.*

THE PEA PATCH. This is an island in the river Delaware, the title to which has long been in dispute. A suit involving the title was tried last week in Trenton, by the circuit court of the United States. The lessor of the plaintiff resting his claim upon a warrant from the proprietors of West Jersey, as also upon a grant derived from New Jersey. The defendant is in possession under the general government, and their title rests upon an act passed by the legislature of the state of Delaware in May, 1815. It presented the interesting question, how far the state of Delaware can extend her boundary under the deed of feoffment from the duke of York to William Penn, in 1682, of New Castle, and a twelve mile's circle. The trial resulted in a verdict for the plaintiff.

Messrs. Wall, Frelinghuysen and Southard were for the plaintiff.

James C. Green, the attorney general for the United States for New Jersey district, for defendants.

FROM THE SABINE.

Correspondence of the *Newark*, (N. J.) *Daily Advertiser*.

Fort Jesup, (La.) November 12.

We are resting upon our arms. Like that celebrated marshal who marched his troops up the hill, and marched them down again, we have moved in martial columns upon the enemy's territory, and are here again snugly fixed in winter quarters! I know not what the country may think of the operations of our forces on this frontier, but there is but one sentiment here, which is that money, time and character have been most ingloriously squandered. Dreaming in my quarters sometimes, I fancy myself the well-dressed puppet of a show, moved about with my fellow mutes to show off the dexterity and skill of the master juggler who moves the wires. I am trespassing, perhaps, but verily 'twere better to be a dog and bay the moon, than such a Roman. I shall be with you speedily.

Four companies at camp Sabine, three in the Caddo region, nine at the ultima thule of our operations, (Nacogdoches), and the same number in this forlorn position, is the present disposition of our strength. A gentleman came in yesterday from Columbia, (Texas), from whom we learn that every thing was quiet there. The authorities are more anxious to promote the arts of peace than those of war just now. The ravages of the war upon the agriculture of the country are now seriously felt.

Mr. Burnet had resigned the remainder of his term, and will, it is said, free himself from all responsibility as speedily as possible.

THE ARMY—OFFICIAL.

GENERAL ORDER, NO. 80.

Head quarters of the army, adj't general's office, Washington, November 30, 1836.

I.—The troops stationed at Fort Dearborn, Chicago, will immediately proceed to Fort Howard, and join the garrison at that post. Such public property as may be left at Fort Dearborn, will remain in charge of brevet major Plympton, of the 5th infantry, who will continue in command of the post until otherwise instructed.

II.—All the recruits of the 2d regiment of dragoons will be immediately organized into companies of sixty men, with two officers attached to each, and be held in readiness for orders to join the army in Florida at the shortest notice. The companies will be armed with carbines, and be commanded by the lieut. colonel or major of the regiment.

III.—The superintendent of the recruiting service, eastern department, will despatch from the central depot, with as little delay as practicable, the number of recruits required for the following designated regiments and posts:

For the squadron of 1st dragoons, Fort Gibson	75
For companies A, D, G, E, I, 4th infantry, now, or lately at Suwanee Oldtown, Florida, agreeably to previous orders	119
For 31 companies of artillery, serving in Florida	550
For company (C) 2d artillery, and company (B) 3d artillery, and forts Monroe and Hamilton	61
For company (I) 2d artillery, and Companies B and I, 4th artillery at or near Fort Mitchell, Alabama.	14 } 44 30 }

849

IV.—The detachment of 77 recruits, ordered to Baton Rouge and New Orleans, from the western recruiting depot, in September last, is assigned to, and will accordingly be mustered in the 4th regiment of infantry.

V.—The resignation of the following named officers have been accepted by the president of the

United States, to take effect at the dates set opposite to each respectively, to wit:

Capt. T. Hunt, 5th infantry, 31st October, 1836.
Capt. H. Smith, 6th infantry, 16th November, 1836.

Capt. W. M. Boyce, 1st infantry, 14th November, 1836.

1st lieutenant J. McClellan, 1st artillery, 19th November, 1836.

1st lieutenant T. B. W. Stockton, 1st infantry, 30th November, 1836.

1st lieutenant J. W. Barry, 1st artillery, 30th November, 1836.

1st lieutenant G. W. Ward, 2d artillery, 31st December, 1836.

2d lieutenant M. Churchill, 1st artillery, 30th November, 1836.

2d lieutenant W. B. Arvin, 4th artillery, 30th November, 1836.

Assistant surgeon W. A. Berry, medical staff, 19th November, 1836.

VI.—Surgeon Thomas Lawson having been appointed by the president the surgeon general of the army, will immediately proceed to the city of Washington, and enter upon the duties of his office.

By order of Alexander Macomb, major general commanding-in-chief. R. JONES. *adjt. gen.*

PRESIDENTIAL ELECTION.

MARYLAND.

Wednesday last being the day appointed by the constitution of the United States for the electors to assemble in the capitol of their respective states to cast the votes for president and vice president, the electors chosen in Maryland assembled in the senate chamber at Annapolis, and organized by appointing *George Howard*, esq. of Anne Arundel, president and *Joseph H. Nicholson*, esq. secretary. Mr. *Purnell*, one of the electors, being absent, the electors, in virtue of the act of 1833, ch. 261, proceeded to fill the vacancy in their body, and *Thomas G. Pratt*, esq. of Prince George's was elected.—The ten votes were then cast for *William H. Harrison* as president and *John Tyler* as vice president. The three certificates required were then prepared and signed, as were the credentials of the bearer of the return, *J. H. Nicholson*, esq.—and the college adjourned *sine die*.

After the adjournment of the college Mr. *Purnell* arrived, having been detained in consequence of the grounding of the steamboat, which did not arrive at Annapolis until 6 o'clock, P. M.

TENNESSEE—OFFICIAL.

	White.	Van Buren.
Anderson	221	81
Benton	95	153
Bedford	1,500	1,614
Bledsoe	222	15
Blount	564	153
Campbell	157	147
Carter	495	46
Carroll	802	202
Cooke	309	7
Claiborne	329	90
Davidson	1,834	955
Dickson	203	428
Dyer	146	55
Fayette	886	879
Fentress	166	7
Franklin	448	1,199
Gibson	702	152
Giles	908	796
Grainger	601	16
Greene	695	724
Hardeman	459	531
Hamilton	215	158
Hardin	252	141
Haywood	551	266
Hawkins	770	431
Henderson	831	87
Henry	645	498
Hickman	149	621
Humphreys	124	175
Jackson	710	268
Jefferson	577	23
Johnson	169	24
Knox	965	86
Lawrence	228	272
Lincoln	752	1,479
Madison	1,111	169
Marion	287	170
Maury	1,210	1,997
Meigs	163	106
McMinn	824	428
McNairy	374	152
Montgomery	745	467
Monroe	563	288
Morgan	85	8
Obion	164	105
Overton	250	557

Perry	427	120
Roane	460	110
Robertson	863	609
Rutherford	1,179	1,000
Sevier	253	2
Shelby	488	310
Smith	1,296	332
Stewart	169	402
Sullivan	302	984
Sumner	748	1,160
Tipton	246	331
Warren	394	1,172
Washington	439	760
Wayne	272	155
Weakley	248	311
Wilson	1,610	558
White	750	100
Williamson	1,491	402
	85,962	76,120

9,842 majority for White.

The new counties of Cannon, Coffee, Marshall, Bradley and Lauderdale, it is supposed, vote with the old counties from which they were respectively divided. The returns here given are therefore complete and official.

NORTH CAROLINA.

All the returns from this state have been received, and the official result is—26,910 for the Van Buren and 23,626 for the whig electors. Van Buren majority 3,284.

MISSOURI.

The St. Louis Bulletin of the 26th ult. contains the official presidential election returns from all the counties of Missouri except four. The Van Buren majority is 3,604.

ARKANSAS.

This state is gone for Mr. Van Buren. The majority not stated.

ILLINOIS.

The official returns from this state, give the Van Buren ticket 17,276 votes, and the union ticket 14,292 votes.

ALABAMA.

It is stated that the Van Buren majority in this state will be more than 4,000.

LOUISIANA.

The Van Buren majority in this state, is said to be 270.

MISSISSIPPI.

This is the only state to be heard from.

MICHIGAN.

This young state, anticipating the period of her admission into the union, has, it appears, actually held an election for electors of president and vice president of the United States, though not yet a member of the union. The Detroit Free Press, of November 26, reports the result, in a table "prepared from the official canvass of each county as returned to the secretary's office;" from which it appears that in nine counties out of twenty-two the opponents of the Van Buren electoral ticket did not vote at all, and that the result of all the votes actually received and counted gives for the Van Buren ticket an average of about 7,400 votes, and for the opposing ticket 4,080 votes.

[Nat. Int.]

A THIEF IN GRAIN.

New York, Nov. 22.

Police office.—Thieving extraordinary.—Mr. Homan, police officer, yesterday arrested a small humpback man named Thomas J. Aimes, charged with stealing from one of the hotels. On being examined at the police office he gave the following account of himself, and, on doing so, developed perhaps the most extraordinary series of thefts that was ever committed by one person in the same space of time. He stated that he is 81 years old, was born in Springfield, Massachusetts, arrived here last summer, and put up at Lovejoy's, near one of the ferries; staid there two days, stole a linen spencer and two handkerchiefs from one of the rooms, and left the house; he next went to the American hotel, and stole while he remained there three silver forks, a dark camlet coat, a dress coat with a velvet collar, and a gentleman's blue cloth spencer; from the American he went to the Eastern Pearl Street house, and remained there ten days, and stole some few articles of trifling value, and went to Congress Hall, where he stole two table spoons from the dinner table, and then went to the Philadelphia house and stole a silk umbrella, from thence he went to Blanchard's, and stole a pair of sugar-tongs and a hat; he next went to the Orange county house, in Courtlandt street, and stole from one of the rooms three shirts, a blue cloth vest, and a pair of drab ribbed cassimere pantaloons; then to the Commercial hotel, and stole a pair of boots, and left his old shoes in place of them; he next visited the National hotel, and stole at different times two silver butter-knives, and a tight-body

coat; he then went to the City hotel, staid their four days, and stole a brown silk umbrella, a black coat from room 78, a sword cane, and an invisible green frock coat from room 117, a gold lever watch from room 17, (which he sold to a gentleman residing at Flushing), a figured silk vest, and two silk handkerchiefs; he then went to Lovejoy's, opposite the park, staid there a day or two, and stole therefrom a petersham overcoat; then went to the North American hotel, staid there one day, and stole four silver teaspoons and a hat; then went to Mrs. Smith's boarding house, opposite John Niblo's, and took a pair of cloth pantaloons and other articles, which he sold; he next went to the York house, took a black cloth vest and a blue surtout; then removed to Holt's hotel, where he stole a camlet cloak and two umbrellas; and then went to the Franklin house, took a camlet cloak from the third story, some shirts, a pair of pantaloons, a blue body-coat from an upper room, three silk handkerchiefs, a green tight-body coat, a petersham surtout, a drab surtout, two fur caps, and one umbrella, all of which he sold, and then went to the Otsego house, and while there stole a black surtout with a silk handkerchief in the pocket; he then cleared out and went to the Athenaeum hotel, and stole a pair of blue cloth pantaloons, a silk vest, and two large table spoons, which he sold, and then went to the Astor house, where he had frequently been before, and stole various articles from different parts of the house, namely, a valuable diamond finger ring from a room in the second story, a diamond breast pin from room 81, a blue frock coat out of the third story, a silver fruit knife, a pair of light colored pantaloons from the fourth story, and a carpet bag containing clothing, all of which he sold. He then left the city and went to Auburn, and stole a coat and other articles from one of the hotels, and set off for Buffalo, where he put up at different hotels, and stole from them two pairs cloth pantaloons, a green frock coat, several silk handkerchiefs and vests, a blue coat and a silver watch. He then went to Utica, where he was arrested and put in prison, on suspicion of being a thief, but was only detained one day and was discharged, and came down to Albany and put up at Crittenden's, and stole while he remained there one pair of black pantaloons and a gold lever watch from one of the parlors; he then went to another hotel and stole a few articles, and then left the place and went to Troy, where he put up at the principal hotels, and robbed them of a black frock coat, pair of boots, shirts, handkerchiefs, case of razors, silver spoons and forks, and having sold them all he returned to the city, and again went to the Astor house, and stole at different times, a black coat, pair of pantaloons, shirts, handkerchiefs, silver spoons and forks, and found a gold lever watch in the outhouse, which he sold with the other articles, and then went to Hartford and put up at the City hotel, and robbed it of a blue coat, several umbrellas, shirts and pantaloons, which he sold, and went to Springfield, and put up at one of the hotels, from which he stole two pairs of pantaloons, several shirts, a fur cap, and a silver watch, which he sold, and went to Northampton and Palmer Three Rivers; here, however, his luck failed him, and he could get nothing to steal. He then went to Wooster, put up at Brigham's, where he stole a brown frock coat, a pair of cloth pantaloons, two pairs drilling do. some shirts, a hat, a silver snuff-box, and a silver lever watch. He then went to Boston, and put up at the American house, and stole a black coat, two pairs cloth pantaloons, some stockings, handkerchiefs, and a pair of gold spectacles. He then went to the Marlboro', and stole a Boston wrapper, a bombasin coat, a pair of ribbed pantaloons, and a French gold watch, all of which he sold in Boston; and then went to Lowell, where he stole several articles from the hotels, and brought them to Boston and sold them. He then went to Providence, Bristol, and many other places, and stole trifling articles from different hotels, and then came back to this city, and went to the Pacific hotel, and stole a Boston wrapper. He then went to the Astor house, and stole a blue cloak, a drab surtout, blue surtout, a blue cloth cloak, and many other articles. This was the last act of his extraordinary performances as a larcenist, and for some time, at least, he will probably have no opportunities to repeat them. He was fully committed.

SLAVERY IN CHINA.

In a country as populous as China, where wages are extremely low, slavery can never exist to a very great extent.

The government gives full permission to the Tartar soldiers of the eight banners to buy slaves, who should, however, be duly registered. Poor people, when in want of the necessities of life, may sell their children; for it is better so the statute says, that their offspring live in bondage than starve.—

Merchants are permitted to buy them, but public officers are strictly prohibited to traffic in people under their jurisdiction.

Every owner of slaves is obliged to get them married; if, however, he fails to do so, he is amenable to the law. The children of such marriages belong to him; and though the parents may redeem themselves, their sons and daughters remain with the master. Marriages with free people are prohibited. A slave, after having gained his freedom, may become a citizen, if his behavior is such as to entitle him to that privilege.

The law provides also for the good treatment of slaves; but as they are considered as minors, their masters become responsible for their conduct. If they run away, they receive, for the first offence, only a few lashes; but when they repeat the same they are punished with merciless cruelty.

On the one hand the Chinese government gives ample power to the slaveholder, whilst on the other it constantly interferes with his rights. A master is not permitted even to manumit his slave, unless the district magistrate has sanctioned the measure; and he can refuse to give his consent for the most trivial reasons.

From the contents of the few laws upon the subject, it appears that numbers of the tribes on the frontiers and of the Meaoutsze are caught and sold. The practice, though general, is by no means legal.

In a country where a name for liberty does not even exist, it would be difficult to define slavery, unless the meaning of the word be the right of possession obtained by purchase. Viewing the matter in its true light, the sovereign is the only free man in the empire, because he has the power, either directly or indirectly, to enslave his subjects. A faithful minister calls himself a horse or dog; for the services which he performs bear a striking resemblance to those performed by those domestic animals. Slavery extends throughout all classes, with this difference only, that some privileged individuals bear the yoke of a few masters, whilst they exercise their power over many.

Slavery in China, however, is not so oppressive by many degrees, as in Siam and Cochin China, where the king divides his subjects among the grandees, and forces them to work for their masters from four to six months every year. The natural consequences of this oppressive regulation are utter poverty and wretchedness. In China, only the industry of the subject is taxed; and the supreme government has wisely ordained that the principal burden should not, apparently, fall upon the great mass of the people. As a descendant from a conqueror, the emperor owns all the lands, and, from the principle of might making right, justly demands a tax from the farmer. This is paid both in kind and money, and amounts to such a sum that the laborer can never, how much soever he exerts himself, amass a capital from the produce of the land. This may also account for the extraordinary circumstance that few large landholders are to be found in China; for the profits obtained from landed property are so small that capital can be much more advantageously employed in other branches of industry. A peasant, though seemingly free, works not for himself but for the emperor, and receives but a bare subsistence for his labor. Lest, however, the supreme government might be exasperated by the laboring classes, the taxes are virtually farmed. An officer is appointed over a district to collect a specified amount of taxes; if he does not furnish the stipulated sum he himself is responsible for the deficiency; if he oppresses, in order to collect something for himself, or merely to raise the necessary amount, and is accused of tyranny, his property is confiscated. The blame falls entirely upon him, whilst the government issues a soothing edict, declares its paternal care, and sends another benevolent tax-gatherer. Thus individuals have to bear the reproach whilst the high functionaries always maintain a high regard for the national welfare. The Chinese government does not exasperate multitudes by making exorbitant demands, but attacks rich capitalists, who must then either perish or indemnify themselves, some way or other, from the people.

This is one of the great secrets of Chinese political science. It accounts for a great many things, which otherwise appear to be riddles. The Chinese are slaves and a free people; they groan under oppression, and boast of a paternal government; though this appears a paradox, it is, nevertheless, a strict fact. The government reasons with the people as with freemen; it explains its acts, and even goes so far as to accuse itself of neglect; but woe to him who raises a voice and does not worship the condescending majesty of the rulers. Though oppressed on all sides they nevertheless are persuaded that the emperor's paternal love abhors and laments the pressure which bears them down, and that he

is ready to hasten to their relief as soon as their sufferings are known. The fact is that theory and practice are sadly at variance, and the iron law of necessity makes slaves of men, who, under a better system of government, would, we think, hold forth an example to the world of contentedness, and of a love of order; and these qualities of the mind are, we presume to think, more general amongst all classes of this great empire than any other community of the world.

In the comparison between the minds of China and of Europe, the question of the rectitude of their opinions on the words honor, chivalry and liberty, are now becoming interesting. We will not say that it is the government opinion, but these words are unknown to the people, and are unappreciated by them. The subject is one of too great importance to be discussed in one number, and we may probably return to it when the port is clear of ships, and the attention can be given to it. We only now remark, that the Chinese system of government is an apt illustration of the principles of toryism and conservatism, which the emperor and his officers are able to enforce to an ultra degree, because the people are ignorant, and, consequently, submissive.

FINANCES OF PENNSYLVANIA.

From the National Gazette.

A friend has placed in our hands the following statement of the finances of the commonwealth in 1835 and 1836. The fiscal year terminates Nov. 1. We can safely congratulate our fellow citizens at large on such an exhibit.

	RECEIPTS.	1835.	1836.
Lands and land office	\$26,395 94	\$65,763 80	
Auction commissions	10,900 00	9,900 00	
Auction duties	57,252 00	67,160 88	
Dividends on bank stock	150,730 00	163,468 00	
Do. on other stocks	23,458 08	39,760 02	
Tax on bank dividends	68,508 13	91,415 60	
Tax on offices	13,783 66	7,921 18	
Tax on coal companies	1,314 10		
Tavern licences	57,825 56	52,547 97	
Retailers ditto	80,727 84	46,984 42	
State maps and pamphlet laws	269 24	227 27	
Collateral inheritance	32,146 56	20,484 97	
Militia fines, &c.	757 63	3,161 16	
Pedlars licences	5,852 05	2,562 65	
Increase of county rates	188,019 94	193,360 68	
Tax on personal property	20,943 10	31,020 68	
Canal tolls	684,347 77	837,805 72	
Loans	1,629,640 00	414,700 00	
Premiums on loans	120,916 60	7,776 94	
Do. on bank charters	66,603 99	1,719,873 12	
Tax on writs	24,745 91	25,727 94	
Miscellaneous	3,360 08	3,224 79	
	\$3,273,563 21	\$3,804,642 54	
Balance Nov. 1, 1834	54,092 20		
Do. do. 1835		195,795 10	
	\$3,327,655 41	\$4,000,437 64	
Deduct items not properly revenue (loans and premiums)	1,750,556 60	422,476 94	
	\$1,577,098 81	\$3,577,960 70	
	EXPENSES.	1835.	1836.
Internal improvements	\$2,506,028 29	\$2,928,108 80	
Expenses of government	235,128 03	259,191 88	
Militia expenses	21,862 44	29,601 65	
Pensions	80,666 84	47,179 96	
Education	59,408 02	161,888 55	
Loans	60,000 00	74,460 00	
Interest on loans	106,468 75	106,319 57	
Penitentiaries	95,654 21	45,109 37	
House of refuge	5,000 00	5,000 00	
Miscellaneous	11,643 73	18,853 83	
	\$3,181,860 81	\$3,675,638 11	
Balances	185,795 10	324,799 53	
	\$3,327,655 41	\$4,000,437 64	

GOVERNOR McDUFFIE'S MESSAGE.

We have received and read with much interest the message of the governor of the state of South Carolina to the legislature of that state, now in session. It is full of enlarged views of the duties of the state governments to foster education, &c. as the conservative principle in a free government, whose assiduous cultivation is no less necessary to prevent and repress bad government, than to insure

the probability of good government, &c. After adverting to the necessity of guarding, in each state, against the intrusion of the governments or people of other states in their intestine affairs, the governor concludes his message with the following strong and emphatic observations on a subject which is of general interest to all the states, as having already received some attention at the hands of the congress and executive of the United States. [*Nat. Int.*]

"While South Carolina is thus indignantly repelling all foreign attempts to violate the sanctuary and endanger the existence of her domestic institutions, it becomes her in a peculiar manner, to abstain from every sort of interference with the domestic concerns or domestic controversies of all other states, foreign or confederate. The doctrine of non-interference is one of the most important in the code of international law, and there are no communities on earth who should hold it so sacred as the slave-holding states of this union. If, by their example in giving countenance to the unlawful enterprises of their own citizens against a neighboring and neutral power, they should weaken the influence of that principle among nations, they would commit an offence against their own institutions, by impairing the sanctity of their surest guaranty against foreign intrusion.

"Entertaining these opinions, I have looked with very deep concern, not unmingled with regret, upon the occurrences which have taken place during the present year, in various parts of the United States, relative to the civil war which is still in progress, between the republic of Mexico and one of her revolted provinces. It is true that no country can be responsible for the sympathies of its citizens; but I am nevertheless utterly at a loss to perceive what title either of the parties to this controversy can have to the sympathies of the American people. If it be alleged, that the insurgents of Texas are emigrants from the United States, it is obvious to reply that, by their voluntary expatriation, under whatever circumstances of adventure, of speculation, of honor, or of infamy, they have forfeited all claim to our fraternal regard. If it be even true that they have left a land of freedom for a land of despotism, they have done it with their eyes open, and deserve their destiny. There is but too much reason to believe that many of them have gone as mere adventurers, speculating upon the chances of establishing an independent government in Texas, and of seizing that immense and fertile domain by the title of the sword. But be this as it may, when they became citizens of Mexico, they became subject to the constitution and laws of that country; and whatever changes the Mexican people may have since made in that constitution and those laws, they are matters with which foreign states can have no concern, and of which they have no right to take cognizance. I trust, therefore, that the state of South Carolina will give no countenance, direct or indirect, open or concealed, to any act which may compromise the neutrality of the United States, or bring into question their plighted faith. Justice, stern and unbending justice, in our intercourse with other states, should be paramount to all the considerations of mere expediency, even were it possible that these could be separated. But they cannot. Justice is the highest expediency, and I am sure South Carolina is the last state in the union that would knowingly violate this sacred canon of political morality.

"If any consideration could add to the intrinsic weight of these high inducements to abstain from every species of interference with the domestic affairs of a neighboring and friendly state, it would be the tremendous retribution to which we are so peculiarly exposed on our south western frontier, from measures of retaliation. Should Mexico declare war against the United States, and, aided by some great European power, hoist the standard of servile insurrection in Louisiana and the neighboring states, how deep would be our self-reproaches, in reflecting that these atrocious proceedings received even a colorable apology from our own example, or from the unlawful conduct of our own citizens!

"There is one question connected with this controversy, of a definite character, upon which it may be proper that you should express an opinion.—You are doubtless aware that the people of Texas, by an almost unanimous vote, have expressed their desire to be admitted into our confederacy, and application will probably be made to congress for that purpose. In my opinion, congress ought not even to entertain such a proposition, in the present state of the controversy. If we admit Texas into our union, while Mexico is still waging war against that province, with a view to re-establish her supremacy over it, we shall, by the very act itself, make ourselves a party to the war. Nor can we take this step, without incurring this heavy responsibility.

ty, until Mexico herself shall recognize the independence of her revolted province.

"We have no official information of the precise state of our relations with Mexico. Enough is known, however, to satisfy us that the conjuncture is eminently critical. Let us be scrupulously careful that we do nothing to countenance, and all we can to prevent, the calamity of a war. We are now engaged in a fearful and doubtful struggle to reform our federal system of government, by throwing off the corruptions under which it is rapidly sinking.

"In this state of things a war with any country would be the greatest of calamities; for we could scarcely hope to come out of it with any thing but the mere wreck of a free constitution, and the external forms of a free government.

"But may heaven avert these inauspicious omens, and direct all your measures to the advancement of our true glory and lasting happiness as a free and favored people. GEO. McDUFFIE."

BANK OF THE UNITED STATES—LETTER FROM MR. BIDDLE.

From the National Gazette of the 2d inst.

The following letter, addressed by the president of the bank of the United States to a distinguished statesman, although private in its nature, will, we doubt not, receive from our readers that attention which it is entitled to claim from the importance of its subject, the interest of its historical statements, and the eminent authority from which it proceeds. We believe that since the excitements of the election are past, there is a growing disposition to be just to the institution, to acknowledge its merits, and to desire its permanency. Such dispositions cannot fail to be strengthened by the letter, which shews, in a new and clear light, that the bank is essentially Pennsylvanian, and that, after having asked for it, invited it, and enjoyed its benefits, both good feeling and good policy should alike dissuade us from disturbing its rights. We therefore cheerfully avail ourselves of the permission extended to us, to disseminate the truth and logic of Mr. Biddle's communication.

Philadelphia, Nov. 10, 1836.

MY DEAR SIR: I promised at parting to resume the subjects of our conversation—the condition of the currency of the United States, and the bank question in Pennsylvania. I shall now perform my engagement—beginning with an explanation of the controversy about the bank in Pennsylvania.

The bank of the United States chartered by congress but fixed in Pennsylvania, was always an object of state pride and state policy. It had been proposed by a Pennsylvanian, had always been governed by Pennsylvanians—and when the state lost, in the course of nature, its commercial ascendancy, the bank still maintained its superiority as the financial centre of the union. Accordingly when the charter was about to expire, Pennsylvania made great efforts to renew it.

Thus, in the year 1831, a resolution passed the house of representatives of Pennsylvania in the following form:

February 24, 1831.—"A motion was made by Mr. Ingersoll [C. J.] and read as follows:

Resolved, As the sense of the senate and house of representatives, that the constitution of the U. States authorises, and near half a century's experience sanctions, a bank of the United States as necessary and proper to regulate the value of money, and prevent paper currency of unequal and depreciated value."

This was modified as follows, in the senate, and finally passed, by a vote almost unanimous, both branches of the legislature on the 2d of April, 1831:

"That whereas the bank of the United States has tended in a great degree to maintain a sound and uniform currency, to facilitate the financial concerns of the government, to regulate foreign and domestic exchange—and has been conducive to commercial prosperity, the legislature of Pennsylvania recommends a renewal of its charter, under such regulations and restrictions, as to the power of the several states, as congress may deem right and proper."

The subject was resumed the next year. On the 2d February, 1832, the following resolution passed the senate unanimously, and the house of representatives by a vote of 77 to 7.

"Resolved, That the senators from this state in the congress of the United States be instructed, and the representatives requested, to use their exertions to obtain a renewal of the charter of the bank of the United States during the present session of congress—with such alterations (if any be necessary) as may secure the rights of the states."

So decided was the feeling in regard to the bank—that at the same session, while the question of rechartering the bank was under deliberation in congress, the following resolution was passed unanimously by both branches:

"Resolved, That connected as the prosperity of agriculture and commerce is with the successful financial operations and sound currency of the country, we view the rechartering of the bank of the U. S. as of vital importance to the public welfare."

The representatives in congress shared these opinions of their state—for out of their thirty votes, only a solitary member voted against the recharter of the bank.

All these proceedings of Pennsylvania were wholly voluntary—the stockholders of the bank taking no part whatever in them.

The bill passed by congress rechartering the bank being vetoed by the president, the bank began to make preparation for closing its concerns and distributing the capital among the stockholders. The division would have been as follows:

There were, in all, 3,417 stockholders:—Of whom there were Pennsylvanians 590, other citizens of the United States 2,267, foreigners 560.

To these the funds would be appropriated, as follows:

To the New England states,	\$3,111,000
New York and New Jersey,	4,569,000
Delaware, Maryland and the District of Columbia,	2,027,000
Virginia and North Carolina,	894,000
South Carolina and Georgia,	3,081,000
Other states,	99,000
Foreigners,	9,168,000
The government of the U. S.	6,278,000
Pennsylvania,	5,219,000

From this you will perceive that Pennsylvania, owning little more than five millions, had the use and management of thirty-five millions, of capital, and those who governed Pennsylvania very naturally reasoned thus:

Pennsylvania has embarked in a great system of improvement, which has already cost more than twenty millions of dollars. She will want more.—But if the currency is deranged, she will not be able to borrow, and her citizens must pay back the ten or twelve millions which they owe to the bank, to be dispersed among rival states or sent to Europe. Will it not be wiser to retain the capital for Pennsylvania? There is no inconsistency in doing so.—Pennsylvania has done all in her power to preserve the bank as a national institution. Failing in this, if the union will not share with her its benefits, let no one complain that she appropriates them to herself. Under the influence of such views, Pennsylvania saw with anxiety the approach of the end of the charter. The directors meanwhile went on quietly winding up its concerns. They did not apply to the legislature of Pennsylvania, nor to any other legislature, for a charter of the bank. At last, when it became evident that the capital of the institution would leave Pennsylvania, a movement was made in the legislature. It began by a joint letter from the chairman of the committee of ways and means, and the chairman of the committee on banks, to the president, asking whether the bank would accept a charter from Pennsylvania. The letter is in these words:

"Harrisburgh, January 5, 1836.

"DEAR SIR: We have been informed that the stockholders of the U. S. bank would accept a charter from this state. It is proper, in our opinion, that this subject should, as soon as possible, be brought before the action of the legislature.

"We therefore take the liberty of addressing you as the organ of that institution on the subject.

"Be good enough to inform us upon what terms this can be effected. You will understand us: we wish to know the number of years that you would be satisfied to be chartered for—the amount of capital—also, the premium and other encouragements that would be given to the state in consideration thereof.

"You need not confine your answer to these particulars, as much additional information will be proper. Yours,

JOHN H. WALKER,
E. F. PENNYPACKER.

"N. BIDDLE, esq."

This was the first step in the charter of the bank. No memorial, no solicitation from the bank itself, but a formal and official application from the legislature to the bank, inquiring if the "bank would accept a charter from this state"—"upon what terms this can be effected"—"the number of years that you would be satisfied to be chartered for"—"the premium and other encouragements that would be given to the state."

The president of the bank, in his reply, put the subject on this footing:

"The question you perceive is, what inducements can be offered to the stockholder in the other parts of the union, or in other countries, to leave his funds in Pennsylvania rather than recall them home to be employed elsewhere. As a Pennsylvanian, devotedly

attached to the interests and the fame of our state, I would give more to Pennsylvania than to any other state for the charter, and would endeavor to induce the other stockholders to do the same; yet where there are so many other states possessing equal power to grant a charter, the effort would of course be fruitless unless the charter from Pennsylvania, while it was beneficial to the state, presented a reasonable prospect of not being too burdensome to the stockholder. Both these objects should be, and I think can be, attained;—and he proceeded to explain what he deemed the true basis of an arrangement.

Accordingly, a bill passed for chartering the bank, "not to take effect until it shall have been accepted by the stockholders at a general meeting."

The stockholders, to whom this charter was thus offered, proceeded to examine it. They saw at once that the terms were very onerous: There were to be paid in money, \$4,500,000
In subscriptions to internal improvements, 675,000
In premiums on loans when wanted by the state, 600,000

Making \$5,775,000 besides other advantages. Nevertheless they resolved to accept it—partly because they had reserved out of their former earnings the means of paying the bonus, and partly because they were induced by the Pennsylvania stockholders to believe that when once the faith of the state was pledged to them, the character and the honor of the commonwealth of Pennsylvania were a sufficient guarantee against any invasion of their rights. This guarantee was given not merely under the usual solemnities of legislation, but especial care was taken by the legislature to satisfy these stockholders that if they accepted the charter they would never be disturbed. Thus, in the progress of the bill through the house of representatives, a section, (the 5th section), was introduced to this effect: "If it shall appear that the charter and privileges granted by this act are injurious to the citizens of this commonwealth, the legislature reserve full power to alter, revoke or annul any of them, at any time they may think proper."

The effect of that provision in exposing the rights of strangers to the caprice of a future legislature became obvious, and accordingly that 5th section was reconsidered in the house of representatives and amended as follows: "That if the said corporation, at any time during the continuance of the charter, shall abuse or misuse the privileges and powers hereby granted, then this charter shall be forfeited, and the said powers and privileges shall cease and become void."

To this it was objected that it might enable the legislature to claim the right of judging of these alleged abuses, and they were distinctly and decidedly informed, that if when the charter was offered to the stockholders it contained any such provision, it would be certainly and instantly rejected by them. Accordingly, when the bill reached the senate, a motion was made to strike out this fifth section, and substitute a provision, exactly similar to that in the old charter, that the fact of any violation of the charter should be first determined by the courts, before the legislature could repeal it. This passed by a unanimous vote of the senate—every member being in his place. And all attempts to give the uncontrolled right of repeal to the legislature were negatived.

Thus, a motion was made to amend as follows: "The privileges hereby granted to said bank shall be subject to such alterations and restrictions as the legislature may at any time hereafter think proper to enact for the better regulation of the banking institutions of this commonwealth, and shall be liable to such taxes, whether on dividends or otherwise, as the legislature may at any time hereafter impose."

It was rejected by a vote of eleven to twenty-two, being two to one.

Again—A motion was made to amend as follows: "Also, if it shall appear that the charter and privileges by this act granted to the bank herein mentioned, are injurious to the citizens of this commonwealth, the legislature reserve full power to alter, revoke and annul them, or any of them, at any time they may think proper."

This was rejected by a vote of twenty-one to twelve.

The facts thus briefly stated, present this case—A certain number of citizens of other states and other countries had a large amount of capital which they were about to withdraw from Pennsylvania. All the authorities of Pennsylvania interpose to prevent what they deem injurious to the state—they request these distant citizens to leave their funds in the state—they pass a law offering certain inducements for them to remain—and declare that if

they will consent to stay, they shall never be disturbed. They trust to these promises. They pay a large sum of money with which the legislature is enabled to dispense with the taxes in Pennsylvania—to continue the public works in Pennsylvania—and to educate gratuitously the citizens of Pennsylvania. They do more—they subscribe voluntarily half a million of dollars to other Pennsylvania improvements—they establish three branches to lend money to citizens of Pennsylvania—they resume their active business in Philadelphia which probably saved that city and the whole state from the general bankruptcy which would have followed the winding up of its affairs. And now after all this, certain persons are endeavoring to induce the people of Pennsylvania to violate this solemn engagement—to break the plighted faith of the commonwealth—and to annul a contract which it voluntarily sought, nay, solicited from these strangers.

You will naturally ask by what process this is to be accomplished. There is a difference of opinion—some thinking it should be done by the legislature—others, by the convention—some, with a return of the bonus—some, without it. Now, none of these will be done—or can be done—and not one of them will even be attempted.

The difficulty with the legislature is this:—They asked the stockholders to take the charter—they received the stockholders' money and gave the charter. Now, if this is not a bargain—a contract—what is? What difference is there between this and the other engagements of the state? It takes my money and gives a paper declaring that I own certain land. It takes your money and gives you a certificate of debt—to another it says, build a bridge, or a canal, or a rail road, and you shall have a paper declaring that you may take toll. They all stand on the same footing. The constitution of Pennsylvania forbids the legislature from violating any one of such engagements. It contains what it calls "a declaration of rights," as follows:

"That the general, great and essential principles of liberty and free government may be recognized and unalterably established, we declare

"That no ex post facto law, nor any law impairing contracts, shall be made."

How, then, can the legislature make a law violating its own contracts? Even were it disposed to do so, it is forbidden by a power still higher than the legislature, or even the constitution, of Pennsylvania.

The constitution of the United States is a guarantee by all the states against any wrong done by any one state. That instrument declares that "this constitution shall be the supreme law of the land, and the judges in every state shall be bound thereby—anything in the constitution or laws of any state to the contrary notwithstanding; and that constitution declares that "no state shall pass any law impairing the obligation of contracts." So obvious is this, that even Mr. Geo. M. Dallas, saw it. The character, he says, "is essentially a contract made by at least our nominal representatives with numerous persons, nine-tenths of whom are strangers to our soil, and each of whom contributed, in the payment of the bonus, some portion of his private property in execution of his share of its stipulations." "The rights which it imparted are now absolutely vested, and the constitution of the United States prohibits any state from passing any law impairing the obligation of contracts." "I am aware," he adds, "of the natural and prevailing impression that the next general assembly might be called upon to pronounce the incorporating act null and void, on the ground of its having been fraudulently, surreptitiously and corruptly obtained." "But such a movement violates fixed maxims—making declamation equivalent to proof, forfeiting private property, and passing sentence of infamy without judicial trial. We must not debase our pursuit by any such hypocritical pageantry and summary injustice." And accordingly he recommends as the only remedy, the convention. But if the legislature cannot do it, how can the convention do it?

The convention is a body created under a law of the state, entitled "an act to provide for calling a convention with limited powers."

The act declares that the convention shall have power to propose amendments of the constitution, to the people, for their ratification or rejection, and "no other or greater powers whatsoever." "To propose amendments to the constitution." Well—what is there in the constitution about the bank? How can its repeal be put into the constitution? and if it were in the constitution, what force would it have against the paramount power of the constitution of the United States, which declares that no state shall impair the obligation of a contract, either by its laws and its constitution.

If then the legislature or the convention were to attempt such a breach of faith, not merely the peo-

ple of Pennsylvania, but the people of the other states, whose citizens will be thus defrauded by Pennsylvania, would unite in putting down this usurpation.

But there is not the slightest danger that either the legislature or the convention will make this abortive attempt. There are not twenty men in Pennsylvania who would not scorn thus to degrade this ancient and honorable commonwealth. Nevertheless, that question shall be tried before the convention. It involves interests far deeper than the temporary existence of the bank—it concerns the whole character of our free institutions. If a convention in Pennsylvania can dissolve the obligations contracted by the legislature, so can a convention in New York or Virginia. If, when a legislature has pledged the faith of the state, its members may disperse, and reappearing in a few months as delegates to a convention, annul all the acts of that legislature—there can be no safety in dealing with the states. The hundred millions of money lent by Europeans on the pledge of the faith of the states—the thousand millions invested on the security of the engagements of the states, the titles to lands, and to all other property, bridges, turnpikes, canals, rail roads, banks, every private right, every corporate power, are wholly at the mercy of the state authorities, call them as you please, legislatures or conventions. The whole institutions of the country would become frauds. This must not be. It must be decided whether this Pennsylvania of ours is a virtuous community or a mere society of plunderers—nor will the honor of the state be relieved, either at home or abroad, from the stain which a few small politicians wish to fix upon her, until the convention adopts some solemn declaration that there is no power in this nation capable of violating the sacred engagements of the state authorities.—That should be done, and, if any efforts of mine may avail, that shall be done for the honor of this state, for the character of her sister states, and for the stability of all popular institutions. In the mean time there is not the least reason for anxiety about it. The question was agitated merely for the election and expired with it, and there is no party in the state at all desirous of resuming a controversy, which can only distract and injure the commonwealth. With great respect and regard,

Yours,
Hon. John Q. Adams, Washington, D. C.

INDIAN STREAM DIFFICULTIES.

REPORT OF THE COMMISSIONERS
To his excellency the governor of the state of New Hampshire.

The undersigned, commissioners, appointed under a resolution of the legislature of New Hampshire, approved June 18, 1836, "to repair to Indian Stream and collect and arrange such testimony as may be obtained to rebut and explain the charges and testimony obtained and preferred against the authorities and citizens of this state by lord Gosford, governor of the province of Lower Canada," have attended to that duty and now make the following report:

The charges made by lord Gosford are the three following, viz:

1. "The first and most serious is the irruption within the limits of this province (Lower Canada) of armed citizens of the United States, under the command of, or countenanced by an officer holding a commission in their militia, for the avowed purpose of attacking and forcibly carrying out of the province, several of H. M.'s subjects."

2. "The continued attempts of the state of New Hampshire, notwithstanding the repeated remonstrances of H. M.'s government, to exercise jurisdiction and to enforce its laws within a territory, which, until it shall be formally adjudged to be part of the United States, under the treaty of 1785, must be considered as still undetached from the original possession of Great Britain, and its inhabitants consequently within the protection of her government."

3. "The military occupation, by the state of New Hampshire, of the territory in question."

The commissioners, in order to present to your excellency and to the honorable legislature of the state a plain and intelligible account of the controversy relating to the Indian Stream territory, have given to the subject a more extended examination than was necessary simply to rebut and explain the charges of lord Gosford. The following statement of facts, it is believed, will clearly and unequivocally justify the state of New Hampshire in maintaining jurisdiction over this territory, and show that all the acts of violence there committed, are to be entirely attributed to the attempt of certain individuals in Lower Canada to extend the authority of that province over the territory in question, since the pretended award of the king of

the Netherlands, the state of New Hampshire having exercised quiet, peaceable and exclusive jurisdiction over the same from the peace of 1783 to a period subsequent to said pretended award. In the year 1789, a committee was appointed by the legislature of this state for the purpose of ascertaining the boundary lines between the state of Maine, then Massachusetts the province of Lower Canada, and this state. This committee attended to the duties assigned them, and established and marked by suitable monuments, many of which are now remaining, a boundary line of the state, including all the territory now in dispute, and making the head of Hall's river our northwestern boundary monument. That the committee were right in their construction of that part of the treaty of 1783, relative to this subject is manifest from the following:

1. This is the only head of Connecticut river that intersects with the highlands dividing the waters which fall into the Atlantic from those which fall into the St. Lawrence.

2. This is manifestly and notoriously, by far, the most north westernmost head of Connecticut river, that claimed by the British government being manifestly the most NORTH EASTERN head of Connecticut river.

3. The Magalloway river, a branch of the Androscoggin, takes its rise many miles north and west, not only of that branch of the Connecticut claimed by the British as the north westernmost head, but also north and west of Indian Stream, so that pursuing the highlands indicated by the treaty, one would never arrive at the head waters claimed by the British government as those indicated by the treaty, but would have to leave the highlands and cross the Magalloway river to attain the object.

The above fact of the true source of the Magalloway river, it is believed, is not noticed in any geography nor laid down upon any map of the country. This may be easily accounted for on account of its remote situation and unsettled state. It is nevertheless an important fact, and one which goes far not only to show that the British claim to jurisdiction over this disputed territory is unfounded, but that by the words of the treaty, New Hampshire is entitled to a much larger territory there, than we have ever yet claimed. Many of the first settlements of this territory were by persons who fled there from the neighboring states to avoid the payment of their debts, or the criminal process to which their crimes had rendered them amenable. As the population increased, the character of the inhabitants improved; and although at times some of them claimed to belong to Vermont, and at other times to Maine, and at other times to be within the jurisdiction of the United States, but not of any particular state, and at other times to be independent either of United States government or the government of Great Britain, yet the officers of the state of New Hampshire, from time to time, as occasion required, executed divers processes issuing from the courts of this state, upon the inhabitants there, and although sometimes they met with such resistance as was to be expected from the character of the inhabitants, yet no complaint was ever made on account thereof by the officers of the province of Canada, or of any foreign government whatever. Indeed the oldest inhabitants in the territory or the towns adjacent have no recollection of ever having heard of any act of any other government ever exercised within the territory, save by the state of New Hampshire. The inhabitants have uniformly resorted to New Hampshire for the purpose of being united in marriage whenever there was such a ceremony to be performed among them, and in divers other ways, such as taking advantage of our bounty laws for the destruction of certain wild animals, manifested under whose protection they lived, and to what government they supposed they owed allegiance. Affairs were in this quiet posture at this place at the time of the pretended award of the king of the Netherlands; and at a period subsequent to that, one of those restless individuals, the bane of every well-ordered society, who are never easy unless busied about the affairs of their neighbors, claiming to be a magistrate of Lower Canada, and to be acting by the direction of the governor of that province, began to claim the territory as belonging to the province of Lower Canada. This claim was now asserted in various ways, such as sending pretended warrants in the name of the king of Great Britain, into the territory. He also sent a letter directed to various individuals there, requesting them to assemble at the school house in one place on Saturday, and another on Sunday, and when they were thus assembled he met them and exhorted them to open resistance to the laws of the state, and assured them of the protection of the government of Lower Canada in so doing.

It is the opinion of the better disposed part of the community there, that all the difficulties which

have occurred at that settlement within the three or four years last past, are to be attributed to the mischievous interference of the individual alluded to, and from all the investigation which we were able to make, we were unanimously of the same opinion.

If it be the fact that Hall's stream be the north westernmost head of Connecticut river, and if the state of New Hampshire have exercised jurisdiction over this disputed territory from the peace of 1783 to the present time, and these two points are incontrovertibly proved by testimony taken by the commissioners, and accompanying this report, then the 2d and 3d cause of complaint, as set forth by lord Gosford, entirely fail, for the military occupation, spoken of by him, and the attempted jurisdiction of the state of New Hampshire, are justified by every principle of the law of nations, as well as by that protection which every government owes to its citizens.

We now proceed to state all the facts relating to the first charge of his lordship, and we have thus inverted their order because it seemed to us the most natural course, for if we had no title to the soil, then our jurisdiction was usurped and wrongful, our military occupation unjustifiable, and our whole defence untenable. In October, 1835, William M. Smith, a deputy sheriff of Coos county, had a writ put into his hands for service against one John H. Tyler, an inhabitant of the disputed territory. Smith, not knowing Tyler, and also apprehending some resistance, procured one Richard I. Blanchard and John Milton Harvey to assist him, and then proceeded to Tyler's house for the purpose of making service of the writ. Not having found said Tyler at his house, they went in pursuit of him agreeably to the directions which they had received, and soon met said Tyler. Smith then requested said Tyler to show him property, that it might be attached on the writ, which he refused to do, he was arrested by said Smith, who was proceeding with said Tyler in custody, when he was forcibly rescued from said Smith's possession by several of the inhabitants.

Upon this, the individual before referred to as the occasion of all the difficulties at this place, issued a warrant in the name of the king of Great Britain, against said Smith, Blanchard and Harvey, for attempting to execute process there, not issued by authority of the king of Great Britain, and sent it into the settlement for the purpose of having it served upon the individuals against whom it had issued. This was done with a full knowledge of the fact that this state had, by a resolution of the legislature, determined to maintain its jurisdiction over the territory until the boundary line should be definitely and satisfactorily settled.

By virtue of this pretended warrant, on the 22d day of October, A. D. 1835, said Blanchard was taken from his own dwelling house, by an armed body of men, with the express and avowed purpose of carrying him into Canada for trial, on the absurd charge of having assisted in serving a writ duly issued by the competent authority of the county of Coos.

The news of this outrage was immediately spread through the adjacent towns, and excited very great indignation against its perpetrators. The inhabitants very generally, upon being notified of the fact, expressed a determination not to suffer their fellow citizens thus to be taken from his home and carried out of the state, without an attempt at least on their part to rescue him. In pursuance of this determination, several citizens of the neighborhood went over the line dividing this state from the province of Lower Canada, for the purpose of intercepting those who had said Blanchard in custody, and effecting his release. This was effected without any violence, and so far from being done under the direction of any military officer, it was an entirely spontaneous assembly of citizens aroused by what they deemed a gross outrage upon the rights of one of their fellow citizens, subject to the direction of no military or civil officer of the state. How far this proceeding is to be palliated or justified, the wisdom of the legislature may best determine. The facts are here stated. After said Blanchard had been thus rescued, the individuals who had turned out for that purpose, assembled at the store of Parmelee & Joy, in Canaan, Vermont. Among the number was Wm. M. Smith, the deputy sheriff before spoken of, who had previously arrested one John H. Tyler, who had been rescued from him in the manner before stated. He then offered a reward of five dollars to any one who would deliver said Tyler to him. A notion seemed very generally to prevail, amongst those who were then present, that said Tyler having once been legally made a prisoner, by the arrest of said Smith, might be retaken again wherever he could be found. This John H. Tyler was one of those who had said Blanchard in custody at the

time he was rescued in the manner before stated. After Smith, the deputy sheriff, had offered this reward for the recapture of said Tyler, several of the individuals who had left their homes for the avowed and express purpose of rescuing Blanchard, unadvisedly and improperly went over the line for the purpose of retaking Tyler, they having at that time the impression that they were justified in so doing. No sooner were these individuals over the line than they were set upon in a furious, boisterous and outrageous manner by the individual before referred to, as the cause of all the difficulty at the Indian Stream settlement, and the very individual who had issued the warrant by which Blanchard had been dragged from his home as before stated.

The individual came upon them while they were peaceably and quietly demeaning themselves, having offered or threatened violence to no one, and ordered them off the highway, and attempted to make prisoners of them, and called upon those who were with him to assist. The New Hampshire citizens, not relishing the idea of thus being made prisoners, resisted, and being assaulted with great violence by the inhabitants of Canada, their horses' bridles seized, and stones thrown violently at them, defended themselves with such arms as they had with them having taken them at the time they turned out for the rescue of Blanchard. We do not undertake to state with accuracy all the particulars of the skirmish which ensued upon this assault, but we are confident in the assertion that the first violence offered or threatened was that done to citizens of New Hampshire by citizens of Canada. The result was that the individual who commenced the brawl was violently seized and brought over the line into Vermont and there detained some hours, and finally set at large.

As to the assertion that the late gov. Badger was connected with a band of speculators claiming the territory of Indian Stream as their private property, we are aware of no rule of courtesy or etiquette which requires us to call it by any milder name than falsehood.

The commissioners, in conclusion, are happy in being able to inform your excellency and the legislature, that the inhabitants of this section of our state are now in as quiet and peaceable condition, as free from internal commotion, or foreign interference, as any portion of the state whatever. The citizens there, who were friendly to the preservation of good order and the wholesome administration of the laws, and who had begun to apprehend that they were neglected, have been assured that the protecting energies of the state are extended to all within her borders, while the lawless and the vicious have been made to feel that their remote situation affords no sanctuary for crime.

We have no hesitation in saying that the people are now contented and happy under the government of the state, and that in future there will be no need of any farther aid from the militia, to assist the civil officers in the due execution of their respective duties.

The commissioners are of opinion that the measures adopted by the late governor of this state, the hon. William Badger, in relation to this subject, were wise and judicious, and that to his prompt and efficient interference to maintain the integrity of the state and dignity of the laws, is to be attributed the present quiet condition of the inhabitants there.

JOSEPH LOW,
RALPH METCALF,
JOHN P. HALE,
Commissioners.

Nov. 23, 1836.

TWENTY-FOURTH CONGRESS, SECOND SESSION—SENATE.

December 5. The senate assembled at 12 o'clock. The vice president took the chair and the senators appeared in their seats.

Mr. Ruggles, from Maine; Messrs. Hubbard and Page, from New Hampshire; Messrs. Prentiss and Swift, from Vermont; Mr. Davis from Massachusetts; Messrs. Knight and Robbins, from Rhode Island; Messrs. Niles and Tomlinson, from Connecticut; Mr. Wright, from New York; Messrs. Southard and Wall, from New Jersey; Messrs. Buchanan and McKean, from Pennsylvania; Mr. Bayard, from Delaware; Mr. Kent, from Maryland; Mr. Rives, from Virginia; Mr. King, from Georgia; Messrs. Ewing and Morris, from Ohio; Messrs. Clay and Crittenden, from Kentucky; Messrs. Grundy and White, from Tennessee; Messrs. Hendricks and Tipton, from Indiana; Messrs. Robinson and Ewing, from Illinois; Messrs. King and Moore, from Alabama; Mr. Walker, from Mississippi; Messrs. Benton and Linn, from Missouri.

Mr. Benton presented the credentials of Messrs. Fulton and Sevier, senators elect from the new state of Arkansas.

Messrs. Fulton and Sevier were qualified, and took their seats.

The following resolution was offered by Mr. Benton, and adopted:

Resolved, That the senate proceed to ascertain the classes in which the senators of the state of Arkansas shall be inserted, in conformity with the resolution of the 14th May, 1789, and as the constitution requires.

On motion of Mr. Benton, it was then

Ordered, That the secretary put into the ballot box three papers of equal size, numbered 1, 2, 3. Each of the senators from the state of Arkansas shall draw out one paper. Number 1, if drawn, shall entitle the member to be placed in the class of senators whose term of service will expire the 3d day of March, 1837; number 2 in the class whose term will expire the 3d day of March, 1839; and number 3 in the class whose term will expire the 3d day of March, 1841.

It was accordingly so determined, by lot, that Mr. Sevier's term should expire in 1837, and Mr. Fulton's in 1841.

On motion of Mr. Grundy, the secretary of the senate was directed to inform the house of representatives that a quorum of the senate was present, and ready to proceed to business.

On motion of Mr. Grundy, a committee was ordered to be appointed on the part of the senate, on a joint committee of both houses, to wait on the president of the United States, and inform him that a quorum of both houses of congress are assembled, and ready to receive from him such communication as he may be pleased to make.

Messrs. Grundy and Swift were appointed by the chair members of said committee, on the part of the senate.

The chair presented a communication from the secretary of the senate, with a statement of the contingent expenses of the senate for the year ending on the 3d of December, 1836. Laid on the table.

Mr. Linn offered the usual resolution to supply the members of the senate with newspapers during the session. Adopted.

The chair presented the following letter of resignation from the secretary of the senate:

Washington, December 5, 1836.

Hon. Martin Van Buren vice president of the U. S. and president of the senate:

SIR: I herewith resign the office of secretary of the senate of the United States.

Having so long possessed the confidence of the senate, and enjoyed such continued and friendly intercourse with its members, it is with feelings of deep and painful sensibility I now separate from them; and these feelings are greatly increased, when I reflect on the courtesy and kindness I have received from yourself, as the presiding officer of the senate, and on the uniform and unbroken confidence and friendship which have for so many years subsisted between us. No length of time or change of circumstances will ever efface from my mind the recollections growing out of these associations; and I shall always rejoice to hear of your prosperity and happiness, and of that of every member of the senate.

[WALTER LOWRIE.]

On motion of Mr. Benton, it was

Ordered, That the chief clerk of the senate perform the duties of secretary till a secretary be appointed.

Mr. Machen accordingly took the requisite oath. Messrs. McKean, Tomlinson and Hendricks were appointed by the chair, on motion of Mr. Wall, as the committee of accounts of the senate.

A message was received from the house of representatives, by Mr. Franklin, their clerk, informing the senate that a quorum of the house had assembled, and had appointed on their part members of a joint committee to wait on the president of the United States.

On motion of Mr. Hubbard, the senate adjourned till 12 o'clock to-morrow.

December 6. Mr. Grundy, from the joint committee appointed to wait on the president of the United States, informed the senate that they had performed the duty assigned them, and that the president had expressed to them his intention to make a communication to the two houses of congress this day at 12 o'clock.

THE ANNUAL MESSAGE

From the president of the United States was then received and read by the acting secretary, (Lewis H. Machen, esq.) as follows:

Fellow citizens of the senate

and of the house of representatives,

Addressing to you the last annual message I shall ever present to the congress of the United States, it is a source of the most heartfelt satisfaction to be able to congratulate you on the high state of prosperity which our beloved country has attained

with no causes at home or abroad to lessen the confidence with which we look to the future for continuing proofs of the capacity of our free institutions to produce all the fruits of good government, the general condition of our affairs may well excite our national pride.

I cannot avoid congratulating you and my country, particularly, on the success of the efforts made during my administration by the executive and legislature, in conformity with the sincere, constant and earnest desire of the people, to maintain peace, and establish cordial relations with all foreign powers. Our gratitude is due to the Supreme Ruler of the universe, and I invite you to unite with me in offering to Him fervent supplication, that his providential care may be ever extended to those who follow us, enabling them to avoid the dangers and the horrors of war, consistently with a just and indispensable regard to the rights and honor of our country. But, although the present state of our foreign affairs, standing, without important change, as they did when you separated in July last, is flattering in the extreme, I regret to say, that many questions of an interesting nature at issue with others powers are yet unadjusted. Amongst the most prominent of these is that of the north eastern boundary. With an undiminished confidence, in the sincere desire of his Britannic majesty's government to adjust that question, I am not yet in possession of the precise grounds upon which it proposes a satisfactory adjustment.

With France our diplomatic relations have been resumed, and under circumstances which attest the disposition of both governments to preserve a mutually beneficial intercourse, and foster those amicable feelings which are so strongly required by the true interests of the two countries. With Russia, Austria, Prussia, Naples, Sweden and Denmark, the best understanding exists, and our commercial intercourse is gradually expanding itself with them. It is encouraged in all these countries, except Naples, by their mutually advantageous and liberal treaty stipulations with us.

The claims of our citizens on Portugal are admitted to be just, but provision for the payment of them has been unfortunately delayed by frequent political changes in that kingdom.

The blessings of peace have not been secured by Spain. Our connections with that country are on the best footing, with the exception of the burdens still imposed upon our commerce with her possessions out of Europe.

The claims of American citizens for losses sustained at the bombardment of Antwerp have been presented to the government of Holland and Belgium, and will be pressed, in due season, to settlement.

With Brazil, and all our neighbors of this continent, we continue to maintain relations of amity and concord, extending our commerce with them as far as the resources of the people and the policy of their government will permit. The just and long standing claims of our citizens upon some of them, are yet sources of dissatisfaction and complaint. No danger is apprehended, however that they will not be peaceably, although tardily, acknowledged and paid by all, unless the irritating effect of her struggle with Texas should unfortunately make our immediate neighbor, Mexico, an exception.

It is already known to you, by the correspondence between the two governments, communicated at your last session, that our conduct in relation to that struggle is regulated by the same principles that governed us in the dispute between Spain and Mexico herself, and, I trust, that it will be found, on the most severe scrutiny, that our acts have strictly corresponded with our professions. That the inhabitants of the United States should feel strong prepossessions for the one party is not surprising. But this circumstance should, of itself, teach us great caution, least it lead us into the great error of suffering public policy to be regulated by partiality or prejudice; and there are considerations connected with the possible result of this contest between the two parties, of so much delicacy and importance to the United States, that our character requires that we should neither anticipate events, nor attempt to control them.—The known desire of the Texans to become a part of our system, although its gratification depends upon the reconciliation of various and conflicting interests, necessarily a work of time, and uncertain in itself, is calculated to expose our conduct to misconception in the eyes of the world.—There are already those who, indifferent to principle themselves, and prone to suspect the want of it in others, charge us with ambitious designs and insidious policy. You will perceive, by the accompanying documents, that the extraordinary mission from Mexico has been terminated, on the sole

grounds that the obligations of this government to itself and to Mexico, under treaty stipulations, have compelled me to trust a discretionary authority to a high officer of our army, to advance into territory claimed as part of Texas, if necessary to protect our own or the neighboring frontier from Indian depredation. In the opinion of the Mexican functionary who has just left us, the honor of this country will be wounded by American soldiers entering, with the most amicable avowed purposes, upon ground from which the followers of his government have been expelled, and over which there is at present no certainty of a serious effort on its part being made to re-establish its dominion. The departure of this minister was the more singular, as he was apprised that the sufficiency of the causes assigned for the advance of our troops by the commanding general had been seriously doubted by me; and that there was every reason to suppose that the troops of the United States—their commander having had time to ascertain the truth or falsehood of the information upon which they had been marched to Nacogdoches—would be either there in perfect accordance with the principles admitted to be just in his conference with the secretary of state, by the Mexican minister himself, or were already withdrawn in consequence of the impressive warnings their commanding officer had received from the department of war. It is hoped and believed that his government will take a more dispassionate and just view of this subject, and not be disposed to construe a measure of justifiable precaution, made necessary by its known inability, in execution of the stipulations of our treaty, to act upon the frontier, into an encroachment upon its rights, or a stain upon its honor.

In the mean time, the ancient complaints of injustice, made on behalf of our citizens are disregarded, and new causes of dissatisfaction have arisen, some of them of a character requiring prompt remonstrance, and ample and immediate redress. I trust, however, by tempering firmness with courtesy, and acting with great forbearance upon every incident that has occurred, or that may happen, to do and to obtain justice, and thus avoid the necessity of again bringing this subject to the view of congress.

It is my duty to remind you, that no provision has been made to execute our treaty with Mexico for tracing the boundary line between the two countries. Whatever may be the prospect of Mexico being soon able to execute the treaty on its part, it is proper that we should be, in anticipation, prepared at all times to perform our obligations, without regard to the probable condition of those with whom we have contracted them.

The result of the confidential inquiries made into the condition and prospects of the newly declared Texian government, will be communicated to you in the course of the session.

Commercial treaties, promising great advantages to our enterprising merchants and navigators, have been formed with the distant governments of Muscat and Siam. The ratifications have been exchanged, but have not reached the department of state; copies of the treaties will be transmitted to you, if received before, or published, if arriving after the close of the present session of congress.

Nothing has occurred to interrupt the good understanding that has long existed with the Barbary powers, nor to check the good will which is gradually growing up in our intercourse with the dominions of the government of the distinguished chief of the Ottoman empire.

Information has been received at the department of state that a treaty with the emperor of Morocco has just been negotiated, which, I hope, will be received in time to be laid before the senate previous to the close of the session.

You will perceive, from the report of the secretary of the treasury, that the financial means of the country continue to keep pace with its improvement in all other respects. The receipts into the treasury during the present year, will amount to about \$47,691,898; those from customs being estimated at \$22,528,151; those from lands at about \$24,000,000, and the residue from miscellaneous sources. The expenditures for all objects during the year, are estimated not to exceed \$23,000,000, which will leave a balance in the treasury for public purposes, on the first day of January next, of about \$1,723,959. This sum with, the exception five millions, will be transferred to the several states, in accordance with the provisions of the act regulating the deposits of the public money.

The unexpended balances of appropriation, on the 1st day of January next, are estimated \$14,636,062, exceeding by \$9,636,062, the amount which will be left in the deposit banks, subject to the draft of the treasurer of the United States, after the contemplated transfers to the several states are

made. If, therefore, the future receipts should not be sufficient to meet these outstanding and future appropriations, there may be soon a necessity to use a portion of the funds deposited with the states.

The consequences apprehended, when the deposit act of the last session received a reluctant approval, have been measurably realized. Though an act merely for the deposit of the surplus moneys of the United States in the state treasuries, for safe keeping, until they may be wanted for the service of the general government, it has been extensively spoken of as an act to give the money to the several states, and they have been advised to use it as a gift, without regard to the means of refunding it when called for. Such a suggestion has doubtless been made without a due consideration of the obligation of the deposit act, and without a proper attention to the various principles and interests which are affected by it.

It is manifest that the law itself cannot sanction such a suggestion, and that, as it now stands, the states have no more authority to receive and use these deposits without intending to return them, than any deposit bank, or any individual temporarily charged with the safe keeping or application of the public money, would now have for converting the same to their private use, without the consent and against the will of the government. But independently of the violation of public faith, and moral obligation which are involved in this suggestion, when examined in reference to the terms of the present deposit act, it is believed that the considerations which should govern the future legislation of congress on this subject, will be equally conclusive against the adoption of any measure recognizing the principles on which the suggestion has been made.

Considering the intimate connection of the subject with the financial interests of the country, and its great importance in whatever aspect it can be viewed, I have bestowed upon it the most anxious reflection, and feel it to be my duty to state to congress such thoughts as have occurred to me, to aid their deliberation in treating it in the manner best calculated to conduce to the common good.

The experience of other nations admonished us to hasten the extinguishment of the public debt. But it will be in vain that we have congratulated each other upon the disappearance of this evil, if we do not guard against the equally great one of promoting the unnecessary accumulation of public revenue. No political maxim is better established than that which tells us that an improvident expenditure of money is the parent of profligacy, and that no people can hope to perpetuate their liberties who long acquiesce in a policy which taxes them for object not necessary to the legitimate and real wants of their government.

Flattering as is the condition of our country at the present period, because of its unexampled advance in all the steps of social and political improvement, it cannot be disguised that there is a lurking danger already apparent in the neglect of this warning truth, and that the time has arrived when the representatives of the people should be employed in devising some more appropriate remedy than now exists, to avert it.

Under our present revenue system, there is every probability that there will continue to be a surplus beyond the wants of the government; and it has become our duty to decide whether such a result be consistent with the true objects of our government.

Should a surplus be permitted to accumulate, beyond the appropriations, it must be retained in the treasury as it now is, or distributed among the people or the states.

To retain it in the treasury, unemployed in any way, is impracticable. It is, besides, against the genius of our free institutions to lock up in vaults the treasure of the nation. To take from the people the right of bearing arms, and put their weapons of defence in the hands of a standing army, would be scarcely more dangerous to their liberties than to permit the government to accumulate immense amounts of treasure beyond the supplies necessary to its legitimate wants. Such a treasure would doubtless be employed, at some time, as it has been in other countries, when opportunity tempted ambition.

To collect it merely for distribution to the states, would seem to be highly impolitic, if not as dangerous as the proposition to retain it in the treasury. The shortest reflection must satisfy every one that to require the people to pay taxes to the government merely that they may be paid back again, is sporting with the substantial interests of the country, and no system which produces such a result can be expected to receive the public countenance. Nothing could be gained by it, even if each individual who contributed a portion of the tax could receive back promptly the same portion. But it is

apparent that no system of the kind can ever be enforced, which will not absorb a considerable portion of the money, to be distributed in salaries and commissions to the agents employed in the process, and in the various losses and depreciations which arise from other causes; and the practical effect of such an attempt must ever be to burden the people with taxes, not for purposes beneficial to them, but to swell the profits of deposit banks, and support a band of useless public officers.

A distribution to the people is impracticable and unjust in other respects. It would be taking one man's property and giving it to another. Such would be the unavoidable result of a rule of equality (and none other is spoken of, or would be likely to be adopted) inasmuch as there is no mode by which the amount of the individual contributions of our citizens to the public revenue can be ascertained. We know that they contribute *unequally*, and a rule therefore that would distribute to them *equally*, would be liable to all the objections which apply to the principle of an equal division of property. To make the general government the instrument of carrying this odious principle into effect, would be at once to destroy the means of its usefulness, and change the character designed for it by the framers of the constitution.

But the more extended and injurious consequences likely to result from a policy which would collect a surplus revenue for the purpose of distributing it, may be forcibly illustrated by an examination of the effects already produced by the present deposit act. This act, although certainly designed to secure the safe keeping of the public revenue, is not entirely free in its tendencies from many of the objections which apply to this principle of distribution. The government had, without necessity, received from the people a large surplus, which, instead of being employed as heretofore, and returned to them by means of the public expenditure, was deposited with sundry banks. The banks proceeded to make loans upon this surplus, and thus converted it into banking capital, and in this manner it has tended to multiply bank charters, and has had a great agency in producing a spirit of wild speculation. The possession and use of the property out of which this surplus was created belong to the people; but the government has transferred its possession to incorporated banks, whose interest and effort it is to make large profits out of its use. This process need only be stated to show its injustice and bad policy.

And the same observations apply to the influence which is produced by the steps necessary to collect, as well as to distribute such a revenue. About three-fifths of all the duties on imports are paid in the city of New York, but it is obvious that the means to pay those duties are drawn from every quarter of the union. Every citizen in every state, who purchases and consumes an article which has paid a duty at that port, contributes to the accumulating mass. The surplus collected there, must, therefore, be made up of moneys of property withdrawn from other points and other states. Thus the wealth and business of every region from which these surplus funds proceed, must be, to some extent, injured; while that of the place where the funds are concentrated, and are employed in banking, are proportionably extended. But both in making the transfer of the funds which are first necessary to pay the duties and collect the surplus—and in making the retransfer, which becomes necessary when the time arrives for the distribution of that surplus—there is a considerable period when the funds cannot be brought into use; and it is manifest that, besides the loss inevitable from such an operation, its tendency is to produce fluctuations in the business of the country, which are always productive of speculation, and detrimental to the interests of regular trade. Argument can scarcely be necessary to show that a measure of this character ought not to receive further legislative encouragement.

By examining the practical operation of the ratio for distribution, adopted in the deposit bill of the last session, we shall discover other features, that appear equally objectionable. Let it be assumed, for the sake of argument, that the surplus moneys to be deposited with the states have been collected, and belong to them, in the ratio of their federal representative population—an assumption founded upon the fact that any deficiencies in our future revenue from imports and public lands, must be made up by direct taxes, collected from the states in that ratio. It is proposed to distribute the surplus, say \$30,000,000, not according to the ratio in which it has been collected and belongs to the people of the states, but in that of their votes in the colleges of electors of president and vice president. The effect of a distribution upon that ratio is shown by the annexed table, marked A. [See page 235.]

By an examination of that table, it will be perceived, that in the distribution of a surplus of \$30,000,000, upon that basis, there is a great departure from the principle which regards representation as the true measure of taxation: and it will be found that the tendency of that departure will be to increase whatever inequalities have been supposed to attend the operation of our federal system in respect to its bearings upon the different interests of the union. In making the basis of representation the basis of taxation, the framers of the constitution intended to equalize the burdens which are necessary to support the government; and the adoption of that ratio, while it accomplished this object, was also the means of adjusting other great topics arising out of the conflicting views respecting the political equality of the various members of the confederacy. Whatever, therefore, disturbs the liberal spirit of the compromises which established a rule of taxation so just and equitable, and which experience has proved to be so well adapted to the genius and habits of our people, should be received with the greatest caution and distrust.

A bare inspection, in the annexed table, of the differences produced by the ratio used in the deposit act, compared with the results of a distribution according to the ratio of direct taxation, must satisfy every unprejudiced mind, that the former ratio contravenes the spirit of the constitution, and produces a degree of injustice in the operation of the federal government which would be fatal to the hope of perpetuating it. To the ratio of direct taxation, for example, the state of Delaware, in the collection of \$30,000,000 of revenue, would pay into the treasury \$188,716: and in a distribution of \$30,000,000 she would receive back from the government, according to the ratio of the deposit bill, the sum of \$306,122: and similar results would follow the comparison between the small and large states throughout the union; thus realizing to the small states an advantage which would be doubtless as unacceptable to them as a motive for incorporating the principle in any system which would produce it, as it would be inconsistent with the rights and expectations of the large states.—It was certainly the intention of that provision of the constitution which declares that "all duties, imposts and excises" shall "be uniform throughout the United States," to make the burdens of taxation fall equally upon the people in whatever state of the union they may reside. But what would be the value of such a uniform rule if the moneys raised by it could be immediately returned by a different one which will give to the people of some states much more, and to those of others much less, than their fair proportions? Were the federal government to exempt, in express terms, the imports, products and manufactures of some portions of the country from all duties, while it imposed heavy ones on others, the injustice could not be greater. It would be easy to show how, by the operation of such a principle, the large states of the union would not only have to contribute their just share towards the support of the federal government, but also have to bear in some degree the taxes necessary to support the governments of their smaller sisters; but it is deemed unnecessary to state the details where the general principle is so obvious.

A system liable to such objections can never be supposed to have been sanctioned by the framers of the constitution, when they conferred on congress the taxing power: and I feel persuaded that a mature examination of the subject will satisfy every one that there are insurmountable difficulties in the operation of any plan which can be devised of collecting revenue for the purpose of distributing it. Congress is only authorised to levy taxes "to pay the debts and provide for the common defence and general welfare of the United States." There is no such provision as would authorise congress to collect together the property of the country, under the name of revenue, for the purpose of dividing it equally or unequally among the states or the people. Indeed, it is not probable that such an idea ever occurred to the states when they adopted the constitution. But, however this may be, the only safe rule for us in interpreting the powers granted to the federal government, is to regard the absence of express authority to touch a subject so important and delicate as this is, as equivalent to a prohibition.

Even if our powers were less doubtful in this respect, as the constitution now stands, there are considerations afforded by recent experience, which would seem to make it our duty to avoid a resort to such a system.

All will admit that the simplicity and economy of the state governments, mainly depend on the fact that money has to be supplied to support them by the same men, or their agents, who vote it away

in appropriations. Hence, when there are extravagant and wasteful appropriations, there must be a corresponding increase of taxes: and the people, becoming awakened, will necessarily scrutinize the character of measures which thus increase their burdens. By the watchful eye of self-interest, the agents of the people in the state governments are repressed, and kept within the limits of a just economy. But if the necessity of levying the taxes be taken from those who make the appropriations, and thrown upon a more distant and less responsible set of public agents, who have power to approach the people by an indirect and stealthy taxation, there is reason to fear that prodigality will soon supersede those characteristics which have thus far made us look with so much pride and confidence to the state governments, as the main stay of our union and liberties. The state legislatures, instead of studying to restrict their state expenditures to the smallest possible sum, will claim credit for their profusion, and harass the general government for increased supplies. Practically, there would soon be but one taxing power, and that vested in a body of men far removed from the people, in which the farming and mechanic interests would scarcely be represented. The states would gradually lose their purity as well as their independence; they would not dare to murmur at the proceedings of the general government, lest they should lose their supplies; all would be merged in a practical consolidation, cemented by wide-spread corruption, which could only be eradicated by one of those bloody revolutions which occasionally overthrow the despotic systems of the old world.

In all the other aspects in which I have been able to look at the effect of such a principle of distribution upon the best interests of the country, I can see nothing to compensate for the disadvantages to which I have adverted. If we consider the protective duties, which are, in a great degree, the source of the surplus revenue, beneficial to one section of the union, and prejudicial to another, there is no corrective for the evil in such a plan of distribution. On the contrary, there is reason to fear that all the complaints which have sprung from this cause would be aggravated. Every one must be sensible that a distribution of the surplus must beget a disposition to cherish the means which create it; and any system, therefore, into which it enters, must have a powerful tendency to increase, rather than diminish the tariff. If it were even admitted that the advantages of such a system could be made equal to all the sections of the union, the reasons already so urgently calling for a reduction of the revenue, would, nevertheless, lose none of their force; for it will always be improbable that an intelligent and virtuous community can consent to raise a surplus for the mere purpose of dividing it, diminished as it must inevitably be by the expenses of the various machinery necessary to the process.

The safest and simplest mode of obviating all the difficulties which have been mentioned, is to collect only revenue enough to meet the wants of the government, and let the people keep the balance of the property in their own hands, to be used for their own profit. Each state will then support its own government, and contribute its due share towards the support of the general government. There would be no surplus to cramp and lessen the resources of individual wealth and enterprise, and the banks would be left to their ordinary means.—Whatever agitations and fluctuations might arise from our unfortunate paper system, they could never be attributed, justly or unjustly, to the action of the federal government. There would be some guaranty that the spirit of wild speculation, which seeks to convert the surplus revenue into banking capital, would be effectually checked, and that the scenes of demoralization, which are now so prevalent through the land, would disappear.

Without desiring to conceal that the experience and observation of the last two years, have operated a partial change in my views upon this interesting subject, it is nevertheless regretted that the suggestions made by me in my annual messages of 1829 and 1830, have been greatly misunderstood. At that time, the great struggle was begun against that latitudinarian construction of the constitution, which authorises the unlimited appropriation of the revenues of the union to internal improvements within the states, tending to invest in the hands, and place under the control, of the general government, all the principal roads and canals of the country, in violation of state rights, and in derogation of state authority. At the same time, the condition of the manufacturing interest was such as to create an apprehension that the duties on imports could not, without extensive mischief, be reduced in season to prevent the accumulation of a considerable surplus after the payment of the national debt. In view of the dangers of such a surplus, and in pre-

ference to its application to internal improvements, in derogation of the rights and powers of the states, the suggestion of an amendment of the constitution to authorise its distribution was made. It was an alternative for what were deemed greater evils—a temporary resort to relieve an overburdened treasury until the government could, without a sudden and destructive revulsion in the business of the country, gradually return to the just principle of raising no more revenue from the people, in taxes, than is necessary for its economical support. Even that alternative was not spoken of but in connection with an amendment of the constitution. No temporary inconvenience can justify the exercise of a prohibited power, or a power not granted by that instrument; and it was from a conviction that the power to distribute even a temporary surplus of revenue is of that character, that it was suggested only in connection with an appeal to the source of all legal power in the general government, the states which have established it. No such appeal has been taken, and in my opinion a distribution of the surplus revenue by congress, either to the states or the people, is to be considered as among the prohibitions of the constitution. As already intimated, my views have undergone a change, so far as to be convinced that no alteration of the constitution in this respect is wise or expedient. The influence of an accumulating surplus upon the legislation of the general government and the states, its effects upon the credit system of the country, producing dangerous extensions and ruinous contractions, fluctuations in the price of property, rash speculation, idleness, extravagance, and a deterioration of morals, have taught us the important lesson, that any transient mischief which may attend the reduction of our revenue to the wants of our government, is to be borne in preference to an overflowing treasury.

I beg leave to call your attention to another subject intimately associated with the preceding one—the currency of the country.

It is apparent, from the whole context of the constitution, as well as the history of the times which gave birth to it, that it was the purpose of the convention to establish a currency consisting of the precious metals. These, from their peculiar properties, which rendered them the standard of value in all other countries, were adopted in this, as well to establish its commercial standard in reference to foreign countries by a permanent rule, as to exclude the use of a mutable medium of exchange, such as of certain agricultural commodities, recognized by the statutes of some states as a tender for debts, or the still more pernicious expedient of a paper currency. The last, from the experience of the evils of the issues of paper during the revolution, had become so justly obnoxious, as not only to suggest the clause in the constitution forbidding the emission of bills of credit by the states, but also to produce that vote in the convention which negatived the proposition to grant power to congress to charter corporations—a proposition well understood at the time, as intended to authorise the establishment of a national bank, which was to issue a currency of bank notes, on a capital to be created to some extent out of government stocks. Although this proposition was refused by a direct vote of the convention, the object was afterwards in effect obtained, by its ingenious advocates, through a strained construction of the constitution. The debts of the revolution were funded, at prices which formed no equivalent compared with the nominal amount of the stock, and under circumstances which exposed the motives of some of those who participated in the passage of the act to distrust.

The facts that the value of the stock was greatly enhanced by the creation of the bank, that it was well understood that such would be the case, and that some of the advocates of the measure were largely benefitted by it, belong to the history of the times, and are well calculated to diminish the respect which might otherwise have been due to the action of the congress which created the institution.

On the establishment of a national bank, it became the interest of its creditors, that gold should be superseded by the paper of the bank, as a general currency. A value was soon attached to the gold coins, which made their exportation to foreign countries, as a mercantile commodity, more profitable than their retention and use at home as money. It followed, as a matter of course, if not designed by those who established the bank, that the bank became, in effect, a substitute for the mint of the United States.

Such was the origin of a national bank currency, and such the beginning of those difficulties which now appear in the excessive issues of the banks incorporated by the various states.

Although it may not be possible, by any legislative means within our power, to change at once the

system which has thus been introduced, and has received the acquiescence of all portions of the country, it is certainly our duty to do all that is consistent with our constitutional obligations in preventing the mischiefs which are threatened by its undue extension. That the efforts of the fathers of our government to guard against it by a constitutional provision were founded on an intimate knowledge of the subject, has been frequently attested by the bitter experience of the country. The same causes which led them to refuse their sanction to a power authorising the establishment of incorporations for banking purposes, now exist in a much stronger degree to urge us to exert the utmost vigilance in calling into action the means necessary to correct the evils resulting from the unfortunate exercise of the power, and it is to be hoped that the opportunity for effecting this great good, will be improved before the country witnesses new scenes of embarrassment and distress.

Variableness must ever be the characteristic of a currency, of which the precious metals are not the chief ingredient, or which can be expanded or contracted without regard to the principles that regulate the value of those metals as a standard in the general trade of the world. With us bank issues constitute a currency, and must ever do so until they are made dependent on those just proportions of gold and silver, as a circulating medium, which experience has proved to be necessary, not only in this, but in all other commercial countries. Where those proportions are not infused into the circulation, and do not control it, it is manifest that prices must vary according to the tide of bank issues, and the value and stability of property must stand exposed to all the uncertainty which attends the administration of institutions that are constantly liable to the temptation of an interest distinct from that of the community in which they are established.

The progress of an expansion, or rather a depreciation of the currency, by excessive bank issues, is always attended by a loss to the laboring classes. This portion of the community have neither time nor opportunity to watch the ebbs and flows of the money market. Engaged from day to day in their useful toils, they do not perceive that although their wages are nominally the same, or even somewhat higher, they are greatly reduced in fact by the rapid increase of a spurious currency, which, as it appears to make money abound, they are at first inclined to consider a blessing. It is not so with the speculator, by whom this operation is better understood, and is made to contribute to his advantage. It is not until the prices of the necessities of life become so dear that the laboring classes cannot supply their wants out of their wages, that the wages rise, and gradually reach a justly proportioned rate to that of the products of their labor. When thus by the depreciation in consequence of the quantity of paper in circulation, wages as well as prices become exorbitant, it is soon found that the whole effect of the adulteration is a tariff on our home industry for the benefit of the countries where gold and silver circulate, and maintain uniformity and moderation in prices. It is then perceived that the enhancement of the price of land and labor produces a corresponding increase in the price of products, until these products do not sustain a competition with similar ones in other countries; and thus both manufactured and agricultural productions cease to bear exportation from the country of the spurious currency, because they cannot be sold for cost. This is the process by which specie is banished by the paper of the banks. Their vaults are soon exhausted to pay for foreign commodities, the next step is a stoppage of specie payment; a total degradation of paper as a currency; unusual depression of prices; the ruin of debtors, and the accumulation of property in the hands of creditors and cautious capitalists.

It was in view of these evils, together with the dangerous power wielded by the bank of the United States, and its repugnance to our constitution, that I was induced to exert the power conferred upon me by the American people, to prevent the continuance of that institution. But, although various dangers to our republican institutions have been obviated by the failure of that bank to extort from the government a renewal of its charter, it is obvious that little has been accomplished, except a salutary change of public opinion, towards restoring to the country the sound currency provided for in the constitution. In the acts of several of the states prohibiting the circulation of small notes, and the auxiliary enactments of congress at the last session forbidding their reception or payment on public account, the true policy of the country has been advanced, and a larger portion of the precious metals infused into our circulating medium. These mea-

sures will probably be followed up, in due time, by the enactment of state laws banishing from circulation bank notes of still high denominations; and the object may be materially promoted by further acts of congress, forbidding the employment, as fiscal agents, of such banks as continue to issue notes of low denominations, and throw impediments in the way of the circulation of gold and silver.

The effects of an extension of bank credits and over issues of bank paper, have been strikingly illustrated in the sales of the public lands. From the returns made by the various registers and receivers in the early part of last summer, it was perceived that the receipts arising from the sales of the public lands were increasing to an unprecedented amount. In effect, however, these receipts amounted to nothing more than credits in bank. The banks lent out their notes to speculators; they were paid to the receivers, and immediately returned to the banks, to be lent out again and again, being mere instruments to transfer to speculators the most valuable public land, and pay the government by a credit on the books of the banks. Those credits on the books of some of the western banks, usually called deposits, were already greatly beyond their immediate means of payment, and were rapidly increasing. Indeed each speculation furnished means for another; for no sooner had one individual or company paid in the notes, than they were immediately lent to another for a like purpose, and the banks were extending their business and their issues so largely, as to alarm considerate men, and render it doubtful whether these bank credits, if permitted to accumulate, would ultimately be of the least value to the government. The spirit of expansion and speculation was not confined to the deposit banks, but pervaded the whole multitude of banks throughout the union, and was giving rise to new institutions to aggravate the evil.

The safety of the public funds, and the interest of the people generally, required that these operations should be checked; and it became the duty of every branch of the general and state governments to adopt all legitimate and proper means to produce the salutary effect. Under this view of my duty, I directed the issuing of the order which will be laid before you by the secretary of the treasury, requiring payment for the public lands to be sold to be made in specie, with an exception until the 15th of the present month, in favor of actual settlers. This measure has produced many salutary consequences. It checked the career of the western banks, and gave them additional strength in anticipation of the pressure which has since pervaded our eastern as well as the European commercial cities. By preventing the extension of the credit system, it measurably cut off the means of speculation, and retarded its progress in monopolizing the most valuable of the public lands. It has tended to save the new states from a non-resident proprietorship, one of the greatest obstacles to the advancement of a new country and the prosperity of an old one. It has tended to keep open the public lands for entry by emigrants at government prices, instead of their being compelled to purchase of speculators at double or treble prices. And it is conveying into the interior large sums in silver and gold, there to enter permanently into the currency of the country, and place it on a firmer foundation. It is confidently believed that the country will find in the motives which induced that order, and the happy consequences which will have ensued, much to commend and nothing to condemn.

It remains for congress, if they approve the policy which dictated this order, to follow it up in its various bearings. Much good, in my judgment, would be produced by prohibiting sales of the public lands, except to actual settlers, at a reasonable reduction of price, and to limit the quantity which shall be sold to them. Although it is believed the general government never ought to receive any thing but the constitutional currency in exchange for the public lands, that point would be of less importance if the lands were sold for immediate settlement and cultivation. Indeed, there is scarcely a mischief arising out of our present land system, including the accumulating surplus of revenue, which would not be remedied at once by a restriction on land sales to actual settlers; and it promises other advantages to the country in general, and to the new states in particular, which cannot fail to receive the most profound consideration of congress.

Experience continues to realize the expectations entertained as to the capacity of the state banks to perform the duties of fiscal agents for the government, at the time of the removal of the deposits. It was alleged by the advocates of the bank of the United States that the state banks, whatever might be the regulations of the treasury department, could not make the transfers required by the government,

or negotiate the domestic exchanges of the country. It is now well ascertained that the real domestic exchanges performed, through discounts, by the U. States bank and its twenty-five branches, were at least one-third less than those of the deposit banks for an equal period of time; and if a comparison be instituted between the amounts of service rendered by these institutions, on the broader basis which has been used by the advocates of the United States bank in estimating what they consider the domestic exchanges transacted by it, the result will be still more favorable to the deposit banks.

The whole amount of public money transferred by the bank of the United States in 1832, was \$16,000,000. The amount transferred and actually paid by the deposit banks in the year ending the first of October last, was \$39,319,899; the amount transferred and paid between that period and the sixth of November, was \$5,389,000; and the amount of transfer warrants outstanding on that day was \$14,450,000; making an aggregate of \$59,168,894. These enormous sums of money first mentioned have been transferred with the greatest promptitude and regularity, and the rates at which the exchanges have been negotiated previously to the passage of the deposit act, were generally below those charged by the bank of the United States. Independently of these services, which are far greater than those rendered by the United States bank, and its twenty-five branches, a number of the deposit banks have, with a commendable zeal to aid in the improvement of the currency, imported from abroad, at their own expense, large sums of the precious metals, for coinage and circulation.

In the same manner have nearly all the predictions turned out in respect to the effect of the removal of the deposits—a step unquestionably necessary, to prevent the evils which it was foreseen the bank itself would endeavor to create, in a final struggle to procure a renewal of its charter. It may be thus, too, in some degree, with the further steps which may be taken to prevent the excessive issue of other bank paper; but it is to be hoped that nothing will now deter the federal and state authorities from the firm and vigorous performance of their duties to themselves and to the people in this respect.

In reducing the revenue to the wants of the government, your particular attention is invited to those articles which constitute the necessities of life. The duty on salt was laid as a war tax, and was no doubt continued to assist in providing for the payment of the war debt. There is no article the release of which from taxation would be felt so generally and so beneficially. To this may be added all kinds of fuel and provisions. Justice and benevolence unite in favor of releasing the poor of our cities from burdens which are not necessary to the support of our government, and tend only to increase the wants of the destitute.

It will be seen by the report of the secretary of the treasury, and the accompanying documents, that the bank of the United States has made no payment on account of the stock held by the government in that institution, although urged to pay any portion which might suit its convenience, and that it has given no information when payment may be expected. Nor, although repeatedly requested, has it furnished the information in relation to its condition, which congress authorised the secretary to collect at their last session; such measures as are within the power of the executive, have been taken to ascertain the value of the stock, and procure the payment as early as possible.

The conduct and present condition of that bank, and the great amount of capital vested in it by the United States, require your careful attention. Its charter expired on the 3d day of March last, and it has now no power but that given in the 21st section "to use the corporate name, style and capacity for the purpose of suits for the final settlement and liquidation of the affairs and accounts of the corporation, and for the sale and disposition of their estates, real, personal and mixed, but not for any other purpose, or in any other manner whatsoever, nor for a period exceeding two years after the expiration of the said term of incorporation." Before the expiration of the charter, the stockholders of the bank obtained an act of incorporation from the legislature of Pennsylvania, excluding only the United States. Instead of proceeding to wind up their concerns, and pay over to the United States the amount due on account of the stock held by them, the president and directors of the old bank appear to have transferred the books, papers, notes, obligations, and most or all of its property to this new corporation, which entered upon business as a continuation of the old concern. Amongst other acts of questionable validity, the notes of the expired corporation are known to have been used as its

own, and again put in circulation. That the old bank had no right to issue or reissue its notes after the expiration of its charter, cannot be denied, and that it could not confer any such right on its substitute, any more than exercise it itself, is equally plain. In law and honesty, the notes of the bank in circulation, at the expiration of its charter, should have been called in by public advertisement, paid up as presented, and, together with those on hand, cancelled and destroyed. Their reissue is sanctioned by no law, and warranted by no necessity. If the United States be responsible in their stock for the payment of these notes, their reissue, by the new corporation, for their own profit, is a fraud on the government. If the United States is not responsible, then there is no legal responsibility in any quarter, and it is a fraud on the country.—They are the redeemed notes of a dissolved partnership, but, contrary to the wishes of the retiring partner, and without his consent, are again re-issued and circulated.

It is the high and peculiar duty of congress to decide whether any further legislation be necessary for the security of the large amount of public property now held and in use by the new bank, and for vindicating the rights of the government, and compelling a speedy and honest settlement with all the creditors of the old bank, public and private, or whether the subject shall be left to the power now possessed by the executive and judiciary. It remains to be seen whether the persons, who, as managers of the old bank, undertook to control the government, retained the public dividends, shut their doors upon a committee of the house of representatives, and filled the country with panic to accomplish their own sinister objects, may now, as managers of a new bank, continue with impunity to flood the country with a spurious currency, use the seven millions of government stock for their own profit, and refuse to the United States all information as to the present condition of their own property, and the prospect of recovering it into their own possession.

The lessons taught by the bank of the United States cannot well be lost upon the American people. They will take care never again to place so tremendous a power in irresponsible hands, and it will be fortunate if they seriously consider the consequences which are likely to result on a smaller scale from the facility with which corporate powers are granted by their state government.

It is believed that the law of the last session regulating the deposit banks, operates onerously and unjustly upon them in many respects: and it is hoped that congress, on proper representation, will adopt the modifications which are necessary to prevent this consequence.

The report of the secretary of war, *ad interim*, and the accompanying documents, all which are herewith laid before you, will give you a full view of the diversified and important operations of that department during the past year.

The military movements rendered necessary by the aggressions of the hostile portions of the Seminole and Creek tribes of Indians, and by other circumstances, have required the active employment of nearly our whole regular force, including the marine corps, and of large bodies of militia and volunteers. With all these events, so far as they were known at the seat of government before the termination of your last session, you are already acquainted; and it is therefore only needful in this place to lay before you a brief summary of what has since occurred.

The war with the Seminoles, during the summer, was on our part, chiefly confined to the protection of our frontier settlements, from the incursions of the enemy; and as a necessary and important means for the accomplishment of that end, to the maintenance of the posts previously established. In the course of this duty several actions took place, in which the bravery and discipline of both officers and men were conspicuously displayed, and which I have deemed it proper to notice, in respect to the former, by the granting of brevet rank for gallant services in the field. But as the force of the Indians was not so far weakened by these partial successes, as to lead them to submit, and as their savage incursions were frequently repeated, early measures were taken for placing at the disposal of governor Call, who, as commander-in-chief of the territorial militia, had been temporarily invested with the command, an ample force, for the purpose of resuming offensive operations, in the most efficient manner, so soon as the season should permit. Major general Jesup was also directed on the conclusion of his duties in the Creek country, to repair to Florida, and assume the command.

The result of the first movement made by the forces under the direction of governor Call, in Oc-

tober last, as detailed in the accompanying papers, excited much surprise and disappointment. A full explanation has been required of the causes which led to the failure of that movement, but has not yet been received. In the mean time, as it was feared that the health of governor Call, who was understood to have suffered much from sickness, might not be adequate to the crisis, and as major general Jesup was known to have reached Florida, that officer was directed to assume the command, and to prosecute all needful operations with the utmost promptitude and vigor. From the force at his disposal, and the dispositions he has made and is instructed to make, and from the very efficient measures which it is since ascertained have been taken by governor Call, there is reason to hope that they will soon be enabled to reduce the enemy to subjection. In the mean time, as you will perceive from the report of the secretary, there is urgent necessity for further appropriations to suppress these hostilities.

Happily for the interests of humanity, the hostilities with the Creeks have been brought to a close soon after your adjournment, without that effusion of blood which at one time was apprehended as inevitable. The unconditional submission of the hostile party was followed by their speedy removal to the country assigned them west of the Mississippi. The inquiry as to alleged frauds in the purchase of the reservations of these Indians, and the causes of these hostilities, requested by the resolution of the house of representatives of the 1st of July last, to be made by the president, is now going on, through the agency of commissioners appointed for that purpose. Their report may be expected during your present session.

The difficulties apprehended in the Cherokee country have been prevented, and the peace and safety of that region and its vicinity effectually secured, by the timely measures taken by the war department, and still continued.

The discretionary authority given to gen. Gaines to cross the Sabine, and to occupy a position as far west as Nacogdoches, in case he should deem such a step necessary to the protection of the frontier, and to the fulfilment of the stipulations contained in our treaty with Mexico, and the movements subsequently made by that officer, have been alluded to in a former part of this message. At the date of the latest intelligence from Nacogdoches, our troops were yet at that station; but the officer who has succeeded gen. Gaines has recently been advised that, from the facts known at the seat of government, there would seem to be no adequate cause for any longer maintaining that position; and he was accordingly instructed, in case the troops were not already withdrawn under the discretionary powers before possessed by him, to give the requisite orders for that purpose on the receipt of the instructions, unless he shall then have in his possession such information as shall satisfy him that the maintenance of the post is essential to the protection of our frontiers, and to the due execution of our treaty stipulations, as previously explained to him.

Whilst the necessities existing during the present year, for the service of militia and volunteers, have furnished new proofs of the patriotism of our fellow citizens, they have also strongly illustrated the importance of an increase in the rank and file the regular army. The views of this subject submitted by the secretary of war, in his report, meet my entire concurrence; and are earnestly commended to the deliberate attention of congress. In his connection it is also proper to remind you, that the defects in our present militia system are every day rendered more apparent. The duty of making further provision by law for organizing, arming and disciplining this arm of defence has been so repeatedly presented to congress by myself and my predecessors, that I deem it sufficient on this occasion to refer to the last annual message, and to former executive communications, in which the subject has been discussed.

It appears from the reports of the officers charged with mustering into service the volunteers called for under the act of congress of the last session, that more presented themselves at the place of rendezvous in Tennessee than were sufficient to meet the requisition which had been made by the secretary of war upon the governor of that state. This was occasioned by the omission of the governor to apportion the requisition to the different regiments of militia, so as to obtain the proper number of troops, and no more. It seems but just to the patriotic citizens who repaired to the general rendezvous, under circumstances authorising them to believe that their services were needed, and would be accepted, that the expenses incurred by them while absent from their homes, should be paid by the government. I accordingly recommend that a law to

this effect be passed by congress, giving them a compensation which will cover their expenses on the march to and from the place of rendezvous, and while there; in connection with which, it will also be proper to make provision for such other equitable claims, growing out of the service of the militia, as may not be embraced in the existing laws.

On the unexpected breaking out of hostilities in Florida, Alabama and Georgia, it became necessary, in some cases, to take the property of individuals for public use. Provision should be made by law for indemnifying the owners; and I would also respectfully suggest whether some provision may not be made, consistently with the principles of our government, for the relief of the sufferers by Indian depredations, or by the operations of our own troops.

No time was lost after the making of the requisite appropriations, in resuming the great national work of completing the unfinished fortifications on our seaboard, and of placing them in a proper state of defence. In consequence, however, of the very late day at which those bills were passed, but little progress could be made during the season which has just closed. A very large amount of the moneys granted at your last session, accordingly, remains unexpended; but as the work will be again resumed at the earliest moment in the coming spring, the balance of the existing appropriations, and in several cases, which will be laid before you with the proper estimates, further sums for the like objects, may be usefully expended during the next year.

The recommendations of an increase in the engineer corps, and for a reorganization of the topographical corps, submitted to you in my last annual message, derive additional strength from the great embarrassments experienced during the present year, in those branches of the service, and under which they are now suffering. Several of the most important surveys and constructions directed by recent laws, have been suspended in consequence of the want of adequate force in these corps. The like observations may be applied to the ordnance corps, and the general staff, the operations of which, as they are now organized, must either be frequently interrupted, or performed by officers taken from the line of the army, to the great prejudice of the service.

For a general view of the condition of the military academy, and of other branches of the military service not already noticed, as well as for fuller illustrations of those which have been mentioned, I refer you to the accompanying documents, and among the various proposals contained therein for legislative action, I would particularly notice the suggestion of the secretary of war for the revision of the pay of the army, as entitled to your favorable regard.

The national policy, founded alike in interest and in humanity, so long and so steadily pursued by this government, for the removal of the Indian tribes originally settled on this side of the Mississippi, to the west of that river, may be said to have been consummated by the conclusion of the late treaty with the Cherokees. The measures taken in the execution of that treaty, and in relation to our Indian affairs generally, will fully appear by referring to the accompanying papers. Without dwelling on the numerous and important topics embraced in them, I again invite your attention to the importance of providing a well-digested and comprehensive system for the protection, supervision and improvement of the various tribes now planted in the Indian country. The suggestions submitted by the commissioner of Indian affairs, and enforced by the secretary, on this subject, and also in regard to the establishment of additional military posts in the Indian country, are entitled to your profound consideration. Both measures are necessary for the double purpose of protecting the Indians from intestine war, and in other respects complying with our engagements to them, and of securing our western frontier against incursions, which otherwise will assuredly be made on it.—The best hopes of humanity, in regard to the aboriginal race, the welfare of our rapidly extending settlements, and the honor of the United States, are all deeply involved in the relations existing between this government and the emigrating tribes. I trust, therefore, that the various matters submitted in the accompanying documents, in respect to those relations, will receive your early and mature deliberations; and that it may issue in the adoption of legislative measures adapted to the circumstances and duties of the present crisis.

You are referred to the report of the secretary of the navy for a satisfactory view of the operations of the department under his charge, during the present year. In the construction of vessels at the different navy yards, and in the employment of our ships and squadrons at sea, that branch of the ser-

vice has been actively and usefully employed.—While the situation of our commercial interests in the West Indies required a greater number than usual of armed vessels to be kept on that station, it is gratifying to perceive that the protection due to our commerce in other quarters of the world has not proved insufficient. Every effort has been made to facilitate the equipment of the exploring expedition authorised by the act of the last session, but all the preparations necessary to enable it to sail has not yet been completed. No means will be spared by the government to fit out the expedition on a scale corresponding with the liberal appropriation for the purpose, and with the elevated character of the objects which are to be effected by it.

I beg leave to renew the recommendation made in my last annual message, respecting the enlistment of boys in our naval service, and to urge upon your attention the necessity of further appropriations to increase the number of ships afloat, and to enlarge generally the capacity and force of the navy. The increase of our commerce, and our position in regard to the other powers of the world, will always make it our policy and interest to cherish the great naval resources of our country.

The report of the postmaster general presents a gratifying picture of the condition of the post office department. Its revenues for the year ending the 30th of June last, were \$3,398,455 19, showing an increase of revenue over that of the preceding year of \$404,878 53, or more than 13 per cent. The expenditures for the same year were \$2,755,623 76, exhibiting a surplus of \$642,831 43. The department has been redeemed from embarrassment and debt, has accumulated a surplus exceeding half a million of dollars, has largely extended, and is preparing still farther to extend, the mail service, and recommends a reduction of postages equal to about 20 per cent. It is practising upon the great principle, which should control every branch of our government, of rendering to the public the greatest good possible, with the least possible taxation to the people.

The scale of postages suggested by the postmaster general recommends itself, not only by the reduction it proposes, but by the simplicity of its arrangement, its conformity with the federal currency, and the improvement it will introduce into the accounts of the department and its agents.

Your particular attention is invited to the subject of mail contracts with rail road companies. The present laws, providing for the making of contracts, are based upon the presumption that competition among bidders will secure the service at a fair price. But on most of the rail road lines, there is no competition in that kind of transportation, and advertising is therefore useless. No contract can now be made with them except such as shall be negotiated before the time of offering, or afterwards, and the power of the postmaster general to pay them high prices, is practically without limitation. It would be a relief to him, and no doubt would conduce to the public interest, to prescribe, by law, some equitable basis upon which such contracts shall rest, and restrict him by a fixed rule of allowance. Under a liberal act of that sort he would undoubtedly be able to secure the services of most of the rail road companies, and the interest of the department would be thus advanced.

The correspondence between the people of the United States and the European nations, and particularly with the British islands, has become very extensive, and requires the interposition of congress to give it security. No obstacle is perceived to an interchange of mails between New York and Liverpool, or other foreign ports, as proposed by the postmaster general; on the contrary, it promises, by the security it will afford, to facilitate commercial transactions, and give rise to an enlarged intercourse among the people of different nations, which cannot but have a happy effect. Through the city of New York most of the correspondence between the Canadas and Europe is now carried on, and urgent representations have been received from the head of the provincial post office, asking the interposition of the United States to guard it from the accidents and losses to which it is now subjected. Some legislation appears to be called for, as well by our own interest, as by comity to the adjoining British provinces.

The expediency of providing a fire-proof building for the important books and papers of the post office department, is worthy of consideration. In the present condition of our treasury, it is neither necessary nor wise to leave essential public interests exposed to so much danger, when they can so readily be made secure. There are weighty considerations in the location of a new building for the department, in favor of placing it near the other executive buildings.

The important subjects of a survey of the coast, and the manufacture of a standard of weights and measures for the different custom houses, have been in progress for some years, under the general direction of the executive, and the immediate superintendence of a gentleman possessing high scientific attainments. At the last session of congress, the making of a set of weights and measures for each state in the union was added to the others by a joint resolution.

The care and correspondence as to all these subjects have been devolved on the treasury department during the last year. A special report from the secretary of the treasury will soon be communicated to congress, which will show what has been accomplished as to the whole, the number and compensation of the persons now employed in these duties, and the progress expected to be made during the ensuing year, with a copy of the various correspondence deemed necessary to throw light on the subjects which seem to require additional legislation. Claims have been made for retrospective allowances in behalf of the superintendent, and some of his assistants, which I did not feel justified in granting; other claims have been made for large increases in compensation, which, under all the circumstances of the several cases, I declined making without the express sanction of congress. In order to obtain that sanction, the subject was at the last session, on my suggestion, and by request of the immediate superintendent, submitted by the treasury department to the committee of commerce of the house of representatives. But no legislative action having taken place, the early attention of congress is now invited to the enactment of some express and detailed provisions in relation to the various claims made for the past, and to the compensation and allowances deemed proper for the future.

It is further respectfully recommended that such being the inconvenience of attention to these duties by the chief magistrate, and such the great pressure of business on the treasury department, the general supervision of the coast survey, and the completion of the weights and measures, if the works are kept united, should be devolved on a board of officers, organized specially for that purpose, or on the navy board attached to the navy department.

All my experience and reflection confirm the conviction I have so often expressed to congress, in favor of an amendment of the constitution, which will prevent, in any event, the election of the president and vice president of the United States devolving on the house of representatives and the senate; and I therefore beg leave again to solicit your attention to the subject. There were various other suggestions in my last annual message, not acted upon, particularly that relating to the want of uniformity in the laws of the District of Columbia, that are deemed worthy of your favorable consideration.

Before concluding this paper, I think it due to the various executive departments to bear testimony to their prosperous condition, and to the ability and integrity with which they have been conducted. It has been my aim to enforce in all of them a vigilant and faithful discharge of the public business, and it is gratifying to me to believe that there is no just cause of complaint from any quarter, at the manner in which they have fulfilled the objects of their creation.

Having now finished the observations deemed proper on this, the last occasion I shall have of communicating with the two houses of congress at their meeting, I cannot omit an expression of the gratitude which is due to the great body of my fellow citizens, in whose partiality and indulgence I have found encouragement and support in the many difficult and trying scenes through which it has been my lot to pass during my public career.—Though deeply sensible that my exertions have not been crowned with a success corresponding to the degree of favor bestowed upon me, I am sure that they will be considered as having been directed by an earnest desire to promote the good of my country; and I am consoled by the persuasion that whatever errors have been committed will find a corrective in the intelligence and patriotism of those who will succeed us. All that has occurred during my administration is calculated to inspire me with increased confidence in the stability of our institutions, and should I be spared to enter upon that retirement which is so suitable to my age and infirm health, and so much desired by me in other respects, I shall not cease to invoke that beneficent Being to whose providence we are already so signally indebted for the continuance of his blessings on our beloved country.

ANDREW JACKSON.

Washington, Dec. 6, 1836.

A.
Statement of distribution of surplus revenue of \$30,000,000 among the several states, agreeably to the number of electoral votes for president, and according to the constitutional mode of direct taxation by representative population, and the differences arising from those two modes of distribution, as per census of 1830.

STATES.	Representative population.	Electoral votes.	Share according to system of direct taxation.	Share according to electoral vote.	Difference in favor of direct tax mode.	Difference in favor of electoral vote mode.
Maine,	399,454	10	999,371	1,020,408		21,037
New Hampshire,	269,327	7	673,813	714,286		40,473
Massachusetts,	610,408	14	1,527,144	1,428,571	98,573	
Rhode Island,	97,192	4	243,159	408,163		165,004
Connecticut,	297,665	8	744,711	816,327		71,616
Vermont,	280,652	7	702,147	714,286		12,139
New York,	1,918,678	42	4,789,978	4,285,714	514,264	
New Jersey,	319,921	8	800,392	816,327		15,935
Pennsylvania,	1,348,072	30	3,372,662	3,061,225	311,437	
Delaware,	75,431	3	188,716	306,122		117,406
Maryland,	405,842	10	1,015,352	1,020,408		5,056
Virginia,	1,023,502	23	2,560,640	2,346,939	213,701	
North Carolina,	639,747	15	1,600,546	1,530,612	69,934	
South Carolina,	455,025	11	1,138,400	1,122,449	15,951	
Georgia,	429,811	11	1,075,319	1,122,449		47,130
Alabama,	262,507	7	656,751	714,286		57,535
Mississippi,	110,357	4	276,096	408,163		132,067
Louisiana,	171,904	5	430,076	510,204		80,128
Tennessee,	625,263	15	1,564,309	1,530,612	33,697	
Kentucky,	621,882	15	1,555,725	1,530,612	25,113	
Ohio,	937,901	21	2,346,479	2,142,858	203,621	
Indiana,	343,030	9	858,206	918,368		60,162
Illinois,	157,146	5	393,154	510,204		117,050
Missouri,	130,419	4	326,238	408,163		81,875
Arkansas,	28,557	3	71,445	306,122		234,677
Michigan,	31,625	3	79,121	306,122		227,001
	11,991,168	294	\$30,000,000	\$30,000,000	\$1,486,291	\$1,486,291

On motion of Mr. Grundy, five thousand copies of the message and the accompanying documents were ordered to be printed.

Mr. Kent, then arose and addressed the chair as follows:

Mr. President: Yonder vacant seat, heretofore so ably and so faithfully filled, but too significantly indicates the object of my addressing you at this time.

I rise, sir, for the purpose of announcing to you and to the senate the melancholy intelligence of the death of my very worthy and excellent colleague, the late ROBERT H. GOLDSBOROUGH. He departed this life during the late recess, after a short illness, in the midst of his usefulness, and at a period when we should have been justifiable in allotting to him many years of vigorous health.

But few individuals have occupied a greater space in public estimation in his native state than Mr. GOLDSBOROUGH. He filled, from an early period of his life, with no inconsiderable degree of reputation, various public stations, and was twice elected to a seat in this body. Possessing the advantages of a liberal education, which had been well improved, with the most polished address, he was ever found a ready and efficient debater, remarkable for his courtesy and politeness. He was truly said to have been "a man of manners and of letters too."

Mr. Goldsborough's exertions for the benefit of his fellow men were not confined to public life. He was prominent as an agriculturist, making frequent and judicious experiments, enforcing his views by very able essays, thereby directing the attention of the agriculturist to such objects as were calculated to ameliorate and improve the condition of his exhausted lands. Truly exemplary in all the relations of private life, as a friend, neighbor, and in the domestic circle, he was unrivalled.

To me personally, his loss is truly afflictive. A severe hoarseness, under which I have labored for some time, obliges me to be thus brief. I beg leave to offer the following resolution:

"Resolved, That the members of the senate, from a sincere desire of showing every mark of respect due to the memory of the hon. Robert H. Goldsborough, deceased, late a member thereof, will go into mourning for him one month, by the usual mode of wearing crape round the left arm."

The resolution was unanimously adopted. On motion of Mr. Kent, the senate then adjourned.

December 7. Mr. Brown, senator from North Carolina, and Mr. Nicholas, senator from Louisiana, were present to-day in the senate chamber.

The chair presented the following documents from the treasury department; which were severally read, and ordered to be printed, viz:

A statement of the disbursements for the civil and diplomatic expenses of the government, so far

as connected with the functions of the first and fifth auditors;

A report on the execution of the treaty with the Chickasaws;

A report on the importation of paupers, in obedience to a resolution of the senate of the last session;

A report on marine hospitals;

Copies of the accounts of the disbursing officers of the treasury;

A message was received from the president of the United States by the hand of Andrew Jackson, jr. esq. his secretary, with copies of the correspondence between the president and Mrs. Madison, on the death of her illustrious consort, entered into in compliance with resolutions of both houses of congress, at the last session of congress. All of which was ordered to be printed.

The chair presented the report of the commissioner of the public buildings for the year 1836. Ordered to be printed.

Mr. Knight gave notice that he should to-morrow ask leave to introduce a bill to allow a drawback of duties on imported hemp.

Mr. Benton gave notice that he should again offer his expunging resolution at an early day. He then offered the following resolution, which, of course, lies one day on the table:

Resolved, That the annual statement of the commerce and navigation of the United States be hereafter printed under the direction of the secretary of the treasury, and be communicated in a printed form as soon as possible after the commencement of each stated session of congress.

The senate then adjourned.

HOUSE OF REPRESENTATIVES.

Monday, Dec. 5. At 12 o'clock, the speaker (the hon. James K. Polk, of Tennessee) took the chair and called the house to order.

The roll of members having been called over by the clerk, (Walter S. Franklin, esq.) the following gentlemen answered to their names, viz:

From Maine—Jeremiah Bailey, George Evans, John Fairfield, Joseph Hall, Leonard Jarvis, Gorham Parks, Francis O. J. Smith.

From New Hampshire—Benning M. Bean, Robert Burns, Samuel Cushman, Franklin Pierce, Joseph Weeks.

From Massachusetts—John Quincy Adams, Geo. N. Briggs, William B. Calhoun, Caleb Cushing, Samuel Hoar, Abbott Lawrence, Levi Lincoln, Stephen C. Phillips, John Reed.

From Connecticut—Elisha Haley, Samuel Ingham, Lancelot Phelps, Isaac Toucey, Thomas T. Whittlesey.

From Rhode Island—Dutée J. Pearce.

From Vermont—Heman Allen, Horace Everett, Hiland Hall, Henry F. James, William Slade.

From New York—Samuel Barton, Abraham Bockee, Matthias J. Bovee, John W. Brown, Churchill

C. Cambreleng, Graham H. Chapin, Timothy Childs, John Cramer, Ulysses F. Doubleday, Able Huntington, Gerrit Y. Lansing, George W. Lay, Gideon Lee, Joshua Lee, Stephen B. Leonard, Thomas C. Love, Abijah Mann, jr. Wm. Mason, John McKeon, Eli Moore, Valentine Effner, Dudley Farlin, Philo C. Fuller, William K. Fuller, Ransom H. Gillett, Francis Granger, Gideon Hard, Abner Hazeltine, Hiram P. Hunt, Sherman Page, Joseph Reynolds, David Russell, William Seymour, Nicholas Sickles, William Taylor, Joel Turrill, Aaron Vanderpoel, Aaron Ward, Daniel Wardwell.

From New Jersey—Philemon Dickerson, Thomas Lee, James Parker, William N. Shinn.

From Pennsylvania—Jos. B. Anthony, Michael W. Aah, Andrew Buchanan, George Chambers, William Clark, Edward Darlington, John Galbraith, James Harper, Samuel S. Harrison, Joseph Henderson, Edward B. Hubley, Joseph R. Ingersoll, John Klingensmith, jr. Henry Logan, Job Mann, Thomas M. T. McKennan, Jesse Miller, Henry A. Muhlenberg, David Potts, jr. Joel B. Sutherland, David D. Wagener.

From Delaware—John J. Milligan.

From Maryland—Benjamin C. Howard, Daniel Jenifer, Isaac McKim, James A. Pearce, John N. Steele, Francis Thomas, George C. Washington.

From Virginia—James M. H. Beale, James W. Bouldin, Nathaniel H. Claiborne, Walter Coles, Robert Craig, James Garland, George W. Hopkins, Joseph Johnson, George Loyall, Edward Lucas, William McComas, Charles F. Mercer, William S. Morgan, John M. Patton, John Taliaferro, Henry A. Wise.

From North Carolina—Jesse A. Bynum, Henry W. Connor, Edmund Deberry, Micajah T. Hawkins, James J. McKay, Ebenezer Pettigrew, William B. Shepard, Augustine H. Shepperd, Lewis Williams.

From South Carolina—William I. Grayson, Henry L. Pinckney.

From Georgia—Seaton Grantland, Charles E. Haynes, Jabez Jackson, George W. Owens.

From Kentucky—Chilton Allan, Lynn Boyd, John Calhoun, John Chambers, Richard French, William J. Graves, Benjamin Hardin, James Harlan, Albert G. Hawes, Richard M. Johnson, Joseph R. Underwood, John White, Sherrod Williams.

From Tennessee—John Bell, Samuel Bunch, William B. Carter, William C. Dunlap, Adam Huntsman, Cave Johnson, Luke Lea, Abram P. Maury, Balie Peyton, James K. Polk, speaker, Ebenezer J. Shields, James Standefer.

From Ohio—William K. Bond, John Chaney, Thomas Corwin, Joseph H. Crane, Thomas L. Hamer, Elias Howell, Benjamin Jones, William Kennon, Daniel Kilgore, Sampson Mason, Jeremiah McLene, William Patterson, Jonathan Sloane, David Spangler, John Thompson, Samuel F. Vinton, Taylor Webster, Elisha Whittlesey.

From Louisiana—Henry Johnson, Eleazer W. Ripley.

From Indiana—Ratliff Boon, John Carr, John W. Davis, Amos Lane.

From Mississippi—John F. H. Claiborne, David Dickson.

From Illinois—Zadok Casey, John Reynolds.

From Alabama—Reuben Chapman, Joab Lawler.

From the territories—Joseph M. White, delegate from Florida; George W. Jones, delegate from Wisconsin.

The following members, elected to fill vacancies during the recess, appeared, were qualified and took their seats:

Orris Holt, from Connecticut, in place of Andrew T. Judson, resigned.

Rutger B. Miller, from New York, in place of Mr. Beardsley, resigned.

John J. Pearson and James Black, from Pennsylvania, in place of John Banks and Jesse Miller, resigned.

Wm. Chetwood, from New Jersey, in place of Philemon Dickerson, resigned.

James Graham, whose seat was vacated by a vote of the house at the last session.

Archibald Yell, of Arkansas, being the first representative from this new state, also appeared, was qualified and took his seat.

A message was received from the senate, by Mr. Lowrie, their secretary, acquainting the house that the senate was ready to proceed to business, and had passed a joint resolution to appoint a committee from both houses to wait upon the president of the United States and inform him that a quorum of both houses is assembled, and ready to receive any communication he may have to make them.

Whereupon, on motion of Mr. Pearce, of Rhode Island, a committee of three, on the part of the house, was ordered to be appointed to wait upon the president of the United States, in conjunction

with the senate's committee, for the purpose above stated.

Mr. Elisha Whittlesey moved the adoption of the following order:

Ordered, That the several standing committees be now appointed according to the standing rules and orders of the house. [That is, that the speaker be authorised now to appoint them; in the event of which order, they would be agreed upon by the speaker, and announced to the house by the reading of the journal on the opening of to-morrow's sitting.]

Mr. Boon said that it had been usual not to make the appointment until the first Thursday in the first week of the session, and that it was then customary for the house to adjourn until the following Monday.

Mr. Whittlesey said he hoped no gentleman would oppose the adoption of the order. He hoped, at least that no motion would be made for a further postponement than to-morrow. It certainly had been the usage, of late years, not to appoint the committees until the close of the first week. Formerly, however, the committees had been appointed on the first day of the session, and he could see no reason why the appointment should be postponed. Why should a week be idly spent before the house proceeded to business? It seemed to him that the business should be commenced immediately. He called the attention of the members to the position in which the house found itself at the close of the last session; and he warned them that such would again be their position, unless the business was vigorously commenced in the early part of the session. At the commencement of a new congress (Mr. W. said) there was undoubtedly some reason why the appointment of the committees should not take place immediately; the members had to become personally acquainted with the speaker. But no such reason existed now. He implored the members he called upon every gentleman to aid him in transacting the business of the house; and, with that view, to second him in his endeavors for its immediate commencement. There were only a few members absent, and he hoped that, at the furthest, the house would not consent to a further adjournment than to-morrow.

Mr. Boon assured the gentleman from Ohio that he had no desire to embarrass the proceedings of the house. He was fully as anxious as any other member that the business should be commenced forthwith. But only one hundred and seventy-six members had answered to their names; and it was probable that a number of the members who had been appointed on certain committees at the last session of congress would be deprived of having their names again placed on the same committee, or any other. The speaker, moreover, required time to make the appointments; and for this, as well as for other reasons which were perfectly satisfactory to his own mind, he would move that the further consideration of the subject be postponed until Thursday next.

Mr. Mercer said that he concurred with the gentleman from Ohio, (Mr. E. Whittlesey,) in the views he had expressed, and that he (Mr. M.) would not repeat the arguments he had used in support of them. But he would suggest that the absence of a member should not be considered as a reason why that member should not be placed on a committee. The members not present were most probably on their journey to the city, and he saw no inconvenience resulting from an appointment made in their absence.

The speaker said that, unless the house altered the rule, he could not appoint an absent member to a committee.

Mr. Mercer moved that the further consideration of the subject be postponed until to-morrow; and suggested that the house should provide that the appointment on a committee of an absent member should not operate as a disqualification to serve.

Mr. E. Whittlesey called for the yeas and nays on the motion of Mr. Boon to postpone the consideration of the subject until Thursday next. The yeas and nays were ordered, and, being taken, were yeas 33, nays 148. So the motion to postpone was lost.

Mr. Mercer then withdrew his motion to postpone until to-morrow, and moved to amend the motion of Mr. Whittlesey by adding the following words: "And that the absence of a member shall not be regarded as a disqualification for an appointment upon a committee." Mr. A. Mann moved that the house do now adjourn. The speaker suggested that no day had been fixed for the consideration of the order. Mr. Wardwell then moved that the further consideration of the order be postponed until to-morrow; which motion was agreed to.

On motion of Mr. A. Mann, it was ordered that the daily hour to which the house should stand ad-

journal should be 12 o'clock, until otherwise ordered.

On motion of Mr. Wardwell, the usual regulation for supplying the members with newspapers was adopted.

And, at one o'clock, on motion of Mr. A. Mann, The house adjourned.

Tuesday, Dec. 6. Several other members appeared and took their seats, viz:

From Maine—Moses Mason, jr. Massachusetts—Geo. Grennell, jr. Pennsylvania—Andrew Beaumont, William Heister and John Laporte. Maryland—James Turner. Virginia—George C. Dromgoole. North Carolina—William Montgomery. South Carolina—Francis W. Pickens and James Rogers. Georgia—Jesse F. Cleveland and Thomas Glascock. Indiana—Jonathan McCarty. Illinois—William L. May.

Mr. D. J. Pearce rose and informed the house that the joint committee appointed on yesterday to wait on the president of the United States, and inform him that the two houses had convened, and were ready to receive such communication as he might think proper to make, had performed their duty; and that they had been directed by the president to say that, at 12 o'clock this day, he would make a communication in writing to both houses.

Mr. E. Whittlesey gave notice that he would, on to-morrow, submit a motion to alter the 15th rule of the house, which is now in the following terms:

"15. After six days from the commencement of a second or subsequent session of any congress, all bills, resolutions and reports, which originated in the house, and at the close of the next preceding session remained undetermined, shall be resumed and acted on in the same manner as if an adjournment had not taken place."

Mr. W's motion provides that the rule be so changed as that the house proceed to the transaction of the said business immediately.

Mr. Gillett gave notice that he would, on to-morrow, submit a motion that so much of the 106th rule as provides—"Nor shall any rule be suspended, except by a vote of at least two-thirds of the members present: nor shall the order of business, as established by the rules of the house, be postponed or changed, except by a vote of at least two-thirds of the members present," be repealed.

The annual message was received from the president of the United States, through Andrew Jackson, jr. esq. his private secretary; and was read at the clerk's table.

[For the message, see this day's proceedings of the senate.]

The reading of the message having been completed, Mr. Loyall moved that it be referred to the committee of the whole house on the state of the union, and that 15,000 copies, with the accompanying documents, be printed for the use of the members, and also 5,000 copies of the message without the documents. Mr. Briggs wished to modify this resolution by ordering that the 5,000 copies be furnished to the house within two days. He understood that this had been done on former occasions. Mr. Loyall assented to the modification, and the resolution thus modified, was carried.

The speaker laid before the house communications received from several departments, as follows:

A communication from the secretary of the treasury, containing a statement of the annual receipts and expenditures.

The annual report of the secretary of the treasury relative to the state of the finances.

A communication containing the annual report of the commissioner of the land office.

A communication containing an estimate of appropriations which will be required for the service of the year 1837.

And, also, a statement presented by the clerk of the house, of the contingent expenses of the house for the past year.

These several communications, on motion of Mr. E. Whittlesey and Mr. Cambreleng, were ordered to lie upon the table, and to be printed. The committees not yet being appointed, that course was adopted instead of a reference of them.

Mr. E. Whittlesey then moved to proceed to the consideration of the order for the appointment of committees; but, before taking the question,

On motion of Mr. Parks, the house adjourned.

Wednesday, Dec. 7. After the reading of the journal, with which every day's sitting opens—

Mr. Claiborne, of Mississippi, addressed the house as follows:

MR. SPEAKER: It is only a few years since I witnessed from that gallery the affecting honors paid to the remains of a distinguished representative from the state of Mississippi.* Since that pe-

riod, she has lost two sons,* eminent for talents, in the public service, and you are now called on to render the last homage to the memory of another. The time that has intervened since the death of my lamented colleague saves me the painful duty of being the first to communicate it to his friends, now present. He died, sir, as he had lived, through a life of extraordinary vicissitudes, with characteristic fortitude, with but one wish ungratified—a wish so natural to the human heart—that, in his dark hour of dissolution, he might be supported by his nearest and best beloved, and the cherished beings that grew up and clustered around his fireside.

Sir, let death come when it will, in what shape it may, in the battle or the shipwreck, or in the solitude of the cloister, it is appalling to human contemplation. But when it overtakes us in a distant land, and we know that our last moments of agony and infirmity are to be witnessed by stranger eyes, and are conscious that we must be carried down to an unwept grave, where no kindred dust shall mingle with ours forever, and the last hope of home and of family fades from our filmed view, oh! sir, this is death! this it is to die! Such was the destiny of my colleague, "by strangers honored and by strangers mourned;" his dying message was for those broken hearted ones, now in widowhood and orphanage—his expiring sigh a prayer for them!

Mr. Speaker, I shall pronounce no eulogy on the dead. Let his history speak it. For twenty years he preserved a high position in the public service, and died poorer than when he entered it, leaving to his children the riches of an honorable name. If it be praise to have lived beloved and die unapproached, then it is due to him.

It now only remains for us to pay the final honors to his memory—sad, because it seems like breaking the last link that binds the living to the dead; solemn, when we reflect how soon, how very soon, some friend now present may invoke the same tribute for ourselves!

I offer you, sir, the following resolution:

Resolved, That, in testimony of their respect for the memory of David Dickson, late a representative from the state of Mississippi, the members of this house will wear crape for one month.

This resolution was unanimously agreed to.

Mr. Haynes, of Georgia, then rose, and addressed the chair as follows:

MR. SPEAKER: On me has devolved the mournful duty of announcing to this house the death of one of its members, my friend and colleague, the hon. John Coffee, of Georgia. For a considerable portion of the last session of congress, he labored under severe indisposition, which at different periods detained him from the service of the house.—Although his symptoms were so mitigated before the adjournment as to enable him to resume the regular discharge of his official duties, no radical amendment had taken place, and with gradually increasing force his disease closed his existence in the bosom of his family, in the month of September last.

In speaking of a departed friend and colleague, the language of eulogy might be excused; but to those who have been associated with general Coffee in the labors of this house for the last three years, such language would be unnecessary.

Suffice it to say that, in his domestic and social relations, he was eminently characterized by affectionate kindness and courtesy, and that public duties were discharged with honor to himself and fidelity to his country. As the usual mark of respect, I offer the following resolutions:

Resolved, unanimously, That this house has received with the liveliest sensibility the announcement of the death of the hon. John Coffee, a representative from the state of Georgia.

Resolved, unanimously, That this house tenders to the relatives of the deceased the expression of its sympathy on this mournful event; and as a testimony of respect for the memory of the deceased, the members will wear crape on the left arm for thirty days.

These resolutions were unanimously agreed to; and then, on motion of Mr. Cushman, the house adjourned.

THURSDAY'S PROCEEDINGS.

In the senate. The vice president laid before the senate a communication from the secretary of war, making the annual report required by law touching the expenditure of the contingent fund in the several offices of that department.

Also, a communication from the secretary of state containing a similar report of expenditures in that department.

* Thomas B. Read and Robert H. Adams, of the U. S. senate.

*Hon. Christopher Rankin.

Also, a communication from the secretary of the navy of a similar tenor; which several documents were, on motion of Mr. King, of Alabama, ordered to be printed.

Mr. Ewing gave notice that he should on Monday next, introduce a joint resolution to rescind the treasury order of the 11th day of July, 1836, to make uniform the currency receivable for the public revenue, [requiring the payment of specie for the public lands.]

Messrs. Moore and Tipton gave similar notices respecting several private bills.

On motion of Mr. King, of Alabama, it was Resolved, That the senate will, on Monday next, at 1 o'clock, proceed to the election of a secretary of the senate, in the room of Waller Lowrie, esq. resigned.

On motion of Mr. Hubbard, it was ordered that, on Monday next, the senate would appoint its standing committees.

Mr. King, of Alabama, on leave, introduced a bill to amend an act entitled an act for the better organization of the district courts of the United States within the state of Alabama; which was read once, and ordered to a second reading.

Mr. Knight of Rhode Island, on leave, introduced a bill to allow a drawback on imported hemp, when manufactured into cordage and exported.

Mr. Benton, on leave, introduced a bill making appropriation for the collection of materials and the purchase of sites, and to commence the construction of certain fortifications, and for other purposes; also, a bill to increase the present military establishment of the United States; also, a bill for the relief of the heirs of gen. William Eaton.

All these bills were passed to a second reading.

Mr. Walker, of Mississippi, on leave, introduced a bill to advance to each of the states of Alabama and Mississippi, one million of dollars, chargeable upon the 2 per cent. fund of said states, respectively, to be appropriated by said states toward the construction of a railway from Brandon, Mississippi, to Cahawba, Alabama; which bill was read once and ordered to a second reading.

The following resolution, moved by Mr. Benton, of Missouri, being under consideration—

Resolved, That the annual statement of the commerce and navigation of the United States be hereafter printed under the direction of the secretary of the treasury, and be communicated in a printed form as soon as possible after the commencement of each stated session of congress.

Mr. Benton advocated this resolution on the ground that great delay was unavoidably incurred in printing this document, and that the senate was usually a year in arrears in its reception. After some remarks from Mr. Knight, who inquired whether any extra copies were to be printed under the resolution, and said that as the document was a profitable one to the printer, the number of copies and the price of printing ought to be stated, &c. Mr. Benton called for the reading of the original order under which the document was prepared—but some delay occurring in turning to it, the subject was, for the present, laid on the table, and the senate adjourned.

In the house of representatives. [The hon. John Young, elected a member from the state of New York, to supply the vacancy occasioned by the resignation of Philo C. Fuller, appeared on Tuesday, was qualified and took his seat.]

On motion of Mr. Whitlesey, the order of the house for proceeding to the appointment of committees with the amendment of Mr. Mercer, of Va. "that the absence of a member be not considered as disqualifying him for appointment on any of the committees," was taken up. The amendment was then disagreed to and the appointment of the committees ordered.

Mr. Evans moved that when the house adjourn, it adjourn to meet on Monday, which was agreed to.

A message was received from the president of the United States, by the hands of Andrew Jackson, jr. esq. his private secretary, concerning the late ex-president MADISON, &c. [The correspondence shall have a place in the next "Register."]

Mr. Patton moved that this subject be referred to the joint committee on the library.

The speaker observed that the committee on the part of the house was not yet appointed.

Mr. Patton then moved that the said committee be now appointed, which was agreed to; and the message and accompanying documents were referred accordingly.

The speaker communicated to the house various communications received from the president and departments, viz:

A letter from the president of the United States, communicating a report of the commissioner of public buildings, showing the progress made in the various buildings authorised by congress.

A communication from the secretary of the treasury, transmitting a statement of the expenditures of the contingent fund.

A communication from the same, containing a statement of the expenditures incurred for the bridge across the Potomac.

A communication from the same, containing the report of the land office, in pursuance of the provisions of an act of congress to carry into effect the treaty with the Chickasaws.

A communication from the same, containing a report of the survey of the coast of the United States.

These communications were severally, on motion, ordered to be laid on the table and to be printed.

Mr. Davis, of Indiana, then rose, and addressed the chair as follows:

Mr. Speaker: Painful as the duty may be, it is mine of this morning to announce to the house the decease of another of its members.

My friend and colleague, the hon. George L. Kinnard, died at Cincinnati on the 25th ult. after a few days of suffering much more severe than ordinarily falls to the lot of mankind in passing that dread ordeal. The immediate cause of his death is perhaps well known to this house and to the country. It was his misfortune to suffer from one of those appalling accidents which are of but too frequent recurrence upon our steamboats, by the bursting of their machinery. He, too, like one of our associates whose death was announced on yesterday, died among strangers, yet among friends. At the hospitable mansion of the hon. Robert Lytle, (where he paid the great debt of nature), he received the most unremitting attention and kindness, as also the most unwearied services of those who rank among the first in the profession of medicine; but all would not do—the Omnipotent fiat had gone forth by which he was called from the service of his country to the service of his God. Had I studied by set phrase to pass an eulogy upon his character, I should find words too cold, language too inexpressive, to do justice to his virtues. It was my good fortune to be favored for many years with his acquaintance, and to share largely in his friendship. With a clear and discriminating mind, an honest heart, and an untiring industry, he had elevated himself to the highest seat in the affections of those who knew him best. In all the varied relations of life, (to which he was about to add another of a sacred and responsible character), he sustained the most unsullied reputation, leaving to the world indubitable evidence, not only that he was a man of high attainments, but that he was emphatically one of God's noblest works—an honest man.

Mr. D. then submitted the following resolutions, which were unanimously adopted.

Resolved, That as a testimonial of respect for the memory of the hon. George L. Kinnard, late a member of this house from the state of Indiana, the members of this body will wear crape on the left arm for thirty days.

Resolved, That the connexions and constituents of Mr. Kinnard are joined in the sincerest condolence for the loss of that inestimable man to them, to us and to the country.

On motion of Mr. Lay, the house adjourned.

DOMESTIC CHRONICLE.

Speculation. A New York paper has been desired to address a query to the Albany Argus, in reference to certain alleged plans for a large speculation in flour. It asks the Argus whether it is not true that a company has been formed along the line of the canal with a capital of 200 or 250 thousand dollars, for the purpose of speculating on a rise of flour, and also, whether some gentlemen high in the state government have not embarked in the speculation?

Construction of the heart. The following return appears on the back of an execution issued by a justice not far from this place; the execution, it will be recollected, commands the constable to levy the debt and costs on the goods and chattels of defendant, but for want of sufficient distress to take the body to the jail of the county. [Tyoga Gaz.]

"Went to house of defendant and found no property, but there being sufficient distress in the family I did not take the body to the jail.

So answers ———, Constable.

New Coin. The new fifty cent pieces about to be issued from the mint at Philadelphia, are spoken of as being of superior workmanship, and in the highest degree creditable to the artist, Mr. Gobrecht. The beauty and finish are equal to any thing of the kind in this country or Europe.

Heavy losses. The several marine insurance companies in the city of New York, have ascertained that their losses during the past week amount to upwards of one hundred and sixty thousand dollars.

General Jacob Morton, who was for more than twenty years clerk of the common council of New York, and filled many important public stations, died suddenly in that city on Saturday last.

Rathbun's estate. The remainder of his personal estate, and all the real estate and land contracts, will be sold at Buffalo, Jan. 16th. The lands lie in the city and at the Falls, and are very choice selections; but the pressure on the money market will cause them to go at a great sacrifice. The personal estate already sold is \$115,000, though estimated by Rathbun at \$455,000. [N. Y. Star.]

A naval court martial has been ordered to convene at Washington, on Tuesday, the 6th day of December, for the trial of lieutenant S. D. Downing, and such others as may be brought before it. The court to consist of commodore James Biddle, president, com. C. G. Ridgely, capt. J. B. Nicholas, capt. F. A. Parke, capt. David Connor, master commandant E. A. F. Vallette, master com. J. H. Aulick, lieutenant French Forrest, lieutenant Ralph Voorhees, members,

James Dunlap, esq. of Georgetown, to be judge advocate.

The prevailing system in operation at New Orleans for obtaining seamen is attended with opportunities of extortion that are occasionally practised with a widely grasping hand. Recently the ship Grace Brown, cleared at that port for Liverpool, was compelled to pay \$60 per month in order to obtain a crew. The former rates were but \$18.

The Natchez Courier states that the citizens of that place have subscribed seventy thousand dollars towards the capital stock for the erection of a steam ship to run between New York and Natchez.

A hurricane chasing a gold mine. A furious hurricane took place on the 18th of November in Rutherford county, North Carolina. It unroofed the houses, blew down the fences, and carried off the fodder stacks of several planters near Rutherfordson, besides leveling forests to the ground and blocking up the roads with their huge trunks. Its length was ten miles and its breadth a quarter of a mile. Among other freaks it took up a chicken house, and filled the air with a flock of fowls, turkeys and ducks. About five miles north of Rutherfordson, a vein of gold has been traced at least three miles, and a large company has commenced operating upon a portion of it, with every prospect of realizing a large profit on their investment. The gale encountered this vein at one end, pursued it for the whole three miles, with as much exactness as the most skillful mineralogist would trace it, through its various windings, literally sweeping every thing before it.

Loss of packet ships. The ship Ajax, captain Hiern, from New York, for Mobile, was driven ashore on the 14th of November, near Tiger Creek. Carysfort reef. The ship is a total loss—part of her cargo had been saved, in a damaged state. The A. had on board one hundred and twenty passengers. We are happy to state, that not a single life was lost. The ship Champion, from New Orleans, for Havre, was lost on Key Sal, about the 12th of November. The passengers had arrived at Matanzas.

Singular preservation. A letter to a gentleman of Philadelphia, dated Bellefonte, Penn. November 23, says that a stage containing three passengers was, on the preceding evening, within a mile of that place, overtaken by a wagon and precipitated into a Spring creek, down a rocky precipice between thirty and forty feet deep, and at an angle of fifty degrees, and, wonderful to state, no person were killed or seriously injured. Two of the horses, however, which had plunged into deep water, were drowned.

Alford Hocker, who withheld the poll book of Lincoln county, Ky. of which he was sheriff, has been appointed postmaster at Stanford in that state. This appointment has caused much severe comment, and the Danville Olive Branch says, when Hocker presented his credentials as postmaster, and demanded possession of the papers, furniture, &c. of the office, the assistant of the late postmaster declined complying with the demand. "Sir," said Hocker, "by what authority do you refuse to surrender me the office?" The young man replied, "By the same authority, sir, that you refused to surrender the Lincoln poll book."

By the Providence Directory it appears that there are in that town, 77 blacksmiths—23 barbers—147 clerks—155 jewellers—301 house carpenters—38 ship carpenters—106 masons—43 cabinet makers—68 tailors—47 draymen—37 lawyers and 33 physicians.

NILES' WEEKLY REGISTER.

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[Vol. LI.—Whole No 1,816.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED, BY WILLIAM OGDEN NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

93.—In this "documentary season" we are deprived of all control over the selections for our sheet—for the papers which emanate from the government are generally of current interest and must be promptly inserted without regard to miscellaneous articles claiming our attention—of which a large number are on file. Of this current character are the reports of the secretary of the treasury and navy, both of which are published in this number—the former of which will be read with increased interest in connection with the letter of Mr. Bidle upon the manner in which the secretary has executed the law for the distribution of the surplus revenue, &c. inserted in page 243.

DESTRUCTION OF THE GENERAL POST OFFICE, PATENT OFFICE AND THE CITY POST OFFICE!!! It is our painful duty to state that the general post office, the patent office and the city post office were entirely consumed by fire on Thursday morning last. The particulars of this distressing calamity are detailed in the account from the "Intelligencer" of yesterday morning inserted in a subsequent page, and must excite the most painful emotions in the public mind—for the loss sustained cannot be repaired and will be severely felt by individuals—especially from the destruction of the patent office, by which the fruits of the genius of our countrymen, that have been accumulating for nearly half a century, have been reduced to ashes. In the present confused state of the affairs of the general post office department, the real extent of the loss it has sustained cannot be ascertained—but it is said that all the books, contracts, &c. have been saved. All the letters, mails and money of the city post office were, however, destroyed—Fortunately the large mails had been sent off before the fire broke out and escaped the general destruction, but all the letters received on the evening previous for delivery in the city, were destroyed.

The origin of this disaster is still shrouded in mystery, but, as will be seen by an abstract of the proceedings, is to undergo an investigation by congress. There are some things, however, in connection with it, apparent from the accounts before us, that call for the indignant censure of the country—we mean the criminal tardiness in spreading the alarm and the slothful efforts to repress the flames and rescue the public property—For it appears that nearly *half an hour!!!* elapsed before the alarm bells were rung, and *more than that time* before an engine or a bucket of water could be commanded. With the same difficulties in procuring water that the Washington firemen had to contend with, the Baltimore firemen could have drawn their engines three miles through the mud, not on McAdams roads as smooth as a bowling green, and placed them in active operation.

One benefit will result from this conflagration.—It will ensure the erection of permanent fire proof buildings for all the public offices, and no longer place the public records and archives in jeopardy from a similar disaster. The new building for the treasury department, in lieu of the old one destroyed in 1833, is, as far as it has progressed, built in the most substantial manner, and will be completely fire proof. According to the Alexandria Gazette the foundation for the entire extent of the building, which is 460 feet in length, including the western projection, is laid. The front range of the rooms is brought up to the springing line of the groin arches, several of which are turned, and laid in hydraulic cement; and the cut granite, facing on the west front, made up as high as the window seats. A large quantity of materials, granite, freestone, cut and in the rough, brick, lime and mortar, is collected on the spot, and roomy shops are provided for the workmen to cut and dress the stone during the winter, so that no time may be lost in progressing with the building in due season.

The foundation for the new *patent office*, intended for the reception of the models, &c. which are now a heap of ruins, is also laid, and the granite facings on both fronts, built up to the basement story. The building will be 270 feet in length and 69 feet deep, and like the building intended for the treasury department, will be fire proof. Both fronts are faced with split granite laid in regular courses with dressed joints. The material of which the body of the building will be composed has not been decided on—but the portico, the proportions of

which are exactly those of the Parthenon, at Athens, will involve a large portion of the whole expense.

FROM FLORIDA. We have before us a highly interesting detail of the movements of that portion of the army under the command of gen. Call and the recent victories achieved over the Indians, which we are compelled, in consequence of the large space occupied by congressional documents, to defer until next week. According to the account, our army was in high spirits, and, the enemy, weakened and dispirited, flying in a direction that would bring them in contact with gen. Jesup in a section of country in which their destruction will be inevitable. In the battle near the Wahoo swamp, we regret to state that maj. Moniac, a gallant officer of the Tennessee volunteers, was killed while crossing a creek when in pursuit of the enemy. Gen. Call's army, at the last accounts, was at Volusia and amply supplied with provisions.

PRESIDENTIAL. We continue our record of the official statements of the popular vote in each state and the votes of the colleges. It will be some time before complete returns can be received from all the states, but the vote for president will stand as follows:

States.	Van Buren.	Harrison.	White.	Webster.	Mangum.
Maine,	10	0	0	0	0
New Hampshire	7	0	0	0	0
Massachusetts,	0	0	0	14	0
Rhode Island,	4	0	0	0	0
Connecticut,	8	0	0	0	0
Vermont,	0	6	0	0	0
New York,	42	0	0	0	0
New Jersey,	0	8	0	0	0
Pennsylvania,	30	0	0	0	0
Delaware,	0	3	0	0	0
Maryland,	0	10	0	0	0
Virginia,	23	0	0	0	0
North Carolina,	15	0	0	0	0
South Carolina,	0	0	0	0	11
Georgia,	0	0	11	0	0
Tennessee,	0	0	14	0	0
Kentucky,	0	15	0	0	0
Ohio,	0	21	0	0	0
Indiana,	0	9	0	0	0
Mississippi,	4	0	0	0	0
Alabama,	7	0	0	0	0
Louisiana,	5	0	0	0	0
Illinois,	5	0	0	0	0
Missouri,	4	0	0	0	0
Arkansas,	3	0	0	0	0
	167	72	25	14	11

We cannot, from the returns before us, give a correct list of the votes cast for the vice president.

SENATOR FROM MAINE. The hon. Judah Dana, of Fryeburg, has been appointed by the governor and council, senator in congress from Maine, to fill the vacancy occasioned by the resignation of Mr. Shepley.

PENNSYLVANIA SENATOR. James Buchanan, esq. was on Tuesday last, re-elected a senator from Pennsylvania for six years from the 3d of March next. For Buchanan 85, C. B. Penrose 21. T. W. T. McKennon 24.

It appears that according to a law of the state passed in 1802, each house should have given the other at least two days notice on or before Saturday last, of the persons nominated as senators and appointed tellers. On Saturday morning the senate met at the usual hour, and made the nominations; before the clerk could reach the chamber of the house of representatives, that house had adjourned, on the motion of Mr. S. F. Reed, so that the notice required by law was not received. On Monday committees of conference were appointed by both bodies, and on Tuesday a bill was passed and signed by the governor which removed the difficulty, and Mr. Buchanan was elected, as above stated.

VIRGINIA SENATOR. Richard E. Parker, of the county of Clarke, and judge of the general court of Virginia, was, on Monday last, elected by the legisla-

ture a senator of the United States, to supply the vacancy occasioned by the resignation of Mr. Leigh. [The vote was, for judge Parker 73, for John Tyler 23, for John M. Patton 15 votes.]

Mr. Leigh's letter to the acting governor, on resigning his seat, and the proceedings upon it in the legislature, are inserted in page 243.

SOUTH CAROLINA SENATE. William C. Preston, esq. has been re-elected a senator from South Carolina for 4 years from the 3d of March next—for Mr. Preston 125 votes—scattering 8.

SECRETARY OF THE SENATE. It will be seen by the proceedings of the senate, that Asbury Dickens, esq. has been elected secretary of the senate of the United States in place of Mr. Lowrie resigned. Mr. Dickens is well qualified for the office, being a gentleman of fine talents who has had considerable experience in public duties. He was for many years chief clerk of the treasury department, and during that period frequently acted as secretary—and for the last three years has discharged the duties of chief clerk of the department of state, and occasionally acted as head of that bureau.

THE NEW DOLLAR. It gives us pleasure to announce—says the Washington Globe of yesterday morning—that the one dollar of our own mint is soon to make its appearance. The face of the coin represents a full length figure of Liberty, seated on a rock, with the classic emblem of the *pallens* or liberty-cap surmounting a spear held in the left hand. The right hand rests on the American shield. With its thirteen stripes, crossed by a scroll, on which is the word liberty. The reverse represents the American eagle, on the wing, drawn accurately from nature; all the heraldic appendages of the old coin being discarded. Over the field are placed irregularly twenty-six stars; the entrance of Michigan into the union, having been, it seems, anticipated.

The design of the face of the coin was drawn by Mr. Sully, and that of the reverse by Mr. Titian Peale; both under instructions from the director of the mint. The dies were executed by Mr. Goebrecht, one of the engravers of the mint.

This emission of dollars is the first coined at the mint since the year 1805. It is intended to adopt the same design in the other coins, as soon as it is practicable to do so.

AMERICAN COLONIZATION SOCIETY. We learn from the "Intelligencer" that the twentieth annual meeting of this society was held at Washington city in the hall of the house of representatives at the capitol on Tuesday evening last, at 5 o'clock, Henry Clay, of Ky. senior vice president of the society, in the chair. Though the weather was extremely inclement, a large and respectable audience attended. The meeting was opened by prayer from the rev. Dr. Proudfit, of New York; after which, the annual report of the board of managers was read by the rev. Mr. Gurley, secretary of the society. It is a document of considerable length, and presents a most encouraging view of the progress and prospects of the society. The increased favor which it showed the cause to have received during the past year in several southern and south western states cannot fail to animate the hopes and operations of its friends. Interesting addresses were delivered by several gentlemen, when the society adjourned to meet on the following evening at the first Presbyterian church.

NAVAL. A letter dated on board the United States frigate United States, Athens, August 24, communicates the following intelligence—The Constitution, Potomac, United States and John Adams are now here. The Shark has been ordered up the Adriatic. The squadron all sail to-day—the Potomac home, by the coast of Africa and Brazil—the Constitution, United States and John Adams for the coast of Syria. Our first lieutenant, J. H. Smith, returns home in the Potomac, in consequence of ill health. Lieutenant H. H. Rhodes has been transferred to the Constitution; lieutenant W. D. Porter to the John Adams; lieutenant J. A. Davis is attached to this ship. The fleet surgeon, Dr. Boyd, has been relieved by Dr. B. Washington. The squadron will return by the way of Tunis to Mahon, in November, to winter quarters.

BANKS IN MASSACHUSETTS. The secretary of state has prepared an abstract of the returns of the banks of this commonwealth, showing their condition on the first Saturday of September last. The following is the aggregate of some of the principal items in the statement:

Capital stock paid in,	\$34,478,110
Paid in since September 8,	2,811,475

Present capital of 130 banks,	37,289,585
Bills in circulation,	10,892,249
Cash deposited not on interest,	8,784,516
Cash deposited on interest,	6,477,928
Balances due to other banks,	5,063,886
Due from the banks,	67,713,979
Gold, silver and other coins,	1,455,230
Bills of banks in the states,	3,088,964
Bills of banks elsewhere,	389,888
Balances due from other banks,	5,126,900
Due to the banks, except balances,	56,643,171
Total resources,	67,810,675
Amount of preceding semi-annual dividend,	1,044,550
Amount of reserved profits,	1,175,631
Debts secured by pledge of stock,	1,298,744
Debts due, considered doubtful,	335,974
Average rate of semi-annual dividend, 3 3-7 per ct.	

There are thirteen other banks incorporated which have not commenced operations, the capital of which, with the unpaid balance of the capital of other banks, amounts to \$3,540,415, making the authorized amount of bank capital \$40,830,000.

SLAVERY AND THE PRESBYTERIAN CHURCH. The synod of the Presbyterian church for South Carolina and Georgia, has passed resolutions enjoining the southern delegates to the general assembly of the Presbyterian church, to disavow all right of legislation or discussion on this subject whatever; to refuse to mingle in any act, by vote or speech, which involves even the discussion of this subject, and requiring them to *withdraw from the general assembly and come home*, upon any attempt by that body to legislate or discuss this subject at all; with the single exception of the simple disclaimer of that body to interfere in any way with it.

SOUTH CAROLINA. From the following report of the committee on federal relations in the South Carolina legislature, it will be seen that the governor's opinions in relation to the Mexican and Texan question, have been promptly seconded by that committee—and will no doubt, be sanctioned by a vote of the legislature.

The committee on federal relations beg leave to report on so much of the governor's message referred to them as relates to Texas.

The committee fully agree with his excellency on the propriety and sound policy of the government of the United States maintaining a strict neutrality with all foreign nations, and especially with Mexico in her contest with Texas; and that we are the last people who should set an example of impertinent interference with the internal concerns of other states. No people can long be safe from foreign combinations if they themselves are the first to violate the laws of nations, to gratify, on the part of their citizens, a rapacity for gain, in a case where they suppose their superior strength enables them to take advantage of the feebleness of others. If that justice which should always be maintained between civilized states is once abandoned, and the rule of expediency established in its place, the weaker states of the world cannot hope long to sustain their liberties, but must, sooner or later, fall a prey to the predatory spirit of a foreign people, or to the ambition of neighboring tyrants.

Your committee cannot but look upon a war, at this time, between the United States and Mexico as a calamity greatly to be deprecated, for more reasons than it is now necessary to announce; and solemnly protest against any violation of that neutrality which our government professes towards that state. South Carolina cannot consent, under a supposed idea of self-interest, to violate the sanctity of the law of nations, or that neutrality which should always be guarded by the United States towards a foreign nation engaged in an internal struggle. Under the present circumstances, to acknowledge the independence of Texas and receive her into this union, could be no less than a declaration of war against Mexico, and of doubtful policy to the older slaveholding states. It is not for this legislature to determine at what crisis it may become proper on the part of the United States to acknowledge the independence of Texas; and, should it ever arrive, your committee trust the councils of the nation will be governed by strict justice and the soundest policy, and that she will pursue that course which she has hitherto observed towards

other nations, and no other, and that she will not be seduced from the exercise of her sound judgment, through sympathy for others, though justly deserved.

D. J. McCORD, chairman.

DISASTROUS CONFLAGRATION. From the National Intelligencer of yesterday. THE GENERAL POST OFFICE AND PATENT OFFICE IN ASHES.

It is with no ordinary regret that we perform the duty of announcing the destruction, by fire, of the building in the central part of this city, which has for many years been occupied by the general post office, the patent office, and the city post office, with an important part of the contents of those buildings, including the entire contents of the two latter.

This calamity, great as it is, has long been feared by those old residents of Washington who knew the combustible nature of the building, (the floors being all of wood, and some of them not even counter-sealed), and the custom of stowing fuel, not only coal but wood, in the vaults underneath the first floor. The calamity has come at last, and affords the second demonstration, within four years, of the utter absurdity and improvidence of the structures to which the public archives, records and government accounts have been hitherto for the most part confided.

The first alarm of fire was given by Mr. Crown, a messenger, who usually sleeps in the room connected with the city post office (the postmaster's own room). The clerks had been at work, assorting the mails, until half past two o'clock, when one of the persons belonging to the office (Mr. Lansdale) passed out of the east door, and along the whole front of the building, without discovering anything to give rise to a suspicion of danger. Not long after three o'clock, Mr. Crown was roused from a light slumber by the smell of smoke. Opening the door of the city post office, he perceived a dense smoke, without any visible appearance of fire. He gave the alarm instantly, first rousing Mr. Cox, one of the clerks, who slept in a back room adjoining the post office, and who, coming out of the door of his room, passed along the whole of the long room with difficulty, through the smoke, hearing the fire crackling, but being able to see nothing. The watchmen in the body of the building, some distance from the city post office, had perceived nothing of the smoke, until they, also, were alarmed by Mr. Crown.

The hour of the night when all this took place being one at which the whole world is buried in the deepest sleep, it was found almost impossible to spread the alarm of fire. One of the church bells began to ring, but the ringer, not seeing any flame, ceased ringing almost as soon as he began, and it was a full half hour before the alarm bells were rung, and more than that time before an engine or a bucket of water could be commanded.—As it was, the fire had its own way, and was at last seen in the vault or cellar immediately under the delivery window of the city post office; followed shortly afterwards by flames from the windows of the latter, and, within five minutes afterwards, by flames from the roof, the fire having crept up along the stair cases or partitions to the top of the building before it broke out below.

From the moment of the flames bursting out from the lower windows, it was obvious that all hope of saving the building was vain. In little more than an hour the whole interior of the building and its contents were destroyed.

The books of the general post office were all, or nearly all, saved, exertions having been made for their safety from nearly the first moment of the alarm; but a mass of papers, &c. belonging to the office were destroyed. Not any thing was saved from the patent office or the city post office, the volume of the smoke preventing any body from penetrating the latter, so as to save any thing.

As to the origin of the fire, it is impossible to say any thing, for nothing seems to be known of it, except that it was in a cellar or vault, in which pine wood and coal were stowed, all which were probably in a state of ignition before the fire disclosed itself to the eye. We the more willingly forbear any conjecture as to the cause of the fire, since both houses of congress have taken steps, through committees, to investigate it, and in one house with power to send for persons and papers.

Most fortunately, the night was calm and comparative serene, or the destruction of private property would have been inevitable and great. Had it occurred on the night previous, when the wind blew almost a hurricane, several squares of valuable buildings must have been destroyed. The means of the city for extinguishing fires are wholly inadequate to the value of the property at stake, and the sources for the supply of water for the en-

gines are limited in their extent, as well as precarious. We trust that the lesson we have just received will not be lost on those who have it in their power to apply the remedy.

Of all the amount of loss of papers and property sustained by this disaster, that which is most to be regretted (because irreparable) is that of the whole of the great repository of models of machines in the patent office. The mouldering ashes now only remain of that collected evidence of the penetration, ingenuity and enterprise which peculiarly distinguish the descendants of Europe in the western world.

THE CITY POST OFFICE. We have mentioned in the preceding article the destruction of all the contents of the city post office. All the mails of the night and morning (including letters received by other mails for distribution by those mails), except the Warrenton (Va.) and Port Tobacco (Md.) mails, had been sent off before the fire occurred. All the mails received the preceding evening and in the night for delivery at this place were destroyed, including, of course, all the letters for members of congress, different officers of the government (and editors). The transmission of mails from this place, will not, we understand, be for a moment interrupted by this catastrophe.

The city post office is reopened for the present in the lower story of Mr. Seaser's brick house, on 7th street, a few doors above the office of the National Intelligencer.

OFFICIAL.

Treasury department, Dec. 15, 1836.

Notice is hereby given, that all the letters and papers, of every kind, directed to this department, or any of its bureaus, and which arrived in this city on the evening of yesterday, through the mails, were destroyed this morning by the burning of the post office; and it is requested that duplicates of such as the parties suppose material and likely to have reached here last evening may be immediately forwarded.

LEVI WOODBURY, sec. of the treasury.

ENGINEER ORDER, NO. 5.

Engineer department, Washington, Dec. 15, 1836.

In consequence of the destruction of the post office last night by fire, it is probable many communications addressed to this department may have shared the same fate. In order, therefore, to remedy the latter evil, the officers and agents of the department are hereby required to transmit, without delay, duplicates of such letters and other papers the receipt of which remain unacknowledged.

C. GRATIOT, chief engineer.

PRESIDENTIAL ELECTION.

NEW HAMPSHIRE.

The seven electoral votes of this state have been given for *Martin Van Buren* for president and *Richard M. Johnson* for vice president.

MASSACHUSETTS.

The fourteen votes of this state were cast for *Daniel Webster* for president, and *Francis Granger* for vice president.

The following letter from Mr. Webster to the honorable Nathaniel Silsbee, was laid before the electors before the vote was given.

Boston, Nov. 15, 1836.

MY DEAR SIR: It appears highly probable that the election of yesterday has terminated in the choice of yourself, and the other gentlemen on the same list, as electors of president and vice president of the United States, in behalf of the state of Massachusetts. This result, the relation in which I have stood to the people of the commonwealth during the contest, and events which have transpired, or are anticipated, in other states, have rendered it proper, in my judgment, that I should address you this letter, to be laid before the electors when they shall assemble.

My purpose is to say, that, in the discharge of their high and most interesting trust, it is my earnest wish that they should act with entire freedom from all considerations merely personal to myself; and that they should give the vote of the state in the manner they think most likely to be useful, in supporting the constitution and laws of the country, the union of the states, the perpetuity of our republican institutions, and the important interests of the whole country; and in maintaining the character of Massachusetts for integrity, honor, national patriotism, and fidelity to the constitution.

I am, dear sir, with sentiments of the truest esteem, your friend and obedient servant,

DANIEL WEBSTER.

Hon. N. Silsbee.

[The New York Commercial Advertiser says—It is understood that Mr. Webster wrote the letter

above inserted, in the expectation, under the then circumstances of the case, that the vote of Massachusetts might be of importance in deciding the election against the Baltimore nominee, and in favor of general Harrison. Had the returns continued so favorable as to have warranted such an expectation to the end, it was clearly Mr. Webster's desire that the vote should be cast for general Harrison.]

NEW YORK.

The electoral vote of this state was cast for *Martin Van Buren* as president, and *Richard M. Johnson* as vice president.

NEW JERSEY.

The electors of this state, eight in number, voted unanimously for *William H. Harrison* as president, and *Francis Granger* as vice president.

VIRGINIA.

The twenty-three votes of this state were given for *Martin Van Buren*, of New York, for president and *William Smith*, of Alabama, for vice president. Six members of the college did not appear, whose places were supplied by the general assembly.

NORTH CAROLINA—OFFICIAL.

	<i>Van Buren.</i>	<i>Whig.</i>
Anson	299	689
Ashe	343	297
Beaufort	180	616
Bertie	442	312
Bladen	263	195
Brunswick	88	123
Buncombe	350	724
Burke	332	744
Cabarrus	231	440
Camden	88	157
Carteret	152	123
Caswell	1,055	107
Chatham	599	718
Chowan	140	203
Columbus	159	112
Craven	323	187
Cumberland	667	418
Currituck	424	33
Davidson	109	593
Duplin	682	197
Edgecomb	1,175	90
Franklin	554	238
Gates	281	103
Granville	494	664
Greene	178	143
Guilford	335	789
Halifax	330	495
Haywood	205	136
Hertford	214	253
Hyde	74	169
Iredell	337	772
Johnston	443	306
Jones	90	155
Lenoir	281	172
Lincoln	1,386	591
Macon	288	132
Martin	559	179
Mecklenburg	985	712
Montgomery	106	644
Moore	493	181
Nash	481	95
New Hanover	735	150
Northampton	183	359
Onslow	446	140
Orange	1,103	905
Pasquotank	155	200
Perquimons	50	166
Person	507	160
Pitt	363	377
Randolph	180	849
Richmond	57	433
Robeson	472	293
Rockingham	850	223
Rowan	108	1,131
Rutherford	449	929
Sampson	559	297
Stokes	973	684
Surry	865	617
Tyrell	35	189
Wake	813	665
Warren	662	86
Washington	48	193
Wayne	551	162
Wilkes	209	744
Yancey	267	138
	26,910	23,626

SOUTH CAROLINA.

On the 6th inst. the house of representatives passed the following resolution:

"Resolved, That the electors of president and vice president be instructed not to vote for *MARTIN VAN BUREN*, *HUGH L. WHITE*, or *W. H. HARRISON*, and to vote for *JOHN TYLER*, of Virginia, for vice president."

Afterwards, the following resolution was adopted by both branches of the legislature:

"Resolved, That the electors on the part of this state for president and vice president, be instructed to vote for *Willie P. Mangum*, of North Carolina, for president, and *John Tyler* of Virginia, for vice president."

The electors are *D. J. D. McCord*, *Thomas F. Jones*, *B. K. Hennegan*, *John Maxwell*, *T. L. Gourdin*, *Thomas Dugan*, *John Littlejohn*, *John Framp-ton*, *Patrick Noble*, *R. H. Goodwyn*, *B. T. Elmore*.

OHIO.

We have the State Journal of the 6th inst. In a postscript we learn that the Ohio electors were all present but *col. R. Safford*, of the 6th congressional district; his place was supplied by the college electing *col. Andrew Donally* of the state senate. The 21 votes were then given to general Harrison and *Francis Granger*.

MISSISSIPPI.

Returns from all the counties in this state butten, give a majority of 340 votes for electoral ticket favorable to *Van Buren* and *Johnson*.—The remaining counties will, it is said, increase that majority a few hundreds.

RESIGNATION OF MR. LEIGH.

In the house of delegates of Virginia, on Tuesday the 6th inst. the speaker presented a communication from the acting governor enclosing the following letter from *Benjamin Watkins Leigh*, esq. resigning his office as a senator of the United States.

Richmond, December 5th, 1836.

SIR: In the letter I addressed to the speakers of the two houses of the general assembly, under date of the 2d March last, I announced my purpose to resign my office of senator of the U. States at the commencement of the present session; and I now hereby resign the office.

I should have confined this letter to the single purpose of making this resignation, if the obligations of truth and candor, the care I owe to my own reputation, and, in my sense of things, my duty to my country and its institutions, did not impose upon me the necessity of correcting some misapprehensions, which I have discovered to exist, as to my motives for resigning.

I shall, therefore, avail myself of this opportunity to declare, in the most implicit and solemn manner, what I thought I had intimated very distinctly in my letter of the 2d March, above referred to, that my sole reason and motive for resigning my seat in the senate, consist in the imperious necessity I am under of giving my whole attention to my private affairs, or rather in my sense of the duty which I owe to my family, and to all my personal relations in society. I could not retain my seat in the senate if I would; and I must ask leave to say further, that so far from being in the slightest degree influenced to resign by the instructions which the general assembly gave me at its last session, and the resolution it thought proper to adopt, that I was bound to obey these instructions or resign—so far, too, from being moved by any apprehension of the censure of the general assembly, or even of any public odium I might incur by retaining my office, I placed my whole hope of the lasting approbation of my country upon my resistance to the principles and doctrines as novel in my opinion, as they are erroneous and dangerous, tending to an entire subversion of the constitution of the senate, to an alteration of the whole frame of the federal government, and to the destruction of all the balances wisely provided by the constitution, as well in respect to the relations of the several departments of the government towards each other, as the relations of the whole towards the state government.

I request you to communicate this letter to the general assembly.

I have the honor to be, sir, with all respect,

B. W. LEIGH.

To the hon. *Wyndham Robertson*, lieu. governor of Virginia.

Mr. *Watkins* moved to lay the communication on the table, with a view to its reference to a select committee.

Mr. *W.* remarked, that he might not have correctly understood Mr. *Leigh*, but if he did, he thought the letter ought to undergo the scrutiny of the house, making, as he thought it did, an attack upon the vital principles of this government, if so it might be necessary to review those principles, and again assert them. No public servant should be permitted to disregard them, without a rebuke from the general assembly. Mr. *W.*'s apprehensions as to the assumptions of the letter, might not be just, but, if they were, it was due to the right of instruction to shew that no public servant could defy it, without being taught that he would be withered and must cower before the voice of the people.

Mr. *Moore* had hoped that one session at least, would have been devoted to the business of the people, without the introduction of exciting debates on federal relations. He hoped the motion of the gentleman would not be adopted, as it would lead to unnecessary and tedious discussion, in which, perhaps, many members might feel themselves impelled to engage. He, for one, should do so, and sustain the grounds assumed by Mr. *Leigh*.

The motion being modified, so as to take the question upon a reference of the letter to a select committee, it prevailed by a vote of 68 to 48, and the following committee was announced by the chair:

Messrs. *Watkins*, *Moore*, *Garland*, *Hooe*, *Miller*, *Hill*, *Robinson*, *Chapman*, *Newman*, *Woolfolk*, *Bayly* of *A. and Crutchfield*.

THE STATE OF THE CURRENCY—LETTER FROM MR. BIDDLE.

From the National Gazette of the 10th inst.

Philadelphia, Nov. 11, 1836.

MY DEAR SIR: I proceed to the second subject of our conversation—the present state of the currency—which I shall treat dispassionately, as an abstract question of mere finance.

Our pecuniary condition seems to be a strange anomaly. When congress adjourned, it left the country with abundant crops and high prices for them—with every branch of industry flourishing—with more specie than we ever possessed before—with all the elements of universal prosperity. Not one of these has undergone the slightest change, yet after a few months congress will reassemble and find the whole country suffering intense pecuniary distress. The occasion of this, and the remedy for it, may well occupy our thoughts.

In my judgment, the main cause of it is the mismanagement of the revenue—mismanagement in two respects: the mode of executing the distribution law, and the order requiring specie for the public lands.

1st. The distribution law.

In July 1836, congress declared that the surplus in the treasury on the 1st of January, 1837, should be divided among the states. That it might be done as gently as possible, the payments were to be made, not at once on the 1st of January, but quarterly throughout the whole year 1837; and as the aggregate sum to be distributed is from thirty-six to forty millions, we may assume the first payment in January to be about nine millions. To prepare for this, the treasury has had in hand forty or fifty millions—it would receive in the course of the operation thirty or forty millions of revenue more—and as there was probably money in every state, and payments to make in every state, the operation was so simple and easy that it ought not to have occasioned the slightest pressure either on public or private interests; and the whole might have been accomplished without any derangement of trade and without the movement of a single dollar in specie. That this not only could be done but has actually been done, you will find in the public documents of 1829.

In that year the new administration of Mr. *Jackson*, anxious to appropriate every disposable dollar of the revenue to the reduction of the public debt, sought and obtained the aid of the bank of the U. S. Notice was accordingly given on the 31st of March, 1829, that on the 1st of July, the debt and interest, amounting to \$8,715,462 87 would be paid. At the period of the notice, the whole available means of the treasury were only six millions, scattered throughout the United States, and these, with the accruing revenue in the interval, were, at a notice of ninety days, to be collected, to pay nearly nine millions. So closely was the government pressed, that after paying these sums, the actual balance in the treasury throughout the whole United States, was reduced to \$164,865 04. The bank however undertook the arrangement, with what success may be seen in the following part of the message of Mr. *Jackson* to congress in December 1829. "The payment on account of the public debt, made on the 1st of July last was \$8,715,462 87. It was apprehended that the sudden withdrawal of so large a sum from the banks in which it was deposited, at a time of unusual pressure in the money market, might cause much injury to the interests dependent on bank accommodations. But this evil was wholly averted by an early anticipation of it at the treasury, aided by the judicious arrangement of the officers of the bank of the United States." The respective shares of the bank and the treasury may be conjectured from the secretary's letter of the 11th July 1829, in which he takes occasion to express "the great satisfaction of the treasury department in the preparation for the heavy payment of the public debt on the 1st instant—which has been effected by means of the prudent arrangement of your board, at a time of severe

depression on all the productive employments of the country, without causing any sensible addition to the pressure, or even visible effect upon the ordinary operations of the state banks."

If then nine millions, being almost the last dollar in the treasury, could be thus distributed—two millions of it to foreigners—at a time of unusual pressure; how happens it that with funds equal to fifty millions, and with six months notice, nine millions cannot now be distributed—exclusively among our own people—at a time of great abundance, without hazarding a great convulsion? The answer is to be found in the different mode of conducting the operation. This may be seen by contrasting what the secretary might have done, with what he has done.

The distribution law assigned to him two duties, both simple and both easy—the division of the funds among the banks and the division among the states. As to the first, he was to "select as soon as may be practicable and employ as the depositories of the money of the United States, such of the banks as may be located at, adjacent, or convenient to the points or places at which the revenues may be collected or disbursed"—"provided that at least one such bank shall be located in each state or territory"—"and that no bank shall have on deposit more than three-fourths of its capital."

Here is no authority whatever to distribute the money from the banks of one state to the banks of another state. On the contrary, by the twelfth section, all transfers for "any other purpose whatever except to facilitate the public disbursements and to comply with the provisions of this act, are hereby prohibited and declared to be illegal," and "in cases where transfers shall be required for purposes of equalization under the provisions of this act in consequence of too great an accumulation of deposits in any bank—such transfers shall be made to the nearest deposit banks which are considered safe and secure;" and although the supplement says that nothing shall prevent him from making transfers from state to state, "when required to prevent large and inconvenient accumulations in particular places, or in order to produce a due equality and just proportion according to the provisions of that act," the general policy of the law to keep the deposits together, unless under peculiar emergencies, remains unchanged.

Under this law his duty was as clear as possible. He was to see that no bank should have a deposit of more than three-fourths of its capital. The revenue in the great cities, then, should be divided among the banks in those cities—there being in each of them solvent banks enough to receive it.—There was no necessity for sending a dollar of it out of those cities. In New York alone, says he, "the operation will require the transfer of something like eight millions of dollars from the old deposit banks to new ones, either in the state or out of it." But why out of it at all? Why could not the revenue already received in New York and falling due in New York, be divided among the New York banks, to support the trade of New York?—Why not let it remain active there up to the last hour when it was payable to the states? But the law required that there should be at least one deposit bank in each state.—Be it so. Then make a deposit bank in each state, if there be not one already, and give it a deposit, which, while it satisfies the law, will not carry away into inactivity funds that might be useful in places of business.—There was then no necessity to send a dollar from New York, or the other commercial cities, merely for the purpose of preventing any one bank from having more than three-fourths of its capital. That is clear.

Nor was it more necessary for the purpose of distribution among the states. The law says: "That the money which shall be in the treasury of the U. States, on the 1st of January, 1837, shall be deposited with such of the several states as shall by law authorise their treasurer or other competent authorities to receive the same—and the secretary of the treasury shall deliver the same to such treasurer or other competent authorities on receiving certificates of deposit therefor." This is the whole law. Now what does it contemplate?

The money must be in the treasury on the 1st of January, 1837, because up to that time it is not known whether the states will take it. Technically and legally, the treasury is at Washington—practically the treasury is wherever the deposits of the public moneys are. But the secretary of the treasury is an official person whose only official residence is Washington. Accordingly a treasurer of a state goes to the secretary at Washington—and presents to him the certificates of deposit. The secretary thereupon "delivers" to the treasurer his state's quota. But how does he deliver it? By an actual manual counting out of these dollars?—No. By a check on the deposit bank at Washington?—

No. But he delivers to the state treasurer as he does to any other person receiving money, a draft for the amount on some one or more of the depositories which compose the treasury. Is not such a draft, the usual and proper mode of making public payments?—Undoubtedly. And then we come to the real question. Was it necessary to make in advance any transfer of funds whatsoever into the several states merely because they had the option, on certain conditions, of receiving them? If there was no such necessity, then the 12th section of the law makes these transfers illegal. Now there is clearly no such necessity. The money was to be deposited with the states not in them. It was necessarily paid in Washington by drafts on other places. If you say that the secretary must pay it into the state treasury, it is not enough to bring it into the state—he must take it to the seats of government. Pennsylvania must have her share—not in Philadelphia, but in Harrisburgh. New York must be paid, not in the city of New York but in Albany. If the place be not fixed by law, the mutual convenience of the parties will designate it. Now there is no individual and no state in the union that would not prefer payments in New York or the north Atlantic cities, to payments any where else; and for this obvious reason—that money is worth more there than any where else. If the state of Ohio, for instance, had a draft on New York, it could sell it to its citizens, usefully to them and profitably to the treasury. It does not want the money brought into Ohio. Every mile it comes on the road lessens its value. We may safely conclude then that there was no necessity for sending a dollar of public money from New York or the commercial cities for the purpose either of equalizing funds among the banks—or distributing them through the states:

The true theory of the case, therefore, was simply to let the excesses of revenue in the several states be transferred, in the course of trade, to the great commercial points, and then to pay the states by drafts on those points. The deposit banks at those points, knowing what they had to pay, would have been ready to pay—and up to the hour of payment would have employed the funds usefully, so that in every stage of that progress, business would be assisted—commercial activity stimulated—and all parties be gainers.

Even supposing these transfers at all necessary—the funds should have been remitted by bills to the points of accumulation—blending these operations so insensibly with the business of the country as to be unfelt except in their benefits.

But what has the secretary done? Instead of gradual preparations to provide funds at the distant points, the whole science of the treasury seems to have consisted in drawing warrants—in taking up the columns of the returns and directing drafts from the banks, throughout the United States without necessity—without reference to the wants or the business of the different sections of the union, the season of the year or the course of trade—and thus making the whole revenue of the country work against the whole industry of the country.

His secret is thus revealed in the letter to Messrs. Griswold & Swan:

"I have therefore, in cases where the public money had accumulated in any banks in any one state, and new banks could be seasonably obtained in other states where only a little public money already existed, made but one transfer to accomplish both objects, and by a single operation have reduced the excess in certain banks in certain states, and placed it in the states where it would be needed next year, and where they before had not an equal portion of the public money."

We thus perceive—what on less authority would be incredible—the extraordinary manner in which the public revenue has been scattered. The secretary sees an accumulation of public revenue in any one state. He sees another place in another state "where only a little public money already existed"—whereupon he resolves, without the least authority from congress, to bestow upon that place "an equal portion of the public money;" and as he will have, twelve month hence, to pay some money in that state, he makes "a single operation" of it—and accordingly he confesses that he has actually transferred public moneys into states which cannot receive them for a year afterwards—depriving the very community which raised the money of the use of it during the whole period.

Such a measure was of itself sufficient to disorganize the currency. But it was accompanied by another which armed it with a tenfold power of mischief. This was the treasury order prohibiting the receipt at the land offices of any thing but specie—an act which seems to me a most wanton abuse of power, if not a flagrant usurpation.

The whole pecuniary system of this country, that to which, next to its freedom, it owes its prosperity,

is the system of credit. Our ancestors came here with no money—but with far better things—with courage and industry—and the want of capital was supplied by their mutual confidence. This is the basis of our whole commercial and internal industry. The government received its duties on credit and sold its lands on credit. When the sales of land on credit became inconvenient from the complication of accounts, the lands were sold for what is termed cash. But this was only another form of credit, for the banks, by lending to those who purchased lands, took the place of the government as creditors—and the government received their notes as equivalent to specie, because always convertible into specie. This was the usage—this may be regarded as the law of the country. By the resolution of congress passed on the 30th of April, 1816, it was declared that "no duties, taxes, debts or sums of money, accruing or becoming payable to the United States as aforesaid, ought to be collected or received otherwise than in the legal currency of the United States, or treasury notes, or notes of the bank of the United States, or in notes of banks which are payable and paid on demand in the said legal currency of the United States."

This resolution presents various alternatives—the legal currency—or treasury notes—or notes of the bank of the United States—or notes of specie paying banks. A citizen had a right to choose any one of these modes of payment. He had as much right to pay for land with the note of a specie paying bank as to pay it for duties at the custom house. If this be denied, certainly any one of them might be accepted by the treasury—but to proscribe all but one—to refuse every thing but the most difficult thing—to do this without notice of the approaching change in the fundamental system of our dealings—is an act of gratuitous oppression.

Under the operation of this resolution, the banks had gone on, fearing nothing, as they had only to provide for the usual specie calls upon them—and saw the country full of specie, with no foreign demand to drain it from them—when, on a sudden, without any intimation of the coming shock, an order was issued by the secretary, declaring that their notes were no longer receivable, and of course inviting all who held the notes or had deposits in these banks, to convert them into specie. It in fact made at once the whole amount of their circulation and private deposits a specie demand upon them. The first consequence was, that the banks nearest the land offices ceased making loans. The next was, that they strove to fortify themselves by accumulating specie. It was just at this moment that the warrants for transfers were put into their hands. The combination of the two measures produced a double result—first, to require the banks generally to increase their specie, and next, to give them the means of doing it, by drafts on the deposit banks. The commercial community were thus taken by surprise. The interior banks making no loans and converting their Atlantic funds into specie, the debtors in the interior could make no remittances to the merchants in the Atlantic cities, who are thus thrown for support on the banks of those cities at a moment when they are unable to afford relief on account of the very abstraction of their specie to the west. The creditor states, not only receive no money, but their money is carried away to the debtor states, who, in turn, cannot use it, either to pay old engagements or to contract new. By this unnatural process the specie of New York and the other commercial cities is piled up in the western states—not circulated, not used, but held as a defence against the treasury—and while the west cannot use it—the east is suffering for the want of it. The result is, that the commercial intercourse between the west and the Atlantic, is almost wholly suspended, and the few operations which are made, are burdened with the most extravagant expense. In November, 1836, the interest of money has risen to twenty-four per cent.—merchants are struggling to preserve their credit by ruinous sacrifices—and it costs five or six times as much to transmit funds from the west and south west, as it did in November, 1835, or '34, or '32.—Thus while the exchanges with all the world are in our favor—while Europe is alarmed, and the bank of England itself uneasy at the quantity of specie we possess—we are suffering because, from mere mismanagement, the whole ballast of the currency is shifted from one side of the vessel to the other.

In the absence of good reasons for these measures, and as a pretext for them, it is said that the country has overtraded—that the banks have over-issued, and that the purchasers of public lands have been very extravagant. I am not struck by the truth or propriety of these complaints. The phrase of overtrading is very convenient but not very intelligible. If it means any thing, it means that our dealings with other countries have brought us in

debt to those countries. In that case the exchange turns against our country, and is rectified by an exportation of specie or stocks in the first instance—and then by reducing the imports to the exports. Now the fact is, that at this moment, the exchanges are all in favor of this country—that is, you can buy a bill of exchange on a foreign country cheaper than you can send specie to that country. Accordingly much specie has come in—none goes out. This too at a moment when the exchange for the last crop is exhausted, and that of the new crop has not yet come into the market—and when we are on the point of sending to Europe the produce of the country, to the amount of eighty or one hundred millions of dollars. How then has the country over-traded? Exchange with all the world is in favor of New York. How then can New York be an over-trader? Her merchants have sold goods to the merchants of the interior, who are willing to pay, and under ordinary circumstances able to pay—but by the mere fault of the government, as obvious as if an earthquake had swallowed them up, their debtor are disabled from making immediate payment. It is not that the Atlantic merchants have sold too many goods, but that the government prevents their receiving payment for any. Moreover in the commercial cities money can be had, though at extravagant rates, for capitalists add to the ordinary charges for the use of it a high insurance against the loss of it. It is not then so much that money is not to be procured, as that doubt and alarm increase the hazard of lending it.

Then as to the banks. It is quite probable that many of the banks have extended their issues—but whose fault is it? Who called these banks into existence? The executive. Who tempted and goaded them to these issues? Undoubtedly the executive. The country five years ago, was in possession of the most beautiful machinery of currency and exchanges the world ever saw. It consisted of a number of state banks protected, and, at the same time, restrained by the bank of the United States.

The people of the United States through their representatives rechartered that institution. But the executive, discontented with its independence, rejected the act of congress—and the favorite topic of declamation was, that the states would make banks, and that these banks could create a better system of currency and exchanges. The states accordingly made banks—and then followed idle parades about the loans of these banks, and their enlarged dealings in exchange. And what is the consequence? The bank of the United States has not ceased to exist more than seven months, and already the whole currency and exchanges are running into inextricable confusion, and the industry of the country is burdened with extravagant charges on all the commercial intercourse of the union. And now, when these banks have been created by the executive, and urged into these excesses, instead of gentle and gradual remedies, a fierce crusade is raised against them—the funds are harshly and suddenly taken from them, and they are forced to extraordinary means of defence against the very power which brought them into being. They received, and were expected to receive, in payment for the government, the notes of each other, and the notes of other banks, and the facility with which they did so, was a ground of special commendation by the government. And now that government has let loose upon them a demand for specie, to the whole amount of these notes. I go further. There is an outcry abroad, raised by faction and echoed by folly, against the banks in the United States. Until it was disturbed by the government, the banking system of the United States was at least as good as that of any other commercial country. What was desired for its perfection, was precisely what I have so long striven to accomplish—to widen the metallic bases of the currency, by a greater infusion of coin into the smaller channels of circulation. This was in a gradual and judicious train of accomplishment. But this miserable foolery about an exclusively metallic currency is quite as absurd as to discard the steamboats, and go back to poling up the Mississippi. Banks may often err from want of skill, and occasionally be injurious as steam is—but it is not the less true, that banks of this country have been the great instruments of its improvement, and that during all the convulsions of the last fifteen years, for every American bank which has failed at least ten English banks have failed.

So with regard to the lands. For the last few years, the amount of the sales of the public lands has been a constant theme of congratulation with the executive. In the very last message, on the 12th of December, 1835, he repeats the same strain. "Among the evidences of the increasing prosperity of the country, not the least gratifying is that afforded by the receipts of the public lands, which amount in the present year to eleven millions of dollars. This cir-

cumstance attests the rapidity with which agriculture, the first and most important occupation of man, advances and contributes to the wealth and power of our extended territory." In the same message he declared that "the circulating medium has been greatly improved. By the use of the state banks it is ascertained that all the wants of the community in relation to exchange and currency are supplied as well as they have ever been before." Scarcely seven months elapse when these pastoral and financial visions dissolve in air. Agriculture ceases to be "the first and most important occupation of man"—the state banks cease to be the models of exchange and currency—but forth issues the secretary with a declaration, that to protect the treasury "from frauds, speculation and monopolies in the purchase of public lands"—from "excessive bank credits"—from "ruinous extension of bank issues"—nothing shall be received for land but gold and silver.

Now what an exhibition is this?

The public lands are exposed to public auction, the prices reduced in order to encourage sales, and the president stands by, exulting at the amount, when suddenly he declares that he will permit no speculations, and that he will raise the price of the lands by raising the price of what alone he will receive for them. Now, supposing it true that men have bought much land. What right has the president to dictate to the citizens of this country, whether they buy too much land or too much broadcloth? They might be permitted to know and to manage their own concerns quite as well as he does, leaving the evil, if it be one, to correct itself, by its own excess. If he prohibits the receipt of any thing but specie to correct land speculations, he may make the same prohibition as to the duties on hardware or broadcloth or wines, whenever his paternal wisdom shall see us buying too many shovels, or too many coats, or too much Champagne—and thus bring the entire industry of the country under his control.

These troubles may not, however, be wholly useless, if we extract from them two great lessons.—The first is, that we can have no permanent financial prosperity while the public revenue is separated from the business of the country and committed to rash and ignorant politicians with no guides but their own passions and interests. I have little doubt that the specie order is the revenge of the president upon congress for passing the distribution law. I have less doubt that this dispersion of the revenue among a multitude of banks was to advance the obscure aspirations of some treasury Cæsar.

The other lesson is—one a thousand times repeated and a thousand times forgotten—to distrust all demagogues of all parties who profess exclusive love for what they call the people. For the last six years the country has been nearly convulsed by efforts to break the mutual dependence of all classes of citizens—to make the laborer regard his employer as his enemy, and to array the poor against the rich. These trashy declaimers have ended by bringing the country into a condition where its whole industry is subject far more than it ever was before, to the control of the large capitalists—and where every step tends inevitably to make the rich richer, and the poor poorer.

It remains to speak of the remedy of these evils. They follow obviously the causes of them. The causes are the injudicious transfers of the public moneys, and the treasury order about specie.

The first measure of relief therefore should be, the instant repeal of the treasury order requiring specie for lands—the second, the adoption of a proper system to execute the distribution law.

These measures would restore confidence in twenty-four hours, and repose at least in as many days. If the treasury will not adopt them voluntarily, congress should immediately command it.

In the mean time, all forbearance and calmness should be maintained. There is great reason for anxiety—none whatever for alarm—and with mutual confidence and courage, the country may yet be able to defend itself against the government. In that struggle, my own poor efforts shall not be wanting. I go for the country, whoever rules it—I go for the country, best loved when worst governed—and it will afford me far more gratification to assist in repairing its wrongs, than to triumph over those who inflict them. With great respect and regard, yours,

N. BIDDLE.

Hon. John Q. Adams, Washington, D. C.

MESSAGE FROM THE PRESIDENT, Communicating the correspondence on the subject of the publication of the works of the late JAMES MADISON.

To the senate and house of representatives:

I transmit herewith to congress copies of my correspondence with Mrs. Madison, produced by

the resolution adopted at the last session of the senate and house of representatives, on the decease of her venerated husband. The occasion seems to be appropriate to present a letter from her on the subject of the publication of a work of great political interest and ability, carefully prepared by Mr. Madison's own hand, under circumstances that give it claims to be considered as little less than official.

Congress has already, at considerable expense, published, in a variety of forms, the naked journals of the revolutionary congress, and of the convention that formed the constitution of the United States. I am persuaded that the work of Mr. Madison, considering the author, the subject matter of it, and the circumstances under which it was prepared, long withheld from the public as it has been by those motives of personal kindness and delicacy that gave tone to his intercourse with his fellow men, until he and all who had been participants with him in the scenes he describes have passed away, well deserves to become the property of the nation, and cannot fail, if published and disseminated at the public charge, to confer the most important of all benefits on the present and every succeeding generation—accurate knowledge of the principles of their government, and the circumstances under which they were recommended, and embodied in the constitution for adoption.

ANDREW JACKSON.

December 6, 1836.

Department of state, July 9, 1836.

The secretary of state has the honor to report to the president that there is no resolution of congress on the death of Mr. Madison, on file in the department of state. By application at the offices of the secretary of the senate and the clerk of the house of representatives, the enclosed certified copy of a set of resolutions has been procured. These resolutions being joint, should have been enrolled, signed by the presiding officers of the two houses, and submitted for the executive approbation. By referring to the proceedings on the death of general Washington, such a course appears to have been thought requisite; but in this case it has been deemed unnecessary, or has been omitted accidentally. The value of the public expression of sympathy would be so much diminished by postponement to the next session, that the secretary has thought it best to present the papers, incomplete as they are, as the basis of such a letter as the president may think proper to direct to Mrs. Madison.

JOHN FORSYTH, sec. of state.

Washington, July 9, 1836.

MADAM: It appearing to have been the intention of congress to make me the organ of assuring you of the profound respect entertained by both its branches for your person and character, and of their sincere condolence in the late afflicting dispensation of Providence, which has at once deprived you of a beloved companion, and your country of one of its most valued citizens, I perform that duty by transmitting the documents herewith enclosed.

No expression of my own sensibility at the loss sustained by yourself and the nation could add to the consolation to be derived from these high evidences of the public sympathy. Be assured, madam, that there is not one of your countrymen who feels more poignantly the stroke which has fallen upon you, or who will cherish with a more endearing constancy the memory of the virtues, the services, and the purity of the illustrious man whose glorious and patriotic life has been just terminated by a tranquil death.

I have the honor to be, madam, your most obedient servant,
ANDREW JACKSON.
Mrs. Dolly P. Madison, Montpelier, Virginia.

Montpelier, August 20, 1836.

To the president of the United States:

I received, sir, in due time, your letter conveying to me the resolutions congress were pleased to adopt on the occasion of the death of my beloved husband—a communication made the more grateful by the kind expression of your sympathy which it contained.

The high and just estimation of my husband by my countrymen and friends, and their generous participation in the sorrow occasioned by our irretrievable loss, (expressed through their supreme authorities and otherwise), are the only solace of which my heart is susceptible on the departure of him who had never lost sight of that consistency, symmetry and beauty of character in all its parts, which secured to him the love and admiration of his country, and which must ever be the subject of peculiar and tender reverence to one whose happiness was derived from their daily and constant exercise.

The best return I can make for the sympathy of my country is to fulfil the sacred trust his confi-

dence reposed in me—that of placing before it and the world what his pen prepared for their use—a legacy, the importance of which is deeply impressed on my mind. With great respect,

D. P. MADISON.

Montpelier, November 15, 1836.

To the president of the United States:

SIR: The will of my late husband, James Madison, contains the following provision:

"Considering the peculiarity and magnitude of the occasion which produced the convention at Philadelphia, in 1787, the characters who composed it, the constitution which resulted from their deliberations, its effects during a trial of so many years on the prosperity of the people living under it, and the interest it has inspired among the friends of free government, it is not an unreasonable inference that a careful and extended report of the proceedings and discussions of that body, which were with closed doors, by a member who was constant in his attendance, will be particularly gratifying to the people of the United States, and to all who take an interest in the progress of political science and the cause of true liberty."

This provision bears evidence of the value he set on his report of the debates in the convention; and he has charged legacies on them alone, to the amount of \$12,000, for the benefit of literary institutions and for benevolent purposes, leaving the residuary net proceeds for the use of his widow.

In a paper written by him, and which it is proposed to annex as a preface to the debates, he traces the formation of confederacies and of the articles of confederation, its defects which caused and the steps which led to the convention, his reasons for taking the debates, and the manner in which he executed the task, and his opinion of the framers of the constitution. From this I extract his description of the manner in which they were taken, as it guarantees their fullness and accuracy:

"In pursuance of the task I had assumed, I chose a seat in front of the presiding member, with the other members on my right and left hands. In this favorable position for hearing all that passed, I noted down in terms legible, and in abbreviations and marks intelligible to myself, what was read from the chair or spoken by the members; and losing not a moment unnecessarily between the adjournment and reassembling of the convention, I was enabled to write out my daily notes during the session, or within a few finishing days after its close, in the extent and form preserved in my own hand, on my files.

"In the labor and correctness of this I was not a little aided by practice, and by familiarity with the style and the train of observation and reasoning which characterized the principal speakers. It happened, also, that I was not absent a single day, nor more than the casual fraction of an hour in any day, so that I could not have lost a single speech, unless a very short one."

However prevailing the restraint which veiled, during the life of Mr. Madison, this record of the creation of our constitution, the grave which has closed over all those who participated in its formation has separated their acts from all that is personal to him or to them. His anxiety for their early publicity after this was removed, may be inferred from his having them transcribed and revised by himself; and, it may be added, the known wishes of his illustrious friend, Thomas Jefferson, and other distinguished patriots, the important light they would have shed for present as well as future usefulness, besides my desire to fulfil the pecuniary obligations imposed by his will, urged their appearance, without awaiting the preparation of his other works; and early measures were accordingly adopted by me to ascertain from publishers in various parts of the union the terms on which their publication could be effected.

It was also intended to publish with these debates those taken by him in the congress of the confederation in 1782, '8 and '7, of which he was then a member, and selections made by himself, and prepared under his eye, from his letters narrating the proceedings of that body during the periods of his service in it, prefixing the debates in 1776 on the Declaration of Independence, by Thomas Jefferson, so as to embody all the memorials in that shape known to exist. This expose of the situation of the country under the confederation, and the defects of the old system of government evidenced in the proceedings under it, seem to convey such preceding information as should accompany the debates on the formation of the constitution by which it was superseded.

The proposals which have been received, so far from corresponding with the expectations of Mr. Madison when he charged the first of these works

with those legacies, have evidenced that their publication could not be engaged in by me without advances of funds, and involving of risks which I am not in a situation to make or incur.

Under these circumstances, I have been induced to submit for your consideration whether the publication of these debates be a matter of sufficient interest to the people of the United States to deserve to be brought to the notice of congress. And should such be the estimation of the utility of these works by the representatives of the nation, as to induce them to relieve me individually from the obstacles which impede it, their general circulation will be insured, and the people be remunerated by its more economical distribution among them.

With high respect and consideration,

D. P. MADISON.

REPORT OF THE SECRETARY OF THE TREASURY,

ON THE STATE OF THE FINANCES.

Treasury department, Dec. 6th, 1836.

In obedience to the directions of the "act supplementary to the act to establish the treasury department," the secretary of the treasury respectfully submits to congress the following report:

1. Of the public revenue and expenditures.

It is believed that the whole amount of money in the treasury on the 1st of January next, applicable to public purposes, will be about \$41,723,959.

This conclusion rests in part on what has been actually ascertained, and in part on estimates.

Thus the balance in the treasury, on the 1st of January, 1835, was \$3,892,856 42

The receipts from all sources, during that year, were \$35,430,087 10

Viz:

From customs	\$19,391,310 59
" lands	14,757,600 76
Dividends and sales of bank stock	569,280 82
Incidental items	195,561 98
Neapolitan indemnity	516,332 96

Those, with the above balance, make an aggregate of \$44,322,945 52

The expenditures on all objects during the year 1835, were 17,573,141 56

On civil list, foreign intercourse, and miscellaneous objects 3,721,261 60

Neapolitan awards 508,436 93

Military service, including fortifications, &c. 9,420,812 69

Naval service, including gradual improvement 3,864,939 06

Public debt 58,191 28

For the details of the receipts and expenditures in the year 1836, reference is made to the annual account thereof, which is this day submitted to congress in a separate communication.

The balance left in the treasury on the first of January, 1836, was, therefore, \$26,749,803 96.

The receipts into the treasury during 1836, as ascertained and estimated, will be about \$47,691,898.

Of these, the receipts during the first three quarters, are ascertained to have been \$38,141,898 04

Viz:

From customs	\$17,523,151 79
" lands	20,048,929 88
Dividends and sales of United States bank stock	292,676 67

Incidental items, including excess of repayments on account of public debt, as hereafter stated 247,139 70

This does not embrace the receipts in trust on account of the Chickasaw Indians.

Of those receipts, and their investment, beside the expenditures from them, a report will forthwith be laid before congress, in conformity to treaties, and the acts of congress carrying those treaties into effect.

Neither does it embrace the receipts on account of the post office and patent office, of which, as well as the expenditures on the same accounts, separate statements are kept, in conformity to the late laws, and will be rendered by the proper officers.

Nor does it include what has been received in trust the present year for the claimants under the French, Neapolitan and Spanish treaties.

A separate account will be exhibited in this report of the receipts and expenditures from those sources, in order to avoid complexity and ambiguity in the statement of the general receipts and expenditures in behalf of the government alone.

The receipts during the fourth quarter of the present year, it is computed will be about \$9,550,000.

These, with the balance on the 1st of January, 1836, from an aggregate of \$74,441,702.

The expenditures during the year 1836, are ascertained and estimated to be \$31,435,032.

Of these, the amount during the first three quarters is ascertained to have been \$20,791,872 16.

Viz: on civil list, foreign intercourse, and miscellaneous, \$3,850,101 55.

Military service, including fortifications, &c. \$18,010,061 59.

Naval service, &c. \$3,931,209 02.

Public debt, less than the repayments by the commissioners of the sinking fund, as hereafter explained.

For the details of all these, and the incidental receipts, during those three quarters, reference is made to the exhibit annexed (A 1 and 2).

The expenditures for the fourth quarter, as computed by the proper departments, will be 10,643,660 dollars; but which, it is thought by me, will probably fall short of that amount.

This will leave on hand, on the first of January, 1837, an estimated balance of \$43,005,669. From this, if the diminished sum of \$1,080,000 for unavailable funds be deducted, the available balance of money, on the first of January, 1837, would be the sum of \$41,925,669.

But beside the charges already imposed on this balance by appropriations for public purposes still unpaid, and which will soon be adverted to, there is in fact included in it about \$201,710, which was paid into the treasury, chiefly in former years, from private sources alone, and for private or specific purposes, and which neither accrued from the usual sources of public revenue, nor ever belonged to the general government, except to fulfil the particular trusts under which it was received in behalf of others.

A schedule of those items and sums on the first of December, 1836, is annexed (B). Deduct their amount from the available balance of \$41,925,669, and only about \$41,723,959 would remain on the first of January next, applicable to the general purposes of the government.

To this deduction would be subjoined another, had not the receipts and expenditures connected with certain subjects during the present year, or portions of it, been kept distinct for reasons before indicated.

Thus the receipts on account of the post office, which, under the new organization, are paid into the treasury and kept distinct, have, since it took effect, being the last half of the year, been ascertained and computed to be about \$1,076,872 including near \$410,472, that had been collected previously; and the expenditures have been about \$562,952, leaving a balance on hand at the end of the year of about \$513,920, as will be more particularly exhibited by the head of that department.

The receipts on account of the patent office, since its new organization, for the present year, have also been ascertained and computed to be about \$16,828; the expenditures chargeable to them about \$7,241, and the balance about \$9,587, as will be more particularly shown by the report of the proper officer.

Besides these, the receipts into the treasury in trust from the treaties of indemnity with France, Naples and Spain, have been about \$3,765,994, and the payments to the claimants about \$3,668,988, leaving a balance of about \$102,026, still uncalled for or unadjusted.

The particulars of these will more fully appear in the general annual exhibit of all the receipts and expenditures.

Lastly, the receipts into the treasury on account of the Chickasaw Indians, have been about \$639,252, the expenditures, by investment and otherwise about \$577,675; and the balance on hand is about \$91,574. The detailed account of these, and the other transactions in their behalf, will be, as remarked in a former portion of this report, immediately presented in a separate communication to congress.

The charges already imposed on the general balance of \$41,723,959, by means of current and permanent appropriations—which it is expected will not be expended till after the first of January next, amount to \$14,636,062.

Of this sum it is computed that \$3,013,389 can be applied in aid of the appropriations, for the ensuing year without reappropriation; and that \$195,183 will be carried to the surplus fund, leaving \$11,427,490, which will probably be required to accomplish the objects contemplated in the acts of congress.

Deduct this remaining charge of \$14,440,879 from the balance estimated to be on hand on the first of January, 1837, and the sum of \$27,283,080 would be left to be appropriated by congress towards new or former objects.

2. Of the expenditures for the public debt and its present condition.

Before the passage of the act of congress at the last session on the subject of the public debt, the

money, which had previously been deposited by the commissioners of the sinking fund, in the U. States bank, for the payment of the residue of it, was, under their direction, repaid into the treasury, amounting to the sum of \$136,773 01.

Since that event, and the suspension of the duties of the commissioners, this department, by virtue of the above act, has caused all those portions of the public debt outstanding and presented for payment, to be promptly discharged.

The payments made since the first of January last, have been as follows, viz:

On the funded debt, towards principal \$46,405 72
Towards interest 3,139 09

Making in all the sum of \$49,544 81

There still remains of the funded debt, unclaimed and undischarged principal about \$90,367

And interest with dividends, about \$250,416

A small unfunded debt of \$37,440 55, also, remains, which may hereafter be claimed, and on which has been paid during the past year, including \$16 07 for interest on treasury notes, the sum of \$83 57

It consists of claims registered prior to 1798, for services and supplies during the revolutionary war, equal to \$27,385 46

Treasury notes issued during the war of 1812 5,735

And Mississippi stock 4,320 09

3. Of the estimates of the public revenue and expenditures of the year 1837.

The receipts into the treasury, from all sources, during 1837, are estimated at \$24,000,000

Viz:

From customs \$16,500,000

From lands 5,000,000

From bank stock 2,000,000

Miscellaneous, including interest from deposit banks 500,000

To these add the balance of available funds in the treasury on the 1st of January, 1837, estimated, as computed for public purposes, at 41,723,959

And they make an aggregate of 65,723,959

The expenditures for all objects, ordinary and extraordinary, in 1837, including the contingent of only \$1,000,000 for usual excesses in appropriations beyond the estimates, are computed at \$26,755,831,

provided the unexpended appropriations at the end of this and the next year remain about equal.

Thus the new and permanent appropriations chargeable to 1837 for specified purposes, whether ordinary or extraordinary, and including what can be used without reappropriation, are computed at \$23,755,831

Of these, the permanent appropriations already made, are estimated at \$2,347,000

The existing appropriations which will not be required for the service of 1836, and which it is proposed to apply in aid of 1837, amount to 3,013,339

The new appropriations that will be needed for 1837, are estimated to amount, in all, to 20,354,442

The latter are divided among the different branches of the public service, as follows, viz:

Civil, foreign intercourse and miscellaneous \$2,924,671

Military service, &c. 10,758,431

Naval service, &c. 6,670,341

The details of the above estimates are exhibited in a document from the register's office, which this department has the honor to lay before the house of representatives, to-day, in a separate communication.

To these have been added, for the ensuing year, on account of the usual contingent excesses of appropriations beyond the estimates, one million of dollars, making in all, as before mentioned, the aggregate of \$26,755,831.

From these calculations, it will be seen that if the outstanding appropriations unexpended at the close of 1837, be as large as at the close of 1836, and the other expenditures should agree with the above estimates, they would exceed the computed revenue accruing from all sources nearly three millions, or sufficient to absorb more than half of the present surplus, which is not to be deposited with the several states. But if these outstanding appropriations, at the close of 1837, should be much less than those in 1836, as is probable; or should the accruing receipts be much less, or the appropriations made for 1837, be much larger than the estimates, a

call will become necessary for a portion of the surplus deposited with the states, though it will not probably become necessary, excepting in one of those events.

4. Some explanation of the estimates for 1837.

The unusual receipts during the last two years, have chiefly accrued from the unprecedented sales of public lands.

It is remarkable, that those sales assumed their extraordinary character chiefly between July, 1835, and October, 1836—a period of little more than fourteen months.

Arising, as they have, principally from private entries, and not from any unusual quantities of land offered for public sale, and marked as they have been, by sudden and great vibrations, it has not been deemed judicious to consider them as a proper basis for permanent estimates of a public character.

Accordingly, the sum adopted for the estimates of the sales the past year, as well as that for the ensuing year, though larger than usual, has been grounded on general considerations of a less fluctuating character, leaving accidental and occasional excesses or deficiencies to happen, as they often will, without either the attempt or ability in this department to predict the extent of them with much certainty. The receipts from customs the present year will be somewhat augmented by the great speculations which have characterized the business of the country generally, and the destruction by fire of an extraordinary amount of foreign goods near the close of the last year. This calamity, followed by credits more liberal, and competition increased to supply the sudden and large deficiencies in the market, led to an excess in the importations of merchandise during the present year, even greater than the amount destroyed, and thus essentially contributed to swell the revenue from customs beyond the estimates. But overtrading, from whatever inducements it may arise, usually produces a reaction; and it is hoped that no accident of a similar and depreciated character will occur, which may enlarge our importations the ensuing year. The receipts from customs for 1837, have, therefore, from these and other circumstances which it might be tedious to detail, been estimated at not more than \$16,500,000.

Only about \$50,000 of the amount secured by special bonds from the sufferers by fire last December, under the authority of an act of congress on that subject, has been postponed, so as to fall due within the ensuing year, while a reduction on account of the diminished rate of duty imposed on wines since July last, has been made in the estimates for 1837, equalling quite three times that sum. Besides unusual speculations and overtrading, which are temporary in their operation, the last two years have exhibited an extraordinary degree of prosperity throughout the whole country, and which it is presumed, will continue to exercise a considerable direct influence on the whole amount of our exports and imports, and consequently an indirect influence on our receipts from customs. Much of this flattering condition of things may have arisen from the great reductions already made in the tariff and duties on tonnage; from having cast off the burthens of a national debt; from our increasing expenditures on works favorable to commerce and public security; from permanent additions to the moneyed capital of the nation by the many millions obtained abroad for foreign indemnities; from the immense fertile tracts of land redeemed from Indian claims, and opened to the profitable enterprise and industry of our citizens at very low prices, by the humane policy of removing the aborigines west of the Mississippi; from the unprecedented improvements in the facilities, the rapidity and cheapness of communication and of transportation by steam-boats and rail roads; from the greater safety of our foreign commerce, and its extension to new and distant regions; from abundant crops and high prices; from the increasing numbers, intelligence and enterprise of our people generally, or from these and various other causes combined. But though some of these causes may have spent most of their influence, others are acting in full vigor, and our national prosperity does not appear likely to be soon essentially checked, except so far as the excesses before mentioned, or war, or unavoidable physical calamities, like those of pestilence and bad crops, may from time to time produce temporary reactions.

The receipts from customs, therefore, though not estimated so high, as they proved to be during the past or preceding year, have still been computed at a larger sum than it was formerly anticipated they would on an average, equal under the existing tariff. The imports during the year, ending September 30th, 1836, are ascertained and estimated at \$173,540,000

They show, compared with the preceding year, an increase of \$23,644,258

The imports during the three past years have on an average, been about \$149,985,691

The exports, during the past year, are ascertained and estimated at \$121,789,000

Of these, \$101,105,000 were in domestic, and \$20,684,000 in foreign products.

Compared with the preceding year, they exhibit an increase of \$35,423, and are \$5,829,150 more than the average for the last three years.

The crop of cotton grown the present year which will constitute the chief exports of that article for 1837, is believed to be large, but from present appearances will probably be less valuable than during the two past years.

At the same time the exports of flour and grain are likely to be smaller, in both quantity and value, and those of tobacco and rice, which with the articles before named, form our principal subjects of domestic produce for exportation, are not believed to be materially greater, and have seldom, during the last quarter of a century in any series of years, much exceeded their previous amount. However enlarged by our rapid increase of population has been the demand at home for those and other articles of our own growth and manufacture, the most tempting and augmenting product for exportation seems to be cotton.

During near forty years it has attracted and engrossed a large portion of the spare capital and labor of nearly half the territory of the union, and by the great demand for it abroad, independent of its increased consumption at home, it will probably long continue to constitute, not only our chief and most profitable product for exportation, but be the regulator, in some degree, of our ability to import, and of the balance of trade, between this country and Europe.

The receipts from incidental and miscellaneous sources, have been estimated on the following data. Nothing very definite could be presented, as arising from an arrangement which, under the recent act of congress, is contemplated with the United States bank, in respect to the stock, owned by the government in that institution, until further progress shall be made, and the bank may indicate when it is willing to pay some specified amount.

It will be seen by the documents annexed, (C 1, 2, 3), that this department took early steps to procure suitable information for a settlement with the bank and payment, in the course of the present year, of the due share of the United States in the net collections from the assets existing on the 3d of March last as well as to obtain specific proposals for an early adjustment of the whole concern. It has been a cause of some surprise that the information desired has not yet been communicated, nor any payment been yet made. On the contrary, the president of the state corporation, to which the assets of the United States bank have been assigned, forwarded in September last a report of a committee appointed under authority of only those two bodies, estimating the value of the stock on the 3d of March. But it was accompanied by no offer to pay that value or any other particular amount, then, or at any future specified period, though professing a willingness that the United States should receive a just proportion out of the assets of the bank.

Commissioners were, therefore appointed, and an invitation given to have them joined by others on the part of the United States bank to revise the estimate of the value put on the stock by the above committee, and after urging early payments as practicable towards what might in the end, be found due to the U. States, if failing to obtain any, to recommend such arrangements as might seem just for securing and paying hereafter what they considered to be the true worth of the share of the government in the capital stock. Copies of the letters, report, and instructions before named, are annexed. (D 1, 2, 3, 4, 5).

It is clearly to be inferred from the correspondence had by the commissioners above mentioned with a committee of the bank, that no payment whatever is intended to be made during the present year, and that long credits are expected and considered by the bank proper for portions of what may be due. That correspondence, and all the steps which have been taken under the particular instructions given to those commissioners, will more fully appear in the further documents which will be submitted to congress after the commissioners make their final report.

No reasonable efforts will be spared by me to conclude some appropriate arrangement of this embarrassing and troublesome subject before the adjournment of the present congress.

Trusting, that a proper sense of its obligations to the government, as a large stockholder, will induce

the bank to refund, at least one-fourth of our original capital, with the profits thereon, in the course of the ensuing year, two millions of dollars have on that account been inserted in the estimates. To this are to be added the dividends, anticipated on the stock owned in the Louisville and Portland canal; interest from the deposit banks; and some small receipts from other miscellaneous sources.

5. Of the surplus in the treasury, and the disposition of it.

Various objects of a national and constitutional character, were recommended in the last annual report from this department, as suitable for the application, by way of extraordinary appropriation, of any surplus funds for which the general government should happen to have no other immediate use.

Liberal and useful appropriations were fortunately made to many of them, which will save expense in the end, and prove to be the soundest economy. The reasons for a continuance of the same wise policy, while our resources remain so ample, have lost none of their original force.

As the present surplus had chiefly arisen from an earlier sale of large portions of the public lands than had been expected, it seemed to this department judicious to suggest completing with it sooner than had been contemplated the projected fortifications, and naval establishments of the country; improving more rapidly the navigation and security of its commercial bays and rivers, and, while its imports and exports were prosperous beyond example, erecting where needed, appropriate custom warehouses, as well as suitable marine hospitals, court houses and post offices. In fine, the whole state of our finances appeared to justify and require, that all those great works heretofore deemed useful and constitutional, and which are intimately connected with the duties and powers of the general government, should be more hastened, with our means so much increased and so prematurely available, than would have been proper or practicable, had the revenue continued at only the reduced amount which was generally anticipated. By pursuing such a provident course, it was supposed, that much less would remain to be accomplished, and hence that our expenditures would be much diminished, when our revenue shall become less by the reductions, which, under the existing laws, are to take effect in the customs before, and in 1842, and which will probably happen in the receipts from public lands during that period.

The necessary expenditures of the government would thus, by that time, become naturally, as well as safely lessened, so as to bear a near proportion to our diminished receipts; while otherwise, if the expenditures for these works are not previously increased or expedited, the probabilities would seem to be that the ordinary charges for them, and other usual claims on the general government, with the extraordinary charges incident to war and similar calamities, from which no people can be wholly exempt, might then so far exceed the receipts, as to require new taxation, or an increased tariff.

In respect to another branch of the subject, which relates to a gradual reduction of the present large surplus in the treasury, either by an immediate diminution of the existing tariff, or some new regulation calculated to limit and lessen the amount of the sales of the public lands, by confining them to actual settlers or otherwise, this department felt bound, in the discharge of its public duties, to submit to congress last year, a few considerations which are still equally applicable. It is believed that when the balance on hand, with the accruing receipts, are likely for some time to come to exceed the real wants and just objects of the government for expenditure, a reduction of those receipts, and especially such as are derived from taxation, is the true remedy.

Besides the considerations relating to this reduction which were formerly submitted by this department, it would now respectfully suggest that all the duties under 20 per cent. and which amount to near three millions annually, could, with about half a million more on the articles paying a higher duty, and specified in a report to the senate at the last session, be at once repealed by congress without any encroachment on the principle of the act of the 3d of March, 1833. Nor has this department any doubt that if all the present and anticipated receipts from customs are considered by congress not to be wanted for any public appropriations, or other legitimate objects, reduction could be made in many other duties more rapidly than is now provided for, without any essential injury to any great interest intended to be fostered by the provisions of that act. At the same time such a step as the last, unless found indispensable from high public considerations, and hence generally concurred in, does not appear to this department consistent with the expectations of most of those who united in the passage of that law, and has not therefore been urged.

But, if found indispensable, the next articles which, in the opinion of this department, could most appropriately be selected for greater and quicker reduction, are the raw materials of foreign origin used in some of our important manufactures; and though certain rival articles produced here might suffer by such a change, yet in this way the whole manufacturing industry of the country would probably be benefitted. If sufficient reduction cannot be obtained on that class, the next kind of articles selected should be such as are largely consumed in promoting the comforts, and satisfying the necessities, of the people generally, and at the same time, do not materially compete with important manufactures, nor conflict with great agricultural interests. And the next, if more be deemed necessary, might be such as have now a much higher duty or protection on them than others of greater national consequence.

Certain it is, that a much more just and useful discrimination could be introduced into the whole present system, by reducing more quickly the duties which are found to be least beneficial, by way of protection, and by reducing more slowly those deemed most indispensable. Equally feasible would it be, in the exercise of a proper spirit of comity and justice, to make some legal enactments which should prevent the further sale of the public domain to any persons who do not want it for immediate cultivation. This seems peculiarly proper at a time when the government neither needs the proceeds of such sales for any public use, nor considers the money received adequate to the real value of the land sold, and when the settlement of the new states is retarded, by permitting the public domain to pass, in large quantities into the hands of others than actual settlers. By a wise revision of our present laws, the enterprising, industrious and needy, might, for a fair compensation, be liberally secured in the purchase and enjoyment of a due portion of land for immediate cultivation; and, at the same time, all be effectually prevented from seizing and securing, as a matter of speculation, in any case, on the best tracts, without previous purchase or any pretence of title; and from procuring, through floats or otherwise, for wealthy persons, whether residents or non-residents, the most valuable situations, at the minimum prices.

It must be obvious that nothing beyond a very general, and, in some degree, uncertain exhibit, could at this time, be presented of the probable amount of the surplus in the treasury, deposited with the banks, and the states during a few subsequent years; and more especially of the various sums connected with the different hypotheses, for the future disposition of it, by appropriations for public objects, or by a diminution of it through a large reduction in our future revenue from either customs or lands. The uncertainty as to these sums, is greatly increased, not only by the fluctuating character of our receipts, from both of these sources during the last four years; and as it is anticipated for the future, but from the doubtful amount of our annual expenditure, hereafter, and the absence of any determination, yet expressed by congress, whether to retain, unexpended, all or any portion of the present surplus, till after 1841, with a particular view to supply the place of the great reduction which is then to be made, in our receipts from customs, under the existing laws.

Minute details, therefore, on these points would be only hypothetical, and might, without further data on which to found them, mislead instead of proving useful.

But it is probable that congress may deem it expedient to pursue one of the following general courses in relation to the present large surplus, and any which might hereafter accrue under our existing laws. Either to appropriate more liberally to great objects of national consequence while the treasury is so full, and in that way gradually call for and employ the surplus till those objects are accomplished, and then to reserve only the residue if any in deposit with the states, to meet future contingencies and the anticipated deficiencies in the revenue after 1842. Or to reduce it still more rapidly by largely diminishing our revenue, whether from customs or lands, and thus requiring more of the current expenditures to be paid from the present surplus until the whole shall be exhausted; or to permit the most of it to remain longer in deposit within the states and so shape future appropriations as never to render it necessary to call for the surplus, except to meet unexpected and extraordinary wants.

In respect to this last measure, so far as already adopted by congress as a temporary one, and the operation of it upon our fiscal concerns to this time and hereafter, a few further observations may be expected.

Before the two sessions of congress just passed, it was considered doubtful whether that body would deem it expedient to adopt the recommendations of this department to expend early on proper objects all the net balance in the treasury after defraying existing charges; or, if unwilling to do that, to reduce at once the revenue from customs and lands, and leave with the people the excess which would otherwise be collected, so as gradually to absorb the present surplus, and ere long to collect none of any considerable magnitude, whether for extraordinary expenditure, distribution or other purposes. Consequently, a suggestion was made in the annual reports of 1834 and 1835, for the temporary investment of the surplus, while either of those operations might be going on, and if neither of them was adopted, then to remain safe and productive, until it should hereafter be needed for public purposes. The proposed disposal of it for these periods, which it was expected would not be very protracted, was in a form which was considered secure and profitable by the purchase of safe stocks.

Thus easily and gradually, as well as most prudently, it was supposed the inconveniences of so unexpected and embarrassing an event as a large surplus would be obviated, and at the same time a provident fund created, which would be yielding interest, and which could afterwards be resorted to, when the current expenditure might from any cause, either before or after 1841, exceed the current revenue. In relation to that subject though a topic still intimately and deeply connected with our finances, few additional remarks at this time, seemed called for, since congress at the last session, by a clause in the deposit law, provided for what this department considers, and has taken all proper preliminary steps to make, a temporary disposition of the whole money in the treasury on the first of January next, except five millions of dollars. Looking at that as a financial measure, which is the only view now under consideration, the granting the use of the money without any interest, constitutes a difference from the mode proposed by this department, which was doubtless designed as a benefit to the several states, and in that view was also very properly proffered to all if to any of the states, whether now in debt or not, and whether needing the money for any great public purpose or not.

While treated in the nature of a mere temporary deposit or investment on the credit of each state respectively, without interest, the profits or income of it alone to be expended, and the principal to be ever held sacred and ready for repayment whenever needed, like a fund that is providently designed to meet any future public contingencies, this kind of deposit may not embarrass our finances, and is likely to prove useful and convenient to the treasury. But should considerable portions of it be soon wanted by the general government, the deposit will probably occasion, to many of the states, inconvenience and difficulties, if not losses, in the management and repayment of it, more than equivalent to the interest received. On the contrary, if much of it be not wanted for some years, or till after 1841, the result may be otherwise to such states as either need the money, or are able to employ it beneficially. The experience of this department has been too brief, under the constant and laborious preparation, to carry into effect, in due time, all the provisions in the late deposit act, to warrant, on the present occasion, any recommendations of modifications in this particular portion of it.

But it is respectfully suggested, that, though a gradual investment of the surplus in existing state stocks would, it is believed, have produced no pressure in the money market, yet the embarrassment incident to the transfers of such large sums of money as became necessary, in order to divide it seasonably among a greater number of banks, as well as among the different states, and the consequent temporary withdrawal of considerable portions of it from immediate use, are embarrassments inseparable from the provisions and faithful execution of the law in its present form. Though they constitute only a portion of those evils which now afflict the commercial community, and have been mitigated in their operation by this department, wherever practicable, they could not be wholly obviated, without departing entirely from the duties imposed by the law.

Immediately after its passage, steps were taken, as required by congress, to commence a reduction of the deposits, which had then accumulated in certain banks beyond three-fourths the amount of their capitals, and at the same time to have some portion of the anticipated surplus taken from states where its accumulation had been large or inconvenient, and placed, before the first of January next, in states where enough had not before been deposited, and where suitable banks existed willing

to receive it. These steps will be more fully detailed in a subsequent part of this report. All the payments to the several states for the whole year are expected to be made punctually at the times required. But it will be necessary, from the mode of keeping public accounts, to take the current statement of the treasurer on the 1st January next, as the guide for the supposed amount in the treasury which is required to be apportioned among the states, and one quarter of it be deposited on that day. By pursuing any other course, an unavoidable delay of weeks, if not months, would be necessary in making the preliminary arrangements for the first payment. But that statement seldom differs more than a few hundred dollars from the result as ascertained on subsequent settlement; and hence, its amount, independent of unavailable funds, and what is held for the post office and patent office, and in various official trusts, will be deemed the true sum intended by congress as subject to apportionment, after deducting five millions, unless in the mean time the department shall be otherwise directed by that body.

The whole sum to be deposited with the states, will, on these principles, and according to present appearances, range between thirty-five and thirty-eight millions of dollars, and exceed somewhat \$120,000 to each electoral vote in each of the twenty-five states now in the union; Michigan, from the language of the act, not being considered as yet entitled to an apportionment under it. Three states have already signified their willingness to receive the money on the terms proposed, and it is expected that several more will do the same before the first of January, and probably most of them in the course of the present winter.

Leaving further suggestions on these and various other considerations which bear on this interesting subject, but which need not be here repeated, the department will next proceed to an exhibit of the manner in which this surplus, as well as the rest of the public money, has been kept during the past year, and of the detailed preparations which have been made for the future custody and preservation of it, in conformity to the act of congress to regulate the deposits of the public money passed June 23, 1836, and the supplementary act on the same subject passed the 4th of July, 1836.

6. *Of the keeping of the public money, and state of the deposite banks.*

The money in the treasury has been safely kept during the year 1836. Until July last, as during the two previous years, it was placed in the state banks, selected according to the discretion of this department, on account of their high standing and favorable position for fiscal purposes, and regulated in a manner considered most secure to the treasury, and convenient to the community, as well as useful to all concerned. It is a source of much gratification to be able to add, that, while so selected and employed, not a single dollar was lost to the government by any of them, or a single failure occurred to transfer promptly, and pay out satisfactorily, the public money entrusted to their custody.

Nor is it believed that the domestic exchanges of the country were ever lower or more regular than during that period; and the large amount of them performed by those deposite banks in ordinary purchases or discounts, equalling from one hundred and fifty to two hundred millions of dollars yearly, or near a third more than those of the same kind by the United States bank, while the fiscal agent of the government, evinced the great ability and usefulness of those banks on this important subject.

But since the passage of the act of congress, June 23d, 1836, "to regulate the deposits of the public money," most of the discretionary power before exercised by this department on this subject, under previous laws and long usages, has been considered as no longer possessed, and various solicitations to use it, though some of them were in cases of extreme hardship, could not, therefore, be complied with. Relieved from great responsibility, and in many cases from much delicacy, in the exercise of it, by the passage of that act, a new system, in conformity with its provisions, and in place of the former one, was at once commenced by this department, and has since been pursued with all the strictness and regularity which the nature of business so extensive and complicated would permit, and at the same time with every indulgence and forbearance, in cases of embarrassment or suffering, which were permissible without a violation of law. It was necessary by the act to appoint anew all the former deposite banks, if they were to be retained in the service of the government. Accordingly, the preliminary inquiries, rendered proper by the new law before any selection was authorised to be made, were immediately instituted in every case of the former deposite banks; and having been satisfactorily answered,

all of them have been reappointed, except three, where some formalities in their papers are not yet completed.

The provision in the act which prohibits more public money to be left in any one bank than three-fourths the amount of its capital, rendered the selection of numerous new banks to receive the sums which the old ones were not allowed to retain, indispensable in the present overflowing condition of the treasury, and especially at places in which the capitals of the old banks were small.

The transfer of all the money in the treasury, except five millions, on the first of January next, to be deposited in the treasuries of the several states quarterly during 1837, in ratable proportions, made it proper to select also a few other new banks in some of the states to receive those proportions, or sufficient parts of them, when they happened to be either collected there, or to be incidentally and easily transferable there.

Thus the trouble and embarrassment of a second and sudden transfer in January next, and quarterly thereafter during the year, were often saved by combining in several appropriate cases the transfers ordered by congress to be soon made from banks having an excess, with the transfers of that excess to other banks in the states where it was to be paid during the present year on appropriations, or the ensuing year on the apportionments and in which last described banks and states a deficiency existed. In this way, on several occasions, the opportunity has been improved, of beginning to perfect, gradually, and, in some degree, contemporaneously, between places near, suitable and of easy intercommunication, the great and difficult apportionment of the deposits of public money among several different states, as well as among different banks. The whole amount of transfers ordered since the first of July last, have, of necessity, been at times very large; but many of them have not yet taken effect; many more are still to be ordered, and the whole amount necessary to accomplish both objects will be less, and their operation easier, than if a different course had been pursued, and the two apportionments between the banks and the states, had not been united in cases where practicable and convenient, and where large accumulations existed on the one hand to be reduced, and deficiencies on the other to be supplied. Their union in such cases is supposed to have been specially contemplated by congress, as explained in the second and supplementary deposite act passed in July, and, as seemed just to the several states which had not before enjoyed much, if any benefit from the deposite and use of the public money within their limits.

Hence, while many transfers have been forborne, when feasible under the law, and desired from public considerations, connected with the great pressure in the money market, and which pressure they would though authorised by the acts, have severely aggravated, yet great care has been employed not to make a single transfer, except, in the language of the first deposite act, "to facilitate the public disbursements, and to comply with the provisions of the act" or, as described more fully in the second act, either "to prevent large and inconvenient accumulation in particular places, or in order to produce a due equality and just proportion, according to the provisions of said act." All the transfers ordered, have likewise been so modified in respect to time, place and business, as to produce the least inconvenience and expense possible to the banks or the community, consistent with faithful endeavors to execute the law on both subjects reasonably and efficiently. They have been so conducted, as also to relieve the treasury from any expense whatever in a financial operation so large and so unusual. But in carrying out so large a moneyed operation as the new law demanded, and one neither comporting with our usual fiscal proceedings, nor following the ordinary channels of trade, it has required great caution not to create more embarrassment than has really occurred from this source, and a greater derangement in exchanges than actually exists. In complying with the deposite act, it has already been found necessary to appoint forty-eight more banks, making on the first instant, with the former ones, without their branches the whole number of eighty-one.

The department has endeavored in these selections to conform to the spirit of the act of congress, as regards their convenient location for accommodating either the collections or the disbursements of the public money. It has in all cases required the preliminary information made necessary by the act. It has, as enjoined, chosen at least one bank in every state, which had banking institutions, and which included all except Missouri and Arkansas. It has obtained from each bank a written agreement to comply with the duties prescribed by law,

and in every case, except four or five not deemed suitable, from peculiar circumstances, has received collateral security for the faithful fulfilment of these agreements, and has endeavored, from time to time, to make such requests on the subject of specie and other topics connected with their condition, and their mode of transacting business, as seemed conducive to safety and public convenience. The names of each deposite bank, with the amount of public money in each, and its detailed condition, in all respects near the first of November, 1836, are exhibited in the documents annexed (E 1, 2). In another document (F) is presented, more fully and recently, the condition of those banks with this department, as it shows by their last returns to the treasurer, on the first instant, the amount of public money then on hand, the outstanding drafts then against them, and the existing transfers to and from each.

A number of the states now have deposits sufficient with the accruing revenue, to meet all the probable demands within their limits the next year. But it is otherwise with several of them, and, where money has not yet been placed in each state sufficient to meet the probable amount of deposits required there during the first quarter of the next year, for expenditure, as well as apportionment, it has been, or will be, put under orders of transfer, so as to reach there seasonably.

Numerous difficult and embarrassing questions have arisen in the execution of the new deposite act, in consequence of the novelty of many of its provisions, and the unequal operation of others on some of the depositories. But where great doubts existed, as to the true intention of the law, the opinion of the attorney general has been taken.—When that opinion has been unfavorable to the views entertained, under the law as it now stands, the parties have been left, as they must always be in such cases, of supposed inequality and hardship, for resort to congress for appropriate relief.

It is therefore respectfully suggested, that relief for the past, may be proper, in several cases which it is anticipated the parties interested will present to the consideration of congress. For the convenience of this department, it is desirable that a provision be made for the future, that any agency furnishing ample security, be regarded under the law, as having the same separate capital where established, as the bank to which it belongs.

It is further recommended, that authority be given to discontinue such of the newly selected banks as may from time to time be no longer needed for fiscal or other purposes. A large portion of them, after the contemplated deposits are made with the several states, will probably, become entirely useless to the treasury, while their returns and correspondents will continue to be burdensome to all concerned.

Immediately after the passage of the law, it became the duty of this department, among other things, to select a sufficient number of banks to hold the public money without exceeding three-fourths of the amount of their capitals, and one at least in each state having banks. As it seemed impossible to carry these provisions into execution in several of the states, unless banks should be selected which might possibly have issued or paid out some small bills after the 4th of July, and before they had completed the agreement, and assumed the duties imposed by the act, it was thought that a natural construction given to this limitation in that respect would make it applicable only to such banks as were selected and subject to the law previous to that date, and that the others must not on a like principle make any such issues after their selection. This would impart a reasonable and practical effect to the clause, and at the same time not tend entirely to defeat the operation of other provisions in the act. Accordingly, minute inquiries were not instituted whether the banks applying to be selected had previous to their application issued such bills or not; but all were required at the time of their selection, to enter into an express written agreement to conform to the provisions of the act, and consequently not to issue any while they were public depositories. On more mature reflection, doubts having arisen whether this was going far enough, and whether any banks which may have issued small bills between the 4th of July and their selection could, in strict law, be retained, or could have been legally appointed, it was deemed proper to take the opinion of the attorney general on this point. He confirmed these doubts, but recommended the submission of the subject to congress, before discontinuing any of the banks, which upon investigation might appear to have made such issues before entering into the agreement.

The department would, therefore, respectfully recommend that an act be passed, sanctioning the

selection and continuance of deposit banks which may be so situated, provided such banks have not issued or paid out small bills after their appointment as public depositories.

7. Of the mint and the currency.

On the subject of the mint and the new coinage, the department is gratified to state that, by means of additional appropriations, of improvements in machinery, and of an ample supply of metal for coining, through the fortunate remittances to this country of the French, Spanish and Neapolitan indemnities, in gold, more money has been, and will be, coined during the present than in any previous year since the foundation of the government. The whole amount from the 1st of January, 1836, to the 1st of November, 1836, has been in gold, \$3,619,440; in silver, \$2,877,000; and in copper, \$22,634. The sums transferred to the mint in aid of the coinage, under a clause in the late deposit act, have amounted to \$700,000. When the annual report of the director is made on the 1st of January next, a more minute account of all his operations, with his views on these transfers, will be presented, accompanied by such suggestions for further legislation on the subject as his experience may lead him to consider useful.

The mint and its branches would, in my opinion, be more efficiently assisted by means of appropriations, rather than mere transfers, to supply fully and promptly the additional coinage, which the additional wants of the community may from time to time require. The department is still convinced, for reasons formerly urged on the consideration of congress, that a gold coin of one dollar in value might be very convenient and useful to the public in many of the ordinary transactions of society.—The branch mints are all in progress, and will probably be completed by June next, and their machinery at a still earlier day. The coinage in them can commence immediately after their completion, if the proper appropriations are in the mean time made, and the proper officers appointed. The greatly increased quantity of gold now existing in the country amounts, probably, to upwards of \$15,000,000. For this, we are chiefly indebted to the new valuation of our coin, though some influence must be ascribed to the efforts made by the general government, and most of the states, to suppress the circulation of small bills, as well as to the favorable condition of our foreign exchanges since 1834, and the policy of ordering home the foreign indemnities in gold, and encouraging public payments to be, in part, made with this kind of coin.

At this time, the abundance of gold here is such as to have produced increased facility in distant specie operations, and it is becoming more widely and beneficially diffused over the different sections of the union, to the greater accommodation of most classes of people, particularly in travelling and exchanges, and to the permanent improvement of our circulating medium. The amount of gold coined since the new valuation in 1834, has been near \$10,000,000, and has exceeded by one or two millions the whole amount coined in the thirty-one previous years which had elapsed, after the mint went into operation. The amount coined during the past twelve months alone is greater than that during the whole of the first sixteen years after its establishment. Another important and gratifying consequence which has resulted principally from the present policy and system as to the currency, has been, that, of all the gold coined before August, 1834, amounting to about \$12,000,000, probably not \$1,000,000 then remained in the country, of that small amount only a very diminutive portion was in active circulation.

Indeed before 1834 our coinage of gold was of little benefit except to purify and prepare the bullion for exportation and for the use of foreign mints.

But the great mass of near \$10,000,000, since coined, undoubtedly remains in the country, and an increased and increasing proportion of it, is in active and convenient circulation. To promote this desirable end, a larger portion than usual of quarter eagles has been recently struck, and the whole number of gold pieces of every kind made since the beginning of the present year is about 1,000,000, and almost equals the entire number coined during the whole forty years previous to the new coinage. The change in the amount of specie of all kinds in the country, during the last three years, is highly gratifying, as an earnest of a more solid basis to a paper circulation already too large in proportion, and as a security not only to those classes who are most safe in the employment of a metallic currency for all common purposes, but to the banking institutions themselves in periods of panic and unfavorable balances in foreign trade. The whole specie in the country in October, 1833, when the public deposits were removed from the United States bank, did not probably exceed \$30,000,000, and the

portion of this in banks is not supposed to have exceeded \$26,000,000; while now the whole specie in the country probably exceeds \$73,000,000, and of that the portion in banks is believed to be over \$45,000,000, leaving \$28,000,000 in active circulation.

The paper circulation within the above period, has also been greatly and unfortunately enlarged.—From about \$80,000,000, which was then the supposed aggregate after deducting the large amount of \$20,000,000 for notes held in different banks, it has probably risen, and chiefly within eighteen months past, to about \$120,000,000. But this increase, though great, it will be seen is not half so great a relative increase as has taken place in the whole specie in the country, nor quite as great as has happened in the specie in the banks alone.—Computing that the paper in active circulation in the United States has generally averaged about two to one of specie on hand in the banks, and was, in October, 1833, about three to one, or near 50 per cent. over the usual proportion, the comparative amounts of specie at the several returns, from 1833 to 1836, presented a very favorable change, had become greater than the usual proportion, and even now, in all the banks, taken as a whole, are somewhat improved since 1833. But they have much deteriorated the last year and a half. Again: While the amount, as well as proportion of specie in the country, is much greater than it was two years ago, and the proportion is ample for the paper circulation in several of the banks and states, yet it is manifest that many institutions in other states have of late departed more widely from the proper and safe proportions than their peculiar location or advantages for business, however favorable, might warrant on sound banking principles. As some illustration of the general changes on those points since 1833, the following brief exhibit in round numbers, and in a tabular form, prepared partly from actual returns, and partly from estimates, may be useful.

Dates.	Paper in active circulation.	Specie in active circulation.	Specie in banks.
Near.			
October, 1833,	80,000,000	4,000,000	25,000,000
1 January, 1834,	76,000,000	12,000,000	27,000,000
1 January, 1835,	82,000,000	18,000,000	43,000,000
1 January, 1836,	108,000,000	23,000,000	40,000,000
1 Dec'r, 1836,	120,000,000	28,000,000	45,000,000

At all these periods, except the 1st of January last, twenty millions of paper have been computed as issued, but not in active circulation among the people, being held by other banks, and so far considered as equivalent to a deduction of a like amount from their own circulation, liable to be redeemed in specie. On the 1st of January last, the amount so held was about thirty-two millions; and in July last the active paper circulation was also probably some millions larger than it now is. This exhibit makes the whole active circulation of both paper and specie, about \$6 50 per head of our whole estimated population in October, 1833; about \$6 50 in January, 1834; about \$7 in January, 1835; about \$8 50 in January, 1836; and near \$10 at the present time. Though this is a less proportion of circulating medium than is now usual in the countries of Europe, which are most commercial, and where specie is more used than bills, yet it is a larger ratio than has ever been supposed to be necessary in the United States, considering the character of two or three millions of our southern population. The average here has usually been about \$6 per head. Nor has the amount ever before 1811 been supposed much to exceed \$5, and at no time since has exceeded about \$7 per head, except under the excessive paper issues towards the close of the late war, by which, in 1816, it was estimated to have reached \$11 per head.

While our country has, of late years, become more commercial and wealthy, and has a larger portion of specie in use, which circumstances would somewhat increase the necessary and proper amount of circulation per head, it has, as counteracting causes to these, greatly increased in the ease and quickness of communication, whether by mail or otherwise, and in the use of bills of exchange and drafts, instead of money, for distant operations.—Hence our circulation, during the past twelve months, at \$8 50 and \$10 per head, is deemed excessive, and as in 1816, one great cause of the exorbitant prices which have prevailed in relation to almost every article, as well as of the extraordinary propensity to overtrading and speculation which has pervaded almost every section of the country. It is true that during a few months past the paper portion of our circulation has, as before suggested, been considerably reduced; but till that, with our

present large amount of specie in circulation added, falls as low as about \$7 per head, or the bank notes, to about \$80,000,000, instead of \$120,000,000, the currency may be considered as too redundant, and in an unnatural and inflated condition. The credit system has not only undergone an unusual expansion among individuals and states, but it has, by means of these inordinate paper issues, penetrated more deeply than is safe into the whole currency of the country, and rendered that which, as money, is and should be deemed the substitute or antagonist of credit, dependent too much on credit itself, and subject to many of the dangers and fluctuations in value inseparable from mere credit, rather than possessing the intrinsic and uniform value attached to specie.

This condition is believed to have been produced chiefly by numerous incorporations of new banks, without suitable legal restrictions, in many states, on the amount either of discounts or of paper issued, in proportion to the specie on hand; and by the excessive demands for money, thus tempted and stimulated, to aid an unusual number of extravagant adventurers in lands, stocks and trade.

These, acting together, and in some degree influencing and exciting each other, have induced many banks to hazard unreasonable and indiscreet issues, as well as loans, to supply the wants of such an extraordinary crisis, and which there is good reason to believe, (however large a proportion of specie fortunately exists in the country, and which may tend sooner to avert the usual evil consequences from the above state of things), will produce much distress, embarrassment and ruin, before this specie can be duly equalized, the excesses of paper sufficiently curtailed, and the exorbitant discounts gradually lessened to their safe and proper limits.—This increase of about forty millions or one-third of the paper circulation in a year and a half, is a sudden and great fluctuation, which never could occur in a currency entirely metallic, and which would probably during the past year, as in 1811, have been much greater, had not the larger proportion of specie now in the country, and the increasing disuse of small bills, operated strongly as preventive checks.

But even now the excess has been sufficient to constitute the chief cause for the artificial augmentation in prices, an unnatural stimulus to speculation, and a rapid vacillation in the regular modes of doing business, which cannot, under sound views of political economy, be too greatly deprecated, or their recurrence too carefully guarded against.—These sudden and great vibrations in the value of property, labor and debts, however produced, or however flattering to many at first, are in the end dangerous to all classes, as well as ruinous to commerce, and every species of regular industry.

But should paper issues, according to anticipation, continue to be reduced, as during the four months past, by the natural and conservative reaction of commercial causes, at home and abroad, and by the general, wise and increasing discontinuance of the use of small bank notes through state legislation, and provisions of a similar character and tendency by congress, as at the last session, in the general appropriation act, and in the deposit law, and by the diminished receipt of all bank notes, the last few months at the different land offices for the sales of the public domain, a sounder and less artificial state of things will ere long return.

The prospect on the subject of the currency is, therefore, on the whole, becoming more satisfactory, even without further legislation. But if all the states would unite in repressing entirely the circulation of small notes, and in rigidly restricting all paper issues, so as not in any case to exceed three to one of specie on hand, which would be about two of paper in active circulation to one of specie on hand, and would add a few judicious limitations on the amount of discounts as compared with the capital and deposits, and on the safe kind of security to be taken for them, with the requirement of frequent publicity of their condition in detail, and of rigid accountability to periodical examinations by legislative authority, the time is not distant when our currency would become quite stable.—Indeed, it deserves consideration, whether, under such circumstances, the whole monopolies of banking might not, with public advantage, be entirely abolished, and the banking privilege, under the above general restraints, securities, limitations and requirements, might not, particularly if the personal liability of the stockholders is superadded, safely be thrown open to all.

A larger amount of tax or bonus to the states would probably be thus collected, without any increase in the usual rate; and, it is believed, that the interest now paid by borrowers, would by these changes become at an early day sensibly reduced. But without the most careful and rigid restrictions,

such a measure in this country, whatever may have been its operations elsewhere, would, under our different institutions and habits, probably increase, rather than diminish, any existing evils in the currency.

It is conceded that these disproportionate issues by banking institutions, are, in fact, much more frequent in regions where the number of banks is small, than where it is large, provided their charters be similar, in omitting prudent limitations. Because, in the former case, there is less vigilance, caution and correction, produced by the jealousies and interests of rival institutions to prevent excessive issues, and irregular and dangerous discounts.

But the tendency to excessive trading, excessive credits, and rash enterprises, is so strong, and sometimes ungovernable, in individuals, and in some respects equally, or more so in corporations, as to endanger the stability of both banks and business, unless the power to manufacture paper money is carefully restricted and wisely regulated. The present amount of bank capital, as well as its increase for some years past, is another kindred topic of some interest. But space does not exist on this occasion, for its full exposition, and at the same time, it is not very alarming, except where it has been authorised without proper limitation on paper issues, and without other prudent bank restrictions.

The whole bank capital in active operation, is computed to have been over

\$200,000,000 in 1833-4.
231,000,000 in 1834-5.
250,000,000 in 1835-6.

And near fifty millions more has been authorised, most of which is supposed not yet to be in full operation.

More facts will be exhibited on these points, and particularly on the amount of bank capital in each state, in a special report, soon to be presented from this department to congress, concerning the detailed condition of the state banks near the 1st of January, 1836.

Had it not been for large sales of American stocks abroad, and the very high prices given there for our principal staples, a demand for specie, for export, would doubtless have arisen ere this from our over-trading, and have greatly enhanced the present difficulties which some of the banks now experience chiefly from the great excess of paper in circulation. The comparative value of specie being reduced by such excesses, the evil would have been still more aggravated, if those excesses had not become somewhat diminished, and specie had not become in greater demand here, in consequence of the circular, as to the kind of money receivable for the public lands, issued by direction of the president in July last. This demand has contributed to retain and diffuse it wider, and to make its great and early export less probable, than it otherwise would have been. The other objects of that circular were gradually to bring back the practice in those payments to what was deemed to be the true spirit, as well as letter of our existing laws, and to what the safety of the public money in the deposit banks, and the desirable improvement of our currency, seemed at that time to unite in rendering judicious. The reasons, more in detail, for the measure, are contained in the document itself, of which a copy is annexed. (G). Our moneyed operations have also been somewhat affected by a few difficulties abroad, in the nation with which our commercial intercourse is greatest, and whose monetary system of late years, often beating with a pulse like our own, is under influences nearly corresponding.

Since 1833 the paper circulation in England is supposed to have increased over sixteen millions of dollars, while the specie possessed by the banks has diminished over twenty-three millions. The whole circulation of private banks, joint stock banks, and the bank of England, is now probably about \$152,000,000 of paper to less than 26,000,000 of specie on hand; whereas in 1833 it was only about 137,000,000 to 50,000,000 of specie, or now from five and six to one, but then only two and three to one. Consequently, an alarm and pressure have arisen there, which are operating unfavorably here, though they have arisen not so much from an excessive amount of both the paper and specie currency united, as from the greatly increased disproportion being quite doubled between the paper issues and the specie on hand by all the banks. What portion of their paper was, or is now, held by each other, is not known; but as the bills of the bank of England are a tender by all the private and joint stock banks, the amount is probably large. Their banking system, as a whole, with every supposed benefit to be derived from a national bank, is believed to be under much more defective regulations, as to excessive issues, excessive discounts, and secrecy of condition and proceedings, than is our own in most of the states of the union. Indeed so un-

satisfactory has been its operations, that they have recently become the subject of parliamentary inquiry, which it is proposed to resume and push much further at a subsequent session.

8. Land office.

Immediately after the passage of the law at the last session, reorganizing the general land office, some doubts arose whether it still remained attached to the treasury department, and the opinion of the attorney general was taken on the question. In consequence of his opinion, that the supervision over its concerns remained here, and of the direction of the president of the United States, under whose control that law now places all the affairs of the general land office, steps were taken by me to carry it into immediate effect.

The result thus far has been a sensible diminution in the pressure of the business of that office; a better system of supervision and despatch for most of it, and much less delay in completing titles to the public domain. Should the sales not continue very large during a few ensuing years, it is believed, that the whole arrearages of business can be disposed of, and the promptitude in all its future operations secured, which is so immediately important to the great western and south western sections of the country, and more or less beneficial to all, as well as creditable to the administration of the government. The report of the commissioner will speedily be laid before congress in a separate communication and contains many suggestions, which seem to deserve careful attention.

9. Miscellaneous.

Great inconveniences have been sustained in many parts of the country, by an omission to repeal or modify the provisions in the tariff act of 1832.

A detailed report on this subject has once been submitted by this department; and the interests of the community, connected with the articles of hardware, affected by these provisions, and convenience in the execution of the revenue laws, appear to require the earliest attention of congress to the subject. The revision of the present system of compensation to custom house officers, with the various changes in our collection laws, heretofore recommended in connection with that revision, is deemed very important to the mercantile community, as well as to the treasury, and at the same time to the just and rateable compensation for arduous and responsible duties to many collectors, and other officers who are now inadequately paid, while some receive an amount disproportioned to their situation and labors.

In connection with this subject, and in addition to former recommendation to congress, as well as the valuable report on the safety of steam boilers, submitted at the last session from the Franklin institute, it seems proper to urge earnestly for consideration the necessity of some provision for the more careful management of steamboats navigated under papers from the custom houses—subjecting their commanders, and in suitable cases their owners, to the forfeiture of their papers, and other severe penalties, in cases of carelessness or neglect, destructive to property or life.

The security of the public money would be promoted in many cases, by requiring bonds from district attorneys through the hands of some of whom large sums pass, in collections, without any collateral obligations being given for the indemnity of the United States, as required in most analogous cases of public officers.

The act in respect to insolvent debtors, the execution of which is placed in the charge of this department, expires in June next, and the propriety of the further continuance of its provisions is suggested to congress.

The four first instalments due, under the French treaty, have been paid in Paris, since my last annual report. The sum claimed by our agent, and by this department, exceeds that paid by the French government, in the amount of more than a million of francs, and the difference is now, the subject of correspondence and negotiation. What was actually paid has been remitted to this country in gold, and divided among the claimants. From the rates of exchange and price of gold, it was deemed most advantageous to the claimants to have it sent home in that form, though a direction was subsequently given to substitute bills of exchange or other modes of remittance, if more profitable, but which the agent did not find it expedient or beneficial to do.

The third instalment of the Neapolitan indemnity, and the first payments due on the inscriptions under the treaty of indemnity with Spain, have also been since discharged with punctuality, and remitted here in a similar manner under similar instructions.

Various other topics suggested in the two last annual reports to the consideration of congress, and

not yet finally legislated on, the department would earnestly, but respectfully, present again to its attention. Among them may be more particularly mentioned the reorganization of this department, and the change of the commencement of the fiscal year and of the annual appropriations.

Several other subjects have received proper attention, which are connected with the official duties of the treasury, or have been specially devolved on its charge; such as the repairs of the bridge across the Potomac, the survey of the coast, and the manufacture of weights and measures, not only for the different custom houses, but for each state in the union; the appropriate sites for new marine hospitals, the practices pursued in other countries as to the transportation of their poor citizens hither, who have been burdensome for their maintenance, a digest of the returns and condition of state banks near January first, 1836, the sums disbursed under each appropriation made the present year, and more detailed exhibits of all the contingent expenditures of the department.

The most important of these will at an early day be made the subject of separate communications.

All which is respectfully submitted by
LEVI WOODBURY, *sec. of the treasury.*
Hon. Jas. K. Polk, *speaker of the house of reps.*

REPORT OF THE SECRETARY OF THE NAVY.

Navy department, December 3d, 1836.

To the president of the United States:

SIR: In presenting for your consideration at this time the condition of our navy for the passed year, I am enabled to assure you that since my report of the 5th of December last, there has been an increased activity in the construction and equipment of vessels at our navy yards, and in the movements of our ships and squadrons at sea and on foreign stations.

The Columbia, a frigate of the first class, has been finished, launched and nearly completed for sea.

The brigs Dolphin and Porpoise have been built, launched and fitted for sea.

The frigate Macedonian, of the second class, has been finished, launched and equipped for sea; and she is now receiving her crew, as the ship of the commanding officer of the South Sea exploring expedition.

The two barks, Pioneer and Consort, and schooner Pilot, have been built, launched and so far equipped, as to be ready for receiving their crews.

The store-ship Relief, has been finished, launched and equipped, and is now receiving her stores.

The repairs of the ship of the line North Carolina have been completed, and she is equipped and fitted for sea, and is now under sailing orders for the Pacific station.

The repairs of the razee Independence have been completed, and she is now nearly equipped for sea.

The ship of the line Delaware has been placed in dry dock, and her repairs commenced.

The ship of the line Columbus, has also been put into dry dock, and her repairs commenced.

The repairs of the ship of the line Ohio, have been commenced and considerably advanced.

The repairs of the sloops of war Falmouth and Fairfield, have been completed.

The sloop of war Natchez, and schooner Grampus, have been repaired and equipped for sea.

The labor upon the ship of the line Pennsylvania, has been resumed, with a view to her completion; and she will probably be ready for launching in the early part of next summer.

The steam vessel building at New York, is so far completed as to be ready for the reception of her engines and machinery; in procuring which, there has been some unavoidable delay. It was desirable to secure the services of the most able engineer in the United States, to superintend the construction of the engines and machinery of this, as well as other steam vessels proposed to be built for the service of the United States. Efforts have been made to secure the services of such an engineer, but without success. The first attempt to procure the requisite engines and machinery, by contract, by advertising for proposals, proved abortive; as the lowest offers for the boilers and for the engines, were made by different persons; and the person offering for the engines, declined the contract, because he could not also have the contract for the boilers. Arrangements, however, have been since made for procuring the engines and boilers wanted; and the vessel will probably be ready for service in the course of next summer.

For a detailed statement of the condition of our vessels on the stocks, as well as those afloat at our navy yards, and the means of completion, as well as repair, I beg leave to refer to the reports of the commissioners of the navy board, herewith submit-

ted, marked H and I; and for the amount of timber, iron and other materials, procured for the gradual improvement of the navy, I refer to their report, marked L.

Much has been done in advancing the works and improvements hitherto authorized at the different navy yards, except at that of Pensacola. The works and improvements for which appropriations have been made at that yard, have been delayed until a permanent plan for the same, after a due examination of a board appointed for that purpose, could be adopted.

Since my last annual report, the following vessels have been employed in the Mediterranean: the frigates Constitution, United States and Potomac; the sloop of war John Adams, and the schooner Shark; the ship of the line Delaware having been withdrawn from that squadron, and the frigate U. States added to it, within the present year.

The frigate Potomac having been employed on that station for upwards of two years, has been ordered home, with instructions to run down the coast of Africa, and visit the settlements at Cape Mesurado, Cape Palmas and Bassa Cove; thence, to proceed to Rio de Janeiro, and after communicating with the commander of our squadron there, to return to Norfolk.

In the West Indies, the frigate Constellation, the sloops of war Vandalia, St. Louis, Concord, Warren, Boston and Natchez, and the schooner Grampus, have been actively employed. The Warren sailed for that station the latter part of December last, and has returned within a few days to Norfolk for repairs; and when these shall be completed, she will rejoin the squadron.

The Concord sailed from Portsmouth, N. H. the 27th of February last. The Boston on the 10th of July last, from Boston. The Natchez from New York on the 4th of August, and the schooner Grampus on the 10th of April last. All these vessels, except the Warren, are now on that station.

The brig Porpoise has been employed in conveying the commissioners appointed under a resolution of the senate, directing an examination of the harbors south of the Chesapeake bay, with a view to their fitness for the purposes of a navy yard. She is daily expected at Norfolk, after which it is intended that she shall sail as soon as conveniently may be, to join the West India squadron.

On the coast of Brazil, the sloops of war Erie and Ontario have been employed. The Ontario returned to the United States in June last, has been undergoing repairs at Norfolk, and she is reported to be in readiness for a crew.

The brig Dolphin sailed in September last from New York, with instructions to proceed to the coast of Africa, and visit the settlements at Gambia, Bissau, Nunez, Cape Mesurado, Bassa Cove and Cape Palmas; thence to proceed to Rio de Janeiro, to form a part of the Brazilian squadron.

In the Pacific, the frigate Brandywine, the sloop Vincennes, and the schooner Boxer, have been employed. The sloop Vincennes, which previously to my last report was ordered to return to the U. States, by way of the East Indies, arrived at Norfolk on the 6th of June last. The frigate Brandywine has been ordered home, and she is probably on her way at this time: her place will be supplied by the ship of the line North Carolina, now under sailing orders.

In the East Indies, the sloop Peacock and schooner Enterprise have been engaged in protecting as well as extending our commerce. They are now on their return to the United States, with orders to visit the settlements of the American Colonization society on the coast of Africa, near Cape Palmas, Bassa Cove and Monrovia.

Our squadrons at sea and on foreign stations, have afforded to our commerce all the aid and protection that their means would permit.

It was believed that our commerce in the Gulf of Mexico, and in the West Indies, would be more exposed than in any other quarter. To meet the apprehended danger, an unusually large force has been placed at the disposal of commodore Dallas, the commander of the West India station. In addition to the vessels already stated as forming his squadron, three revenue cutters and three steamboats have been placed under his command: and he has been charged with the complicated duties of protecting our commerce, of preventing the importation of slaves into Texas or the United States, and of co-operating with the officers of the army and militia, in prosecuting the war against the Creek and Seminole Indians; in the performance of all which duties, his squadron has rendered the most essential services to the country.

In maintaining so large a force on the West India station, which ought to be still increased, it has not been in the power of this department to send to other stations the number of vessels which the safe-

ty of our commerce required, and serious apprehensions have been justly entertained, that our merchants might sustain heavy losses from the want of an adequate force on the Pacific and Brazilian stations, especially on the latter. Although these apprehensions have not been realized, yet a due regard to the interests of commerce, and the honor of our country, requires that a more respectable force should be sent to those stations, as soon as practicable. There is no serious difficulty in sending out such a force, but that arising from the want of seamen; and this difficulty will be in some degree obviated on the arrival of the vessels now on their return to the United States.

When, at the commencement of the last and preceding sessions of congress, it was recommended that a considerable addition should be made to the number of our ships in commission, to meet the exigencies of the rapidly increasing commerce of our country, it was perceived that, should the measure be adopted, as it has been, by the liberal appropriations of congress, it would be necessary to adopt, at the same time, measures for increasing the number of our seamen. The most obvious means of accomplishing this object, was the one recommended, of enlisting into the service of our navy, boys over the age of thirteen, and under the age of eighteen, until they shall arrive at the age of twenty-one years. A bill for this purpose has been before the senate for the last two sessions, which, it is confidently hoped, will become a law during the approaching session of congress. In the meantime, as a larger number of seamen is required for the merchant service than usual, and as there is at present actually in the naval service of the United States, one-fifth more seamen than were employed three years ago, and a greater number than has been employed at any time within the last fifteen years, some difficulty must necessarily exist in recruiting seamen required for immediate service.

The terms of service of the seamen on the Pacific and Brazilian stations, are about to expire.—Those on the Pacific station have been ordered home, but will not probably arrive, before the middle of January next. In the mean time, the North Carolina is ordered to that station, requiring, immediately, a large number of seamen: and captain John B. Nicolson has been selected to sail in the razez Independence, to relieve the commander on the coast of Brazil, who, when relieved, will return with the seamen belonging to his station.—The Independence will require a large number of seamen to complete her crew. Besides, it is important that each of these ships should be attended by one or two smaller vessels; but this is impracticable in the present state of the service.

It will be easily perceived, therefore, that the force wanted for the protection of commerce, exceeds the means of supply which this department can immediately bring into operation. When, therefore, on the 18th of May last, it was provided by an amendment to the general naval appropriation bill, that the president of the United States should be authorized to send out a surveying and exploring expedition to the Pacific ocean and South Seas, I considered it impracticable to fit out this expedition in a manner to meet the views of congress, under eight or nine months, without a serious injury to other branches of the naval service.

The only insurmountable difficulty, however, in my opinion, was the recruiting the requisite number of seamen in three or four months, without interfering with arrangements already made for sending ships to the Pacific and Brazilian stations, and for sending an additional force to the West Indies.

As, however, it was your earnest wish that the intentions of congress, in authorizing this measure, should be carried into effect with the least possible delay, and that the expedition should be fitted out upon the extensive and liberal scale which the indications of public opinion seemed to require; and as the officer, captain Thomas ap Catesby Jones, selected for the command of the expedition, gave assurances that the difficulty of obtaining seamen could be obviated, by giving him power to have them recruited under his immediate superintendence, and for this particular service, it was determined to make an extraordinary effort to accomplish these objects.

Every facility consistent with the rules and regulations of the navy, was afforded captain Jones for recruiting seamen in the manner he proposed: and measures were immediately adopted to have one frigate of the second class, one store-ship, two barks, and one schooner, all which he considered as indispensably necessary to the success of the enterprise, prepared without delay. The frigate and store-ship, which were on the stocks when this measure was adopted, have been finished and equipped, and are now receiving their crews; and the other three vessels have been entirely built and

equipped for sea. The whole have been finished in the most substantial manner, and adapted to the particular service for which they are destined. These vessels will sail to Norfolk to complete their crews, take in their stores, and to await further orders.

To prevent any delay that might arise from the want of mathematical, astronomical and philosophical instruments, books, maps, charts, &c. required for the expedition, lieutenant Wilkes of the navy was sent to Europe, and sailed from New York on the 8th of August last, to make the necessary purchases, in which he has been successful as to the greater part of the articles wanted. For some instruments, however, he has been under the necessity of waiting until they can be manufactured. His return is expected about the middle of this month.

It is believed that every proper exertion has been made to recruit men for this service, but without the anticipated success; no more than about two hundred, according to the returns received, being as yet recruited; and as captain Jones requires five hundred and eighteen petty officers, seamen, ordinary seamen, boys and marines, together with eighty-five commissioned and warrant officers, for his squadron, it is evident that a considerable time must yet elapse before the expedition can be ready for sea.

Recruiting seamen for particular service, may be attended with great inconvenience, and should not be adopted but upon the most urgent occasion, such as that of the exploring expedition was conceived to be. If the exigencies of the government should require of such recruits service different from that for which they were enlisted, discontent, and even mutiny, may be apprehended. Besides, this mode of recruiting cannot but interfere with the recruiting for the general service; and, in the present case, the order to recruit for the exploring expedition, has made it necessary to adopt the same mode of recruiting for the crews of the vessels about to sail for the Pacific and Brazilian stations.

Recruiting for three distinct objects of service at the same time, while the usual recruiting for the general service is continued, cannot but retard the whole, and compel us to keep in receiving vessels a much larger number of recruits, constantly disposed to desert, than would be required if recruited for the general service alone.

Although the number of recruits is small for any one of these objects, yet, in the aggregate, the number is quite as great as should be expected, when we consider the unusually great number of seamen now in the naval service of the United States, and the great demand for them in the merchant service.

Although the return of the public vessels now ordered to the United States, will, to a considerable extent, furnish men for service, yet, sending out so large a force as that required for the exploring expedition, to be detained for the term of three years, cannot but be felt as a serious inconvenience, in fitting out the number of vessels wanted for the immediate protection of commerce.

As it has been evident, for the last three months, that this exploring squadron could not be ready for sea before the commencement of the approaching session of congress, nor indeed until a late period of the session, I have not yet attempted to organize a scientific corps for the expedition. But from inquiries made, I am happy to say, that in most of the departments of science, we have gentlemen ready and willing to embark in this enterprise, whose labors will reflect honor upon themselves and upon the country.

From several learned and philosophical societies, as well as from distinguished individuals, I have received the most ample and satisfactory communications; embracing all the various subjects which it will be necessary to give in charge to the gentlemen who are to conduct the scientific researches, which form the most important objects of the expedition.

These communications, so promptly and liberally furnished, are in the highest degree creditable to their authors.

The scientific corps may be organized as soon as accommodations can be afforded them in the vessels of the exploring squadron, and those vessels may leave their place of rendezvous at any season of the year when prepared for sea.

Under the acts concerning naval pensions and the navy pension fund, there are, of

Widow pensioners	153
Invalid pensioners	308
Total	466

The annual amount to pay widows, is \$34,185

“ “ to pay invalids, is 23,824

\$58,009

The nominal value of stocks of every description belonging to the fund is \$1,143,638 84; of which \$841,600 is, by direction of congress, vested in the stock of the United States bank; and until the law which directs such investment shall be repealed or altered, this department will have no authority to withdraw the money, or make any different investment of it. If permitted to continue in the United States bank stock, it is very probable that many months will elapse before any income can be derived from this part of the capital, and, in the meantime, the pension fund may sustain a loss by the necessity of selling other stocks to meet the necessary disbursements.

Of widows on the pension list, eighty-nine have been paid from the day of their husbands' deaths, respectively; and sixty-nine have been paid only from the 30th day of June, 1834, as required by the act of congress of that date.

Under the privateer pension fund, the number of pensioners is 35.

The annual amount to be paid them is \$2,766.

The amount of stock (Maryland five per cent.) belonging to the fund, is \$4,667 05.

From this statement it is evident that legislative provision must be made for the payment of these pensioners when the fund shall be exhausted, which will probably occur before the first of January, 1838.

I would, therefore, respectfully suggest the propriety of making a permanent provision for the payment of these pensions, which by law are granted "during disability, or during life."

Of the navy hospital fund, the balance on the 1st of October, 1835, was \$52,878 79
Payments to the fund from the 1st of October, 1835, to the 1st of October, 1836 25,840 73

\$78,219 52

Disbursements during the same period 2,602 16

Balance on the 1st of October, 1836 \$75,717 36

The necessary disbursements of the fund, it will be seen, bear but a small proportion to the amount of its receipts; and I therefore repeat a recommendation heretofore offered, that provision be made by law for investing this surplus, in some safe stock, for the benefit of the fund. The documents heretofore annexed, marked and numbered, O No. 1, to O No. 5, P No. 1, to P No. 4, and Q, furnish all the information respecting those funds required by the 3d section of the act of congress of the 10th of June, 1832.

I must beg leave to repeat, what I have heretofore stated, that under the act of June 30th, 1834, the widows of officers, seamen and marines who have died in the naval service since the 1st of January, 1824; or who may die in the said service by reason of disease contracted, or by casualties, by drowning, or otherwise; or of injuries received while in the line of duty, are entitled to pensions equal to half the amount of the pay to which their husbands respectively were entitled at the time of their deaths.

The act of the 3d of March, 1835, "to regulate the pay of the navy of the United States," and which increased the pay of many of the officers, is silent as to pensions. A difficulty arises in ascertaining the proper amount of pension to be allowed to the widows of naval officers, whose pay has been increased by this act.

The pay of a captain in command of a squadron on a foreign station, was increased to four thousand dollars a year; when on other duty, to three thousand five hundred dollars, and when off duty, to two thousand five hundred dollars. A corresponding increase of pay is made to other officers.

In the case, for instance, of a captain dying when in command of a foreign station, a question arises whether his widow shall receive a pension to the amount of six hundred dollars a year, to which she would be entitled if the act increasing the pay had not passed; or whether she shall receive the half of the amount to which her husband was entitled as commander on a foreign station, as a captain on other duty, or as a captain off duty.—Like difficulties occur with respect to the widows of other officers.

The necessity of an explanatory act, to obviate these difficulties, was respectfully suggested. The subject received the attention of both houses of congress, but no final action was had upon it. The question remaining unsettled, creates much embarrassment in this department.

That the widow of a captain who for years has commanded on foreign stations, but has returned to his country, and not on duty at the time of his

death, shall receive but little more than half the pension she would be entitled to had her husband died a few weeks or days sooner, is evidently unjust. Nor is it just that the widows of captains who died of wounds received in battle or otherwise in the late war, should receive pensions of but a little more than half what might be awarded to the widows of captains dying since the third of March, 1835.

The rank of the officer, it is respectfully suggested, should regulate the amount of pension to the widow, rather than the accidental circumstance of service at the time of his death.

In my last annual report, I stated that previously to the passing of the act of the 30th of June, 1834, for the better organization of the United States marine corps, double rations had been allowed to the commandant of the corps, and to the officers of the same, commanding at the navy yards at Portsmouth, Boston, N. York, Philadelphia, Washington, Norfolk and Pensacola; and to the senior marine officers in the squadrons in the Mediterranean, the West Indies, the Brazil coast, and the Pacific ocean, all receiving the sanction of congress by their appropriations. By this act, the officers of the marine corps are to receive the same pay, emoluments and allowances as are given to officers of similar grades in the infantry of the army.

The act of the 16th of March, 1802, fixing the military peace establishment of the United States, authorizes allowances to the commanding officers of each separate post of such additional number of rations as the president of the United States shall from time to time direct.

These provisions of this last act were continued by an act of the 3d of March, 1815, fixing the military peace establishment.

The paymaster of the marine corps made payments for double rations to officers heretofore receiving the same, from the first of July, to the 30th of September, 1834; but the accounting officers of the treasury did not think proper to allow the same, inasmuch as the commands of these officers had never been designated as separate stations, agreeably to the rule prescribed for the army.

This is a case of difficulty, which, it is respectfully suggested, requires legislative interposition. This subject received the favorable consideration, but not final action, of congress at their last session. It is confidently hoped, that the claims of this corps will receive the early attention which their necessities require, and to which they are entitled by their merits—merits which are much strengthened by their patriotic conduct, in volunteering their services in a campaign against the Creek Indians, in which they have distinguished themselves by their zeal and perseverance in the duties assigned to them. As, however, they have been attached to the army, while on this campaign, their merits will more appropriately receive the notice of the war, than of the navy department.

In obedience to the resolution of the house of representatives of the 3d of March last, requiring a course of experiments to be instituted, for the purpose of ascertaining the efficiency, and testing the safety, of the medium or light guns of the navy, and of comparing their effects with the guns for which they were proposed to be substituted, a board of commissioners has been appointed, consisting of commodore Charles Morris, commodore Daniel T. Patterson, commodore Thomas ap Catesby Jones, captain William B. Shubrick, and captain Lawrence Kerney, to make the course of experiments required. Several officers have been detailed to co-operate with them, and very extensive preparations have been made near Old Point Comfort, to have the experiments made in the most complete and satisfactory manner. As soon as the proper experiments can be made, the results will be reported to the house of representatives.

By your directions given under a resolution of the senate of the United States of the 24th of May last, that the executive be requested to cause to be made the necessary examinations and surveys of the several harbors south of the mouth of the Chesapeake bay, and a report of the comparative facilities and advantages of the same, for the establishment of a navy yard, a board has been constituted, consisting of commodore M. T. Woolsey, captain Alex. Claxton, and master commandant E. R. Shubrick, who were sent out in the brig Porpoise, under the command of lieutenant Wm. Ramsay, to make the required examinations and surveys. After having made those examinations and surveys, the commissioners have returned to New York. Their report will, as soon as received, be communicated, as required by the resolution.

By your directions, also, a board has been constituted, consisting of commodore Charles Stewart,

commodore Alexander J. Dallas, and captain W. C. Bolton, aided by a competent engineer, to examine the navy yard at Pensacola, and to prepare plans for the improvement of the same. These commissioners have completed their examinations and plans, the result of which will be submitted to you in a separate report for your consideration and approval.

Under the act of the 30th of June, 1834, authorizing the secretary of the navy to make experiments for the safety of the steam engine, and appropriating five thousand dollars for that purpose, the memorial of John C. F. Salomon, presenting a plan of a steam boiler, composed of inverted arches, which he has invented, and which he considers as superior to the common cylindrical boiler, was referred to me by the house of representatives.

On the assurance of Mr. Salomon that the sum of four hundred dollars would be amply sufficient for making all the experiments necessary for testing the value of his alleged improvement, I directed that sum to be expended in making and preparing two boilers, under his immediate superintendence. One of a common cylindrical boiler, the other upon his plan of inverted arches. Experiments were made upon these boilers in February last, near the eastern front of the capitol, in the presence of a large number of the members of congress and others, but without any satisfactory result.

Mr. Salomon requested me to make further experiments upon these boilers, which I declined, but permitted him to have the use of the boilers for making such experiments as he might think proper; so that, if there is any value in his alleged improvement, he has the means of showing it at the public expense.

The sum of \$519 75 was heretofore expended under this act in testing Mr. Phillips' supposed improvement in steam boilers, as stated in my last report; which, added to the sum expended on Mr. Salomon's supposed improvement, amounts to \$919 75, leaving an unexpended balance of the appropriation of \$4,080 25.

By the statement marked W. hereto annexed, it will appear that of the appropriations heretofore made for the suppression of the slave trade, there remains in the treasury a balance of \$11,413 53.

The necessary references to papers and documents connected with this report, will be found in a schedule hereto annexed.

All which is respectfully submitted,

MAHLON DICKERSON.

TWENTY-FOURTH CONGRESS,

SECOND SESSION—SENATE.

December 12. Mr. Black, senator from Mississippi; Mr. Tallmadge, senator from New York; and Mr. Webster, senator from Massachusetts, appeared to-day and took their seats.

A message, of an executive character, from the president of the United States, was received by the hands of Andrew Jackson, jr. his private secretary.

Mr. Ewing, on leave, introduced the following joint resolution, to rescind the treasury order of the 11th of July, 1836, and to prohibit the secretary of the treasury from designating what species of funds shall be received in payment for the public lands; which was read, and ordered to a second reading.

Resolution to rescind the treasury order of the eleventh day of July, one thousand eight hundred and thirty-six, and to make uniform the currency receivable for the public revenue.

Resolved by the senate and house of representatives, &c. That the treasury order of the eleventh day of July, anno domini one thousand eight hundred and thirty-six, designating the funds which should be receivable in payment for public lands, be, and the same is hereby, rescinded.

Resolved, also, That it shall not be lawful for the secretary of the treasury to delegate to any person, or to any corporation, the power of directing what funds shall be receivable for customs, or for the public lands; nor shall he make any discrimination in the funds so receivable, between different individuals, or between the different branches of the public revenue.

Mr. Tipton, on leave, also introduced a bill, setting apart certain lands, west of the Mississippi, for the occupation and perpetual possession of the Indians. Read, and ordered to a second reading.

The following resolution was offered by Mr. Benton:

Resolved, That the committee on finance be instructed to inquire into the expediency of abolishing the present copper coinage of the United States, and of substituting therefor a coinage of mixed metal, compounded of copper and silver, and called in the French mints *billon*; also, that the said commit-

tee inquire into the expediency of directing a gold coin of the value of one dollar to be stamped at the mint of the United States.

Mr. *Benton* called up the resolution he had offered on Thursday last, respecting an alteration in the mode of printing the annual report from the treasury on commerce and manufactures.

Mr. *Knight* moved to amend the resolution by striking out all after the word "resolved," and inserting—

Resolved by the senate and house of representatives, That the annual statement of the commerce and navigation of the United States be hereafter printed under the direction of the secretary of the treasury, and communicated as soon as possible after the commencement of each stated session of congress, and that said statement be printed in the same form and at the same price as the ordinary printing of the two houses of congress; that the same number of copies as are usually printed be furnished for the purpose of binding and distribution, and that five thousand additional copies be equally distributed to the members of the senate and house of representatives.

Mr. *Benton* said that, on looking further into the existing law providing for the printing of this document, he had become convinced that some such modification of the resolution was necessary as had now been proposed. The only objection he had to it related to the five thousand additional copies to be printed for the senate; he thought this number larger than necessary, and proposed that it be reduced to three thousand.

Mr. *Knight* assenting, the resolution was so modified accordingly, and in this form it was ordered to be engrossed for a third reading.

A message was received from the house of representatives, through Mr. *Franklin*, their clerk, informing the senate that the house had passed a joint resolution for the appointment of a committee on the library, and had appointed a committee on their part. The senate concurred in the resolution.

The senate next, on motion of Mr. *King*, and in accordance with the order of Thursday last, proceeded to ballot for a secretary of the senate in place of *Walter Louvie*, esq. resigned.

On the first ballot, Mr. *Asbury Dickens* received 20 votes; hon. *Arnold Naudain*, late of the senate, 18; scattering 3; 21 being necessary to a choice.

On the second ballot, Mr. *Dickens* received 21; Mr. *Naudain* 18; Mr. *Bryan* 1; 21 being necessary to a choice.

Mr. *Dickens* was accordingly declared to be duly elected secretary of the senate.

The senate proceeded to ballot for the chairmen of their several standing committees.

The several elections resulted as follows:

Mr. *Buchanan*, chairman of the committee on foreign relations, by 21 votes.

Mr. *Wright*, chairman of the committee on finance, by 20 votes.

Mr. *King*, of Alabama, chairman of the committee on commerce, by 20 votes.

Mr. *Niles*, chairman of the committee on manufactures, by 22 votes.

Mr. *Page*, chairman of the committee on agriculture, by 21 votes.

Mr. *Benton*, chairman of the committee on military affairs, by 26 votes.

Mr. *Wall*, chairman of the committee on the militia, by 19 votes.

Mr. *Rives*, chairman of the committee on naval affairs, by 20 votes.

Mr. *Walker*, chairman of the committee on public lands, by 21 votes.

Mr. *Linn*, chairman of the committee on private land claims, by 21 votes.

Mr. *White*, chairman of the committee on Indian affairs, by 29 votes.

Mr. *Hubbard*, chairman of the committee of claims, by 19 votes.

Mr. *Brown*, chairman of the committee on revolutionary claims, by 18 votes.

Mr. *Grundy*, chairman of the committee on the judiciary, by 21 votes.

Mr. *Robinson*, chairman of the committee on the post office and post roads, by 22 votes.

Mr. *Hendricks*, chairman of the committee on roads and canals, by 21 votes.

Mr. *Tomlinson*, chairman of the committee on pensions, by 31 votes.

Mr. *Kent*, chairman of the committee for the District of Columbia, by 19 votes.

Mr. *Morris*, chairman of the committee on engrossed bills, by 25 votes.

The election of the remaining members of the committee was deferred until to-morrow.

On motion of Mr. *Tipton*, of Indiana, it was *Resolved*, That, in memory of the late hon. Mr. *Knard*, a member of the house of representatives from the state of Indiana, the members of the se-

nate wear crape on the left arm for the space of thirty days.

And then the senate adjourned.

December 13. *Asbury Dickens* was sworn, and entered on the duties of secretary of the senate.

A report was received from the secretary of the navy, of the disbursements which had been made from the appropriations for that department, at the last session.

Mr. *Grundy*, pursuant to notice, asked and obtained leave to introduce a bill supplementary to the act to amend the judicial system, which was read and ordered to a second reading. [This bill adds two associate justices to the supreme court, and makes a new arrangement of the circuits—Maryland and Delaware are constituted the fourth district.]

The resolution offered yesterday by Mr. *Benton*, on the subject of a new mixed copper and silver coinage, and a gold dollar currency, was taken up and agreed to.

The senate proceeded to the unfinished business, being the election of standing committees, when the following were elected:

Foreign relations—Messrs. *Buchanan*, *Tallmadge*, *King* of Ga. *Clay* and *Rives*.

Finance—Messrs. *Wright*, *Webster*, *Cuthbert*, *Nicholas* and *Benton*.

Commerce—Messrs. *King*, of Ala. *Davis*, *Linn* *Brown* and *Ruggles*.

Manufactures—Messrs. *Niles*, *Morris*, *Black*, *Hubbard* and *Preston*.

Agriculture—Messrs. *Page*, *Morris*, *Kent*, *McKean* and *Clay*.

Military affairs—Messrs. *Benton*, *Preston*, *Tipton*, *Wall* and *Ewing*, of Ill.

Militia—Messrs. *Wall*, *Hendricks*, *Swift*, *Ewing*, of Ill.

Naval affairs—Messrs. *Rives*, *Southard*, *Tallmadge*, *Cuthbert* and *Nicholas*.

Public lands—Messrs. *Walker*, *Ewing*, of Ohio, *King*, of Ala. *Ruggles* and *Fulton*.

Private land claims—Messrs. *Linn*, *Porter*, *Bayard*, *Preston* and *Sevier*.

Indian affairs—Messrs. *White*, *Swift*, *Tipton*, *Linn* and *Sevier*.

Claims—Messrs. *Hubbard*, *Tipton*, *Prentiss*, *Crittenden* and *Ewing*, of Ill.

Revolutionary claims—Messrs. *Brown*, *White*, *Hubbard*, *Crittenden* and *Niles*.

Judiciary—Messrs. *Grundy*, *Crittenden*, *Morris*, *King*, of Ga. and *Wall*.

At this stage of the balloting, the senate adjourned.

December 14. Mr. *Calhoun*, of S. C. appeared to-day in his seat.

After the presentation of a number of petitions and resolutions, chiefly of a private or local character, Mr. *Morris*, on leave, introduced a bill to prohibit the sales of public lands, except to actual settlers and in limited quantities—which was read and ordered to a second reading.

Some other preparatory business was next transacted, which will be noticed in its progress, when the chair presented a communication from the war department, with a report of the chief engineer and colonel of ordnance, on the subject of fortifications and armories, which was referred to the committee on military affairs.

On motion of Mr. *Rives*, that part of the president's message which relates to Mr. *Madison* was referred, together with the documents, to the committee on the library.

The senate then resumed the balloting for the remaining members of standing committees not yet filled up, and the result was as follows:

On the post office and post roads—Messrs. *Robinson*, *Knight*, *Grundy*, *Brown* and *Niles*.

On roads and canals—Messrs. *Hendricks*, *McKean*, *Robinson*, *Nicholas* and *Page*.

On pensions—Messrs. *Tomlinson*, *Prentiss*, *Hubbard*, *Morris* and *Sevier*.

On the District of Columbia—Messrs. *Kent*, *King*, of Alabama, *King*, of Georgia, *Buchanan* and *Nicholas*.

On engrossed bills—Messrs. *Morris*, *Page* and *Fulton*.

Joint committee on the library—Messrs. *Robbins*, *Preston* and *Wall*.

The joint resolution offered by Mr. *Ewing*, of Ohio, on the subject of rescinding the treasury order requiring specie in payment for the public lands, then coming up in order.

Mr. *Ewing* addressed the senate at considerable length in support of the resolution. Mr. *Benton* expressed his intention to reply at length, but wished further time to obtain some official returns, and other statements, which he wished to employ in his argument. Mr. *Webster* adverted to the importance of the subject, and the state of the public mind in regard to it, and hoped an early day would

be assigned to enter upon its discussion. He proposed Monday next. To which Mr. *Ewing*, after a few words of reply to some remarks of Mr. *Benton*, assented; and the resolution was accordingly made the order of the day for Monday next. The joint resolution introduced some days ago by Mr. *Benton*, providing for the earlier preparation of the annual report on commerce and manufactures, was read a third time, and passed. When the senate adjourned.

HOUSE OF REPRESENTATIVES.

Monday, Dec. 12. The appointment of the following committees, made by the speaker since the last adjournment, was announced by the journal.

On elections—Messrs. *Claiborne*, of Va. *Griffin*, *Hawkins*, *Burns*, *Kilgore*, *Buchanan*, *Maury*, *Boyd* and *Young*.

Of ways and means—Messrs. *Cambreleg*, *McKim*, *Loyall*, *Corwin*, *Johnson*, of Tenn. *Smith*, *Lawrence*, *Ingersoll* and *Owings*.

On claims—Messrs. *Whittlesey*, of Ohio, *Forrester*, *Grennell*, *Davis*, *Taliaferro*, *Chambers*, of Ky. *Darlington*, *Graham* and *Russell*.

On commerce—Messrs. *Sutherland*, *Pinckney*, *Pearce*, of Rhode Island, *Gillett*, *Phillips*, *Johnson*, of Lou. *Ingham*, *Cushman* and *McKeon*.

On public lands—Messrs. *Boon*, *Williams*, of N. C. *Lincoln*, *Casey*, *Kennon*, *Dunlap*, *Chapman*, *Harrison*, of Missouri and *Yell*.

On the post office and post roads—Messrs. *Connor*, *Briggs*, *Laporte*, *Hall*, of Vermont, *Cleveland*, *French*, *Shields*, *Hopkins* and *Kilgore*.

On the District of Columbia—Messrs. *W. B. Shepard*, *Heister*, *Bouldin*, *Washington*, *Lane*, *Rogers*, *Fairfield*, *Moore* and *Claiborne*, of Mississippi.

On the judiciary—Messrs. *Thomas*, *Hardin*, *Pierce*, of N. H. *Robertson*, *Peyton*, *Toucey*, *Martin*, *Vanderpool* and *Ripley*.

On revolutionary claims—Messrs. *Muhlenberg*, *Crane*, *Standefer*, *Turrill*, *Beaumont*, *Craig*, *Chapin*, *Underwood* and *Weeks*.

On public expenditures—Messrs. *Page*, *Clark*, *McLene*, *Mason*, of Maine, *Leonard*, *Haley*, *White*, *Pierson* and *Chetwood*.

On private land claims—Messrs. *Carr*, *Galbraith*, *Patterson*, *Chambers*, of Penn. *May*, *Huntsman*, *Lawler*, *Slade* and *Garland*, of La.

On manufactures—Messrs. *J. Q. Adams*, *Denny*, *McComas*, *Webster*, *G. Lee*, *Granger*, *Bynum*, *Fowler* and *Whittlesey*, of Con.

On agriculture—Messrs. *Bockee*, *Bean*, *Shinn*, *Deberry*, *Bailey*, *Logan*, *Phelps*, *Effner* and *Black*.

On Indian affairs—Messrs. *Bell*, *McCarty*, *Everett*, *Ashley*, *Haynes*, *Hawes*, *Chaney*, *Montgomery* and *Garland* of Va.

On military affairs—Messrs. *Johnson*, of Ky. *Ward*, *Thompson*, of Ohio, *Bunch*, *McKay*, *Anthony*, *Mann*, of New York, *Coles* and *Glascok*.

On the militia—Messrs. *Glascok*, *Henderson*, *Wm. K. Fuller*, *Wagner*, *Calhoun*, of Mass. *Joshua Lee*, of New York, *Carter*, *Graves* and *Holt*.

On naval affairs—Messrs. *Jarvis*, *Milligan*, *Lansing*, *Reed*, *Grayson*, *Parker*, *Wise*, *Ash* and *Grantland*.

On foreign affairs—Messrs. *Howard*, *Cramer*, *Hamer*, *Allan*, of Ky. *Parks*, *Cushing*, *Jackson*, of Geo. *Dromgool* and *Rencher*.

On the territories—Messrs. *Patton*, *Potts*, *Brown*, *Pickens*, *Pearce*, of Md. *Hall*, of Maine, *Johnson*, of Va. *Boyd* and *Miller*.

On revolutionary pensions—Messrs. *Wardwell*, *Lea*, of Tenn. *Lay*, *Jones*, *Storer*, *Morgan*, *Klingensmith*, *Bond* and *Fry*.

On invalid pensions—Messrs. *Beal*, *Schenck*, *Taylor*, *Harrison*, of Penn. *Doubleday*, *Hoar*, *Howell*, *Jeffer* and *Williams*, of Ky.

On roads and canals—Messrs. *Mercer*, *Vinton*, *Lucas*, *Reynolds*, of Illinois, *Steel*, *Calhoun*, of Ky. *Evans*, *McKennon* and *Hard*.

[The following committees, appointed at the last session, being committees of the whole house, still exist, viz:

Committee on expenditures in the state department—Messrs. *A. H. Shepperd*, *Calhoun*, of Mass. *Hunt*, *Morris* and *Sickles*.

Committee on expenditures in the treasury department—Messrs. *Allen*, of Vermont, *Harper*, *Spangler*, *Russell* and *Barton*.

Committee on expenditures in the war department—Messrs. *Jones*, of Ohio, *Johnson*, of Va. *Love* and *Huble*.

Committee on expenditures in the navy department—Messrs. *Hall* of Maine, *Sloane*, *Seymour*, *Pettigrew* and *Mason*, of New York.

Committee on expenditures in the post office department—Messrs. *Hawes*, *Burns*, *Childs*, *Bailey* and *Reynolds*, of New York.

Committee on expenditures for the public buildings—Messrs. *Darlington*, *Hazletine*, *Pearce*, of R. I. *Galbraith* and *Beale*.

Among the petitions presented this day, was one by Mr. Adams, from S. Brainerd and eleven hundred other citizens of Boston, praying for a repeal of the duties on foreign coal, which he moved be referred to the committee on manufactures.

Mr. Patton thought that, inasmuch as petitions of a similar import had already been referred to the committee of ways and means, it would be well that this petition, also, should take a similar reference.

Mr. Adams said that he considered these petitions, of which there would probably be a great number, as materially affecting the whole question of the tariff, and, consequently, the whole manufactures of the country. He did not wish to enter into any debate on the subject at this time, but he moved that the question on the reference be taken by yeas and nays.

The yeas and nays having been ordered, Mr. Lincoln, of Mass. (who had presented a petition of similar import, from sundry citizens of that state, which had been referred to the committee of ways and means), rose, and proceeded to state that, if the reference proposed by the gentleman from Massachusetts, (Mr. Adams), was persisted in, his (Mr. L.'s) memorial would be placed in a very awkward situation. Mr. L. was going on to examine the propriety of the respective references proposed, when

The speaker said that under the 45th rule of the house, the subject could not be debated on the same day on which the petition was presented, and that it would come up first in the order of business to-morrow morning.

So the subject was postponed accordingly.

After the petitions and memorials presented, were disposed of the following resolves were offered:

By Mr. Jarvis—*Resolved*, That the secretary of the navy be directed to furnish this house with the names of the officers of the navy who have, during the year 1836, received orders for service, and who have asked to be excused, together with the reasons offered by them for such indulgence. [Lies over one day].

By Mr. Everett—*Resolved*, That the committee on revolutionary pensions be instructed to inquire into the expediency of extending the benefit of the 3d section of the act entitled "an act granting half pay to widows or orphans, where their husbands and fathers have died of wounds received in the military service of the United States, in certain cases, and for other purposes," to all widows of revolutionary pensioners, so far as to allow them half the pension to which their husbands were entitled.—Agreed to.

By Mr. Gillet—*Resolved*, That the committee on the public lands inquire into the expediency of so altering the laws relating to bounty lands as to allow those entitled to them to locate on any public lands subject to entry or private sale, or to receive land scrip in lieu of bounty in land. Agreed to.

On motion of Mr. Cambreleng, the annual report of the secretary of the treasury on the subject of the finances, together with the estimates for the year 1837, was referred to the committee of ways and means.

Mr. Childs offered a resolution granting the use of the hall to the American Colonization society on the evening of Tuesday next. Mr. C. asked for the yeas and nays on this motion, which the house refused to order. And the question having been taken by a division, the resolution was adopted—ayes 91, noes 59.

On motion of Mr. Hard the usual resolution for the election of chaplains was adopted.

The following resolution was also presented:

Resolved, That the committee of ways and means be instructed to inquire into the expediency of immediately abolishing the duties upon foreign grain, or bread stuffs of all kinds.

Mr. Reed moved to amend the resolution by striking out the committee of ways and means, and inserting the committee on agriculture. Mr. Fry said the question involved in the resolution was a plain matter of fact, and that, though he had no great solicitude as to the reference, he thought the one proposed by himself was the most appropriate. Mr. Reed thought that, as the question was one which bore greatly on the interests of the agricultural community, he thought it would be best to refer it to the committee having the special care of those interests.

The question on the amendment was then taken and carried—ayes 87, noes 67. So the amendment was agreed to.

Mr. Reed observed that there existed no manner of necessity that this resolution should be referred to the committee of ways and means, since every body is well aware that the revenue is sufficient, and far from requiring expedients or inquiries relat-

ing to an increase of it. He also deemed it to be a desirable thing that importations from all countries should be made as free as possible, and even without duty. But (Mr. R. observed) representing as this house did the interests of the whole country, we were bound to examine into the subject. He was therefore of opinion that the whole question should be referred to the committee on agriculture, as being the most appropriate for its consideration, and because the whole agricultural interests of the country were concerned in this question.—It is true (observed the honorable member) that this is a year, it may be almost said, of famine, such as has not been known for twenty years: but, notwithstanding, it must not be lost sight of that the most important interests were in direct opposition to this proposition. He concluded by proposing as an amendment that the resolution be referred to the committee on agriculture.

A division took place, when there appeared for the amendment 87, against it 58. So the amendment was carried.

Mr. J. Q. Adams proposed as an amendment, to insert the words "also foreign coals, salt and iron." "Sugar" was also proposed to be inserted at the suggestion of a member.

A debate was about to spring up on this question, when a motion was made to postpone the further consideration of the subject to Monday next; which motion was carried.

The presentation of resolutions in the order of states was then continued, of which a further account shall be given.

[One of these resolutions, moved by Mr. Mercer, of Va. was in the following terms:

Resolved, That the committee of ways and means be instructed to report a bill to amend the 18th section of the act of the last session of congress, entitled "an act to regulate the deposits of the public money," by releasing the several states which may receive any part of the surplus revenue of the United States, in pursuance of that act, from any obligation to return the same.

After some brief discussion, a motion was made to lay the resolution on the table; which was decided in the affirmative—yeas 126, nays 73.]

Various additional resolutions were offered;

And, at 3 o'clock, on motion of Mr. Pinckney, the house adjourned.

Tuesday, Dec. 13. On motion of Mr. Loyall, the house resolved itself into a committee of the whole on the state of the union, (Mr. J. Q. Adams in the chair.)

On motion of Mr. Loyall, the several portions of the message were, as usual, referred to appropriate standing committees.

Mr. Dixon H. Lewis moved to refer to a select committee that portion of the message which embraces the topics of indemnity to citizens for Indian depredations, and compensation for individual property taken in Alabama and Georgia for public use.

After some conversation, in which Messrs. Lewis, Bell, Glascock, Williams, of N. C. and others took part, the resolution was modified by striking out the former subject, and was then agreed to.

Mr. Underwood moved to refer so much of the message as relates to an amendment of the constitution in reference to the election of president and vice president, to a select committee of nine. His object, he said, was to ascertain whether it was the intention of the house to act on those topics at this session.

After some conversation the motion was agreed to.

Mr. Carter, of Tennessee, asked a select committee on so much of the message as relates to the compensation of the Tennessee volunteers lately in the service of the United States but at present disbanded.

Mr. Carter then stated that these men supposing themselves enlisted for twelve months, had sold their crops and abandoned their usual business, and encountered much exposure. If they were not suitably compensated, and without delay, the government might in vain invoke their aid on any future emergency.

After a little discussion the subject was referred to the committee on claims.

Mr. Wise offered the following resolution:

Resolved, That so much of the president's message as relates to the condition of the executive departments, the ability and integrity with which they have been conducted, the vigilant and faithful discharge of the public business in all of them, and the causes of complaint from any quarter, and the manner in which they have fulfilled the objects of their creation, be referred to a select committee, to consist of nine members, with power to send for persons and papers, and with instructions to inquire into the condition of the various executive departments, the ability and integrity with which they

have been conducted, into the manner in which the public business has been discharged in all of them, and into all causes of complaint from any quarter at the manner said departments, or their business, or officer, or any of their officers, or agents of any description whatever, directly or indirectly, connected with them in any manner, officially or unofficially, in duties pertaining to the public interest, are fulfilled, or failed to accomplish the objects of their creation, or have violated their duties, or have injured or impaired the public service or interest, and that said committee, in its inquiries, may refer to such periods of time as to them may seem expedient and proper.

Mr. Wise commenced his remarks in support of the above motion, by an allusion to the fact that this was the last annual message of Andrew Jackson, whose character and course of life, from his earliest youth, he proceeded to trace, and in glowing terms of commendation up to the time of his accession to the presidency. He then noticed the principles upon which general Jackson came into office, as an advocate of retrenchment and economy, and a scourge to office holders, in consequence of which he was borne along upon the flood-tide of prosperity. He professed the most pure and stoical democracy, and was buoyed up by the affections of his people. But he found that he had enemies to punish and friends to reward. He was beset with servile tools, who inculcated in him the maxim that "to the victors belong the spoils." The proscription policy was established and fully carried out, and the people it was contended, supported and approved its course.

Mr. Wise then passed to general Jackson's course in regard to the senate; to the destruction of the independence of congress by base bribes to its members, administered through executive appointments to office; to the extravagance and wastefulness of the public expenditures; to the seizure of the public money, and the usurpation by the president of royal prerogatives—in all which it was claimed that the people supported him.

What the last message of a president to a people thus constant and confiding ought to be, he went on to portray and to put in contrast with what the message was. He asserted however that the document did not come from the president, who had ever since his return been too sick to write or dictate it. The compliment to the ability and integrity of the officers of the department was, he contended, gratuitous and unfounded. Complaints had been made against some of these officers which it was the duty of the house to investigate. He had therefore submitted the resolution. The resolution was agreed to; 86 to 78.

The house then adjourned.

Wednesday, Dec. 14. The speaker laid before the house a communication from the first comptroller of the treasury, transmitting a statement of unsettled accounts, or accounts on which balances have been due for three years prior to the 30th of September, 1836, on the books of the second auditor of the treasury.

On motion of Mr. E. Whittlesey, the same was laid on the table and ordered to be printed.

On motion of Mr. Loyall, the house proceeded to the consideration of the resolutions reported yesterday from the committee of the whole, on the state of the union, referring the various parts of the president's message to the appropriate committees.

Mr. A. Mann moved that the resolutions be read, and that the question be taken conjointly on all of them, except such as might be excepted to by any member; which motion prevailed. The resolutions were then read, and the house concurred with the committee of the whole on the state of the union, except those numbered 3, 12 and 15, which were excepted on the suggestion of different members. The third resolution was read as follows:

3. *Resolved*, That so much of the said message as relates to the finances and every thing connected therewith, the safe keeping of the public moneys and every thing connected therewith, and the bank of the United States, including the stock in that institution, be referred to the committee of ways and means.

Mr. Adams moved to amend this resolution by inserting after the words "as relates to the finances, and every thing connected therewith," the words "except so much thereof as relates to the protective duties, and every thing connected therewith," and then to add to the end of the resolution the following words: "*Resolved*, That so much of the said message as relates to the protective duties, and every thing connected therewith, be referred to the committee on manufactures."

This proposition gave rise to a discussion of much interest, a report of which we are reluctantly compelled to postpone until next week. The result was that Mr. Adams' motion was referred to the

committee on manufactures, leaving the terms of resolution three otherwise to stand as they are.

The 12th resolution which is as follows, was agreed to.

12. *Resolved*, That so much of the said message as relates to amending the constitution of the United States, together with all propositions and resolutions submitted at the last and present sessions of congress, proposing amendments to the constitution, be referred to a select committee, to be composed of nine members.

When the 16th resolution was reached, being that offered yesterday by Mr. *Wise* relating to the administration of the executive departments, Mr. *Pearce*, of R. I. moved an adjournment, which was carried.

THURSDAY'S PROCEEDINGS.

In the senate—Mr. *Rives* presented the credentials of *Richard E. Parker*, senator elect from Virginia; and Mr. *Brown* the credentials of *Robert Strange* a senator elect from North Carolina.—Messrs. *Strange* and *Parker* appeared, were qualified and took their seats.

Mr. *Webster* presented two petitions signed by a great number of persons praying for a reduction of the duty on coal, and expressed an opinion that unless the duty on that article was to be considered a part of the general system of protection, it ought to be reduced, or, perhaps, repealed altogether.—The memorials were then referred to the committee on manufactures.

A number of petitions were presented, among them one by Mr. *Davis* from *Richard D. Tucker* and other importing merchants of Boston, praying that the fifth section of the act of 1832 may be repealed, and the system of credits restored in the collection of the customs as provided for by the law of 1818; also, that the duties in relation to goods entitled to debenture be further modified.—Referred to the committee on finance.

Mr. *Fulton* presented the following memorials from the legislature of Arkansas, viz:

1. Asking congress for additional fortifications for the defence of the southern states;
2. Praying pre-emption floats to certain classes of settlers;
3. Praying pre-emption rights on certain unsurveyed lands of the United States;
4. Praying that the refuse public lands in Arkansas might be granted to settlers or to the state;
5. Praying the removal of obstructions to the navigation of Black, White and Third rivers, in Arkansas;

Together with several others, the description of which was not distinctly heard.

Mr. *Robinson* presented the following resolution, and moved its immediate consideration:

Resolved, That the committee on the post office and post roads be instructed to inquire into the cause of the destruction by fire of the building in which were kept the general post office, the city post office and the patent office.

Mr. *Clay* suggested whether it would not be expedient to invest the committee with power to send for persons and papers, so far as there might be any papers remaining.

Mr. *Robinson* said the idea of the committee was that the proposed committee of inquiry should proceed in the duty assigned them till they should find it necessary to send for persons and papers, when they could readily ask and obtain the requisite power.

The resolution was unanimously adopted.

Several gentlemen gave notice of their intention to introduce bills, and a number of private bills were read a second time, when, on motion of Mr. *Grundy*, the senate proceeded to the consideration of executive business; and when the doors were opened adjourned to Monday.

In the house of representatives. On motion of Mr. *Connor*, it was:

Resolved, That the committee on the post office and post roads be instructed to inquire into the causes of this morning's conflagration of the general post office building, and also to inquire what losses have been sustained by the government, and whether any and if any, what legislation is rendered necessary by such conflagration.

After the transaction of some business of minor importance, the house resumed the consideration of the 16th of the resolutions. (Mr. *Wise's*) reported by the committee of the whole on the 13th inst. on the president's message. Mr. *Dutée J. Pierce* was entitled to the floor, and addressed the house at considerable length in opposition to the resolution. He concluded by moving to amend the said resolution by striking out all after "resolved," in the said resolution, and inserting the following: that so much of the president's message as is in the following words, to wit: "Before concluding this paper, I think it

due to the various executive departments to bear testimony to their prosperous condition, and to the ability with which they have been conducted. It has been my aim to enforce in all of them a vigilant and faithful discharge of the public business; and it is gratifying to me to believe that there is no just cause of complaint from any quarter at the manner in which they have fulfilled the objects of their creation"—be referred to a select committee of nine members, with instructions to inquire into any specific causes of complaint which may be alleged against the integrity of the administration of any of the departments or their bureaus, or the vigilance and fidelity with which their duties have been discharged, and that said committee have power to send for persons and papers.

The subject was further debated by Messrs. *Peyton*, *Glacock*, *Ripley*, *A. Mann* and *Underwood*.

Mr. *Lane* then moved that the house adjourn, but yielded the floor to enable Mr. *Briggs* to offer the following additional resolution:

Resolved, That the committee on the post office and post roads be authorised to send for persons and papers, in investigating into the causes of the burning of the post office building.

The resolution was adopted; and thereupon, on motion of Mr. *A. Mann*, the house adjourned.

DOMESTIC CHRONICLE.

The Hudson river is greatly obstructed with ice, and the navigation to Albany is prosecuted with great difficulty.

Public sale of lands in Ohio ceded by the Wyandots. A proclamation of the president has been issued, directing the sale in April next of the tract of land in Ohio which was ceded to the U. States, by the treaty of the 23d April last, with a band of the Wyandot Indians. By the stipulations of the treaty in question the proceeds of these sales will be paid over to the Indians, and do not go into the treasury of the United States. [*Globe*.]

Fire at Quebec. There was a most calamitous fire at Quebec on the 24th ult. which destroyed a large number of houses and a vast amount of property. It was supposed to be the work of an incendiary. Another fire broke out on the 29th ult. which threatened serious injury—but two or three houses having been pulled down, its progress was arrested.

The number of vessels which arrived at Quebec from sea, this season, is 1,185, being an increase of 53 over the last year, when the total of the arrivals amounted to 1,132. The excess of tonnage, for the present year, is also considerable.

A praiseworthy example. The underwriters at Philadelphia have fitted out the well known pilot boat *William Price*, with pilots, and a good supply of provisions, for the purpose of cruising off the coast for inward bound vessels. She is to cruise until the 10th of March next.

American enterprise in Egypt. As a proof of the high estimation in which the mechanical genius of our country is held in the dominions of the pacha, an advertisement is now in course of publication by several of the New York papers, requiring mill wrights and engineers, "to fit up and manage a steam rice mill in Egypt; also a cotton seed oil mill." The advertisement adds—"none but native Americans, of good character, &c. will be engaged."

The great match race. The match, \$5,000 aside, between *Hickory John* and *Miss Medley*, was run over the Lafayette course at Augusta, on the 6th inst. and won by the former in two heats with ease. The time is differently reported. The Chronicle makes it 7m. 56s.—8m. 4s. and the Sentinel 8m. 13s.—8m. 4s. Betting in favor of *Hickory John* at odds. The turf was wet and heavy, in consequence of the rain, which fell considerably before and during the race.

Execution of Indians. *Columbus*, (Geo.) Dec. 1. Six Creek Indians were hung in Gerard, Alabama, on Friday last, convicted at the last term of Russell superior court for murder, &c. The Indian who killed young Fannin some months ago, and a chief, were included in the number. The chief declared that the others were innocent, but that he was guilty of the charges preferred against him; he, however, acted in accordance with instructions given him by Neah-Emarthla and Neah-Micco, who it will be recollected have been permitted to go unpunished, and are now safely and quietly reposing in the forests of Arkansas. They met their fate with what might be termed true Indian philosophy, having sung several songs and given the well known "whoop" before taking the fearful leap. We have been told by those who witnessed the scene, that it was one of an affecting character, and well calculated to draw forth the sympathies of the white man in behalf of those deluded and unhappy people.

lated to draw forth the sympathies of the white man in behalf of those deluded and unhappy people.

Mail lost. A Charleston, (S. C.) paper of the 30th ult. says—We learn with much regret that the northern mail, due here on Wednesday last, containing, without doubt, the letters for this city, brought by the 24th of Oct. Liverpool packet ship *Roscoe*, was lost in Dee Dee swamp, and the driver having it in charge unfortunately drowned. Since the above was in type we learn that the mail has been recovered.

John Randolph's will. The argument in this case before the court of appeals of Virginia, was closed by *John R. Cook*, esq. on Friday the 9th inst. The decision of the court is not expected for some weeks.

A life spar has been invented by a Mr. *Armstrong* of New York, which would be of great service in case of shipwreck. It is twenty feet long and thirty six inches in circumference, of a cylindrical form, composed of the strongest twine duck, and covered between its lining and exterior with India rubber. It can be inflated with ease and transported with little effort, and when placed in the water will support twenty-five persons.

The stage robbery, near Gettysburgh. The York (Pa.) Republican states that *Blumer*, the young man who was arrested at that place, on the charge of robbing a fellow passenger of \$15,000, and taken to Gettysburgh for trial, has been discharged by the court of Adams county, on giving bail in the sum of two thousand dollars, for his appearance at the January term of that court.

Ink, composed of sulphate of iron and an acid, can be removed from paper if placed between two sheets of copper. The fact was discovered in consequence of a Hindoo, at Calcutta, having placed a quantity of notes on the bank of Bengal in a copper box, by which the signatures, after a time, were entirely effaced. He demanded specie for them, when the bank, in consequence of their not having signatures, refused to pay them on the ground that they were not issued by the institution; but on referring to their record, and trying the effect of copper by placing common writing between sheets of that metal, they admitted they were genuine and paid them accordingly.

Honesty of the Indians. Mr. *Catlin* says, in one of his interesting letters lately published, that the first proposition made by the Indians in every treaty that he had ever attended, was that the government should pay the requisite sum of money to satisfy all their creditors, who were then present, and whose accounts were handed in, acknowledged and admitted.

Finances of Virginia. According to the account of the auditor transmitted to the general assembly on the 5th inst. the condition of the finances was as follows:

The balance in the treasury on Oct. 1, 1835	\$118,253 07
Receipts during the year ending on Sept. 30, 1835	433,614 85
	551,867 92
Expenditures	530,895 17
	\$20,972 75

Large yield. Mr. *Israel Rogers*, residing near Niles, Mich. raised nearly half a bushel of potatoes from the seed of a single potatoe ball which was buried last winter; the largest potatoe weighing a pound.

Price of pork. The Cincinnati Evening Post of the 3d inst. says—As we predicted, sellers have given way, and the market is pretty brisk at five dollars. We think it probable that it will suffer a still further decline to four or four and a half.—Live hogs are extremely abundant in the country and the price must come down.

We hail this "retrograde" in the price of pork, as an indication of a general decline in the price of edibles of every description, which were recently selling at prices varying from one-half to one-third, demanded at this period last year.

Georgia. Colonel *J. C. Alford* has been nominated by the state rights party of Georgia, a candidate for congress to supply the vacancy in the delegation of that state, occasioned by the resignation of colonel *Towns*.

The citizens of Norfolk with great unanimity have recommended in public meeting that the corporation of the borough subscribe \$400,000 to the Roanoke, Danville and Junction rail road, and that they petition the legislature to sanction the same by enactment.

NILES' WEEKLY REGISTER.

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BALTIMORE, DECEMBER 24, 1836.

[VOL. LI.—WHOLE NO 1,817.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED, BY WILLIAM OGDEN NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

¶ We are again compelled to give up our pages to documentary articles, to the exclusion of our usual miscellaneous extracts. In a week or two we will be at liberty to exercise our discretion in the selection of the contents of our pages, and until then claim the indulgence of our friends.

PRESIDENTIAL ELECTION. It is now settled that the election of a vice president will devolve on the senate, Indiana having cast her electoral vote for *Wm. H. Harrison* and *Francis Granger*. The candidates who will be presented to that body are, *Francis Granger* and *Richard M. Johnson*, from whom a selection must be made according to the following provision of the constitution.

"The person having the greatest number of votes as vice president, shall be vice president; if such number be a majority of the whole number of electors appointed; and if no person have a majority, then from the two highest numbers on the list, the senate shall choose the vice president; a quorum for the purpose shall consist of two-thirds of the whole number of senators, and a majority of the whole number shall be necessary to a choice."

POST OFFICE DEPARTMENT. The "*Globe*" states that "the business of this department has been resumed in the capacious buildings recently occupied by Mr. A. Fuller as a hotel.

The entrance to the apartment occupied by the postmaster general, is the second door west of the porch covering the main entrance to the buildings.

The "contract office" is approached by the third door, the "inspection office" by the fourth, and the "appointment office" by the first.

The entrance to the "auditor's office" is by the flight of stairs leading up to the second story from side pavement of 14th street.

As soon as the committees of congress have finished their investigations into the causes and extent of the recent calamity, we shall make a full statement to the public."

The investigation of the facts connected with the recent calamity is still going on; but no developments have been made which point with certainty to the cause of it. It is, however, generally supposed to have originated from the cinders and ashes deposited in the cellar by the persons having charge of the fires.

FLORIDA. Notwithstanding the letter of colonel Randall, inserted in the present sheet, contains much information heretofore published, it forms an important link in the history of the Florida war, and is placed on record for future reference.

It appears from a letter from Volusia, dated December 9, that general Jesup had assumed the command of the army, that he had issued an order that officers entitled to forage shall carry on their horses one bushel of corn each, besides other necessary articles. The letter states, "our prisoners gave important information relative to the Indians, and we expect the Wahoo Swamp to be the scene of much bloody fighting"—and further, "we march with thirty days provisions."

The health of governor Call is said to be in a very precarious state, and it is said he will resign the government of Florida. The term of service of the Tennessean volunteers expired on the 16th of November, and they had signified to general Call their intention to go home. It was thought that in this they were determined by the dismissal of gen. Call to whom they were much attached.

The loss of the Indians in the several actions in the Wahoo Swamp is estimated at one hundred, and that of the whites, 25 killed, and 59 wounded.

A detachment of Florida volunteers, consisting of two companies, under the command of colonel Sanches, had been ordered to proceed down to Tomoka where Philip and his band have had undisturbed possession since the last campaign. It is, doubtful, however, whether they will be able to effect any thing, as the force sent is small.

TEXAS. It is said that Santa Ana has been released by the Texian government, and is now on his way to Washington. According to the *Texas Telegraph*, it appears that president Houston sent a message to the senate apprising them of the determination of the executive to release Santa Ana, and leave him at liberty to go to Washington—on which

measure he asked the advice of that body. The senate, after a warm debate, left the matter in the hands of the president, who immediately released Santa Ana.

The latter left soon after for the United States, accompanied by his secretary Almonte, and escorted by five cavalry soldiers to the American territory. The senate, surprised at this hurried procedure, then passed a resolution instructing the president to explain to congress the reasons which had prompted him to release Santa Ana. As Houston enjoys the confidence of the army and the people, no opposition was shown at Columbia to the release of the prisoner.

It is said that colonel Nunez, brother-in-law to Santa Ana—not nephew—is charged with important despatches from the latter for the Mexican government, and will probably sail without delay for Mexico.

Mexico is making vigorous preparations for another campaign against the Texians, who are also on the alert, and preparing themselves for a determined resistance.

THE MILITARY COURT at Frederick is still engaged in the trial of gen. Scott. Since our last, gen. Clinch and capt. Drane, two important witnesses, have arrived at Frederick, and gen. Scott has applied to the court to issue a summons for *Francis P. Blair*, editor of the "*Globe*," whose testimony he deems important.

NEW HAMPSHIRE SENATOR. *Franklin Pierce*, esquire, at present one of the representatives from New Hampshire, has been elected a senator in congress from that state, from the 4th March next, when the term of Mr Page expires.

INDIANA SENATOR. *Oliver H. Smith* has been elected a senator of the United States from the state of Indiana for six years from the 4th March next, in the place of Mr. Hendricks whose term of service will then expire.

SOUTH CAROLINA. Colonel P. M. Butler has been elected, by the legislature, governor of this state without opposition, and William Dubose, lieutenant. Mr. McDuffie's farewell address is very eloquent, and manifests a determination to retire to private life.

LOUISIANA. The returns from Natchitoches and Claiborne, the two parishes not officially returned in Louisiana, have been received at New Orleans. They give an aggregate majority of 15 for White. Mr. Van Buren's majority therefore, would, had all the parishes been returned, have been 225.

MINISTER FROM TEXAS. The "*Globe*" of Tuesday last contains the following:

"The hon. Wm. H. WARTON, minister plenipotentiary from the republic of Texas, and colonel John Wolfe, his secretary, arrived yesterday, and have taken lodgings at Gadsby's hotel.

EXPRESS MAILS. Sufficient time has not elapsed to say how far these mails will prove beneficial to the commercial community in the speedy transportation of letters, &c. but the articles of news received through them are generally of the most meager and uninteresting character. The "experiment" will not be an expensive one to the government, for it is stated by the "*Globe*" that it will cost less than \$5,000 a week, and that that amount will be received in postage on letters.

ALABAMA. The presidential electors of Alabama met at Tuscaloosa, on the 7th inst. and gave the seven votes of that state to Martin Van Buren for president, and Richard M. Johnson for vice president.

The house of representatives have passed the expunging resolutions by a majority of about twenty votes. The senate had not acted on them, though it was thought they would pass that branch of the legislature also.

BURNING OF THE TREASURY DEPARTMENT. The circuit court, now in session at Washington, is engaged in the trial of *Richard H. Wills*, charged

with burning the treasury department in 1833.—Much curious testimony has been elicited, which will be noticed at the conclusion of the trial.

BANKING CAPITAL. From a list of applications to be made to the New York legislature at its next session, we learn that there will be applications for thirteen new banks, and applications for an increase of capital from two existing banks, making in all an aggregate increase of six million six hundred and fifty thousand dollars of banking capital. There are other applications before noticed to the amount of twenty millions; so that the whole increase of banking capital already notified as to be asked from the next legislature, will exceed twenty-six millions of dollars.

SURPLUS REVENUE. The disposition of Pennsylvania's portion of the surplus caused much discussion and numerous propositions in the house of representatives of that state. Finally a resolution was passed agreeing to receive it and leaving its disposition to future legislation.

In the senate on the 18th inst. Mr. Toland offered a resolution, which was read and laid on the table, premising that the surplus to be distributed will be no longer required, and instructing the delegation in congress from that state to endeavor to obtain the passage of a law, vesting in the several states the absolute right and ownership of the funds to be distributed under the act of congress, passed 23d day of June, 1836, and to effect the repeal of so much of said act as is inconsistent therewith.

ASSISTANT SURGEONS. *Navy department, Dec. 10.* The following is the order in which the assistant surgeons, who passed before the late board of naval surgeons, were reported to the department in point of relative merit, viz:

Class of 1831—Jonathan M. Foltz.
Class of 1832—No. 1. John C. Mercer, No. 2. Samuel C. Lawrason, No. 3. Edward Gilchrist, No. 4. Lewis Wolfley, No. 5. Lewis W. Minor, No. 6. Robert M. Baltzer, No. 7. William John Powell.

THE SURPLUS REVENUE. There are many projects in the different states for the appropriation of the sums they may receive under the distribution law—but the following from a correspondent of the Charleston (S. C.) "*Mercury*" is the most quaint and exclusive we have yet seen: If, however, Mr. McDuffie's theory about the operation of the tariff laws upon the planting interest is correct, he must admit the justice of the proposition.

"The governor suggests to the legislature to deposit the whole amount due this state, into the bank. Now let me suggest first, that this sum has been advanced according to the governor's theory, by the planters. If so, they ought to have the benefit of it. It should be loaned to planters by the year, being secured not by lands only, but by negroes, and to make that security valid, let the bank make that same fund an insurance fund, to insure negroes at such rates as would bring sufficient business. Then a planter, by assigning such a policy, could get a loan to save selling his negroes. The state is fast becoming a wilderness; every year negroes are leaving the state never to return, and with them the most enterprising planters. If the legislature does not take steps to put a planter on as good a footing as a factor, and let the negro capital be an available security for borrowing on every year, will see more plantations abandoned, and finally the whole low country will be abandoned. Already our land tax is grossly unequal. No planter but what is tempted to sell now, although negroes must advance every year. But if his money, refunded by the United States, is to be loaned only on endorsed notes, he must pay a town endorser two and a half per cent. and then renew every sixty days. This he cannot do, and so he sells his negroes, they are carried to the west, and the state is thus weakened—they pay no more taxes to South Carolina. The excitement about a rail road has drawn off public attention from the appalling fact, that this state is daily losing its agricultural labor, and its lands becoming valueless. The rail road, if ever it is built, will pass over the whole low country and not redeem an acre. The city may become the resort of strangers in the winter to trade, not with the state but through it. The

drain of negroes is drawing off the very life blood of the state. Here is a chance of saving it, by applying the planter's own money on the security of his property. The very rise in the value of negroes is one cause which operates to drive them off to the more productive west, and if the attachments of home are to be balanced by the pressure of debt, most men will sell their negroes, abandon their lands, and with the remnant of their estate become tax paying citizens of other states. The attention of the legislature is called to this subject—by one who still prefers the
SEA SHORE.

THE CONCORD MONUMENT. The readers of the Gazette will remember that the rev. Dr. Ripley gave a piece of land, on condition that, within a given time, on it should be erected a monument in commemoration of the first action that was fought in the revolutionary struggle. For such a purpose, no locality could be more appropriate, as the land thus given is the spot on which the first of the enemy fell.

On Tuesday last the corner stone of the monument was laid, on which occasion an impressive and appropriate prayer was made by the reverend donor. The monument, when finished, will be creditable as well as ornamental to our town. The material is granite, the model an obelisk; its height will be about 25 feet; the base, which is square, is a large block, 5½ feet broad, and about 3 in height. On the west side of the next block is inlaid a slab of white Italian marble, on which is engraved the following laconic, but modest and unassuming inscription:

Here
On the 19th of April,
1775,
Was made
The first forcible resistance
To British aggression,
On the opposite bank.
Stood the American militia.
Here stood the invading army,
And on this spot
The first of the enemy fell
In the war of that revolution
Which gave
Independence
To these United States.

In gratitude to God,
And
In the love of freedom,
This monument
Was erected
A. D. 1836.

It is not often such emotions of pleasure flit across our bosom, as we felt on reading this simple and eloquent appeal to our piety and patriotism, and pardon us, gentle reader, if the recollection of the sufferings of our countrymen on that memorable struggle, caused a tear to steal from our eyes. Matter-of-fact, as our vocation may be, we trust that none will accuse us of being poetical, when we say, that anticipation painted the time when this plain obelisk, and this simple inscription, will draw more pilgrims to the spot where the first gun of liberty was fired, than ever journeyed to the lady of Loretto, or any other single shrine of monkish superstition. The minions of slavery, we admit, have raised more splendid piles to commemorate the actions of a tyrant; but, excuse our American feelings that, although we admire the triumphs of art in those magnificent efforts, yet we think it better suits the genius of our nation, and the spirit of our republican institutions, to erect such tributes in memory of our departed brave as the CONCORD MONUMENT.
[Concord Yeoman.]

ORIENTAL COMPLIMENT.

Our readers doubtless know that a treaty of friendship and commerce was negotiated, about three years ago, with the sultan of Muscat, (a gentleman, by the way, and a liberal enlightened monarch), by Edmund Roberts, esq. (lately deceased), who went out in the Peacock for that purpose. The second mission of Mr. Roberts, on which he was engaged at the time of his death, in June last, was to carry out the ratification of the treaties entered into with the sultan of Muscat and the king of Siam; and also, we believe, to make another effort to negotiate a treaty with the emperor of Cochin-China, the first having failed through the absurd and vexatious requisitions of etiquette insisted on by the Cochin-Chinese officers. The following translation of the letter written by the sultan of Muscat to the president, is a good specimen of oriental courtesy and compliment. We have obtained it from the narrative of the mission, written by Mr. Roberts, and now almost ready for publication.
[N. Y. Com. Adv.]

Translation of a letter from the sultan of Muscat to the president of the United States.

"IN THE NAME OF GOD, AMEN."

"To the most high and mighty Andrew Jackson, president of the United States of America, whose name shines with so much splendor throughout the world. I pray most sincerely that on the receipt of this letter it may find his highness, the president of the U. States, in high health, and that his happiness may be constantly on the increase. On a most fortunate day and at a happy hour, I had the honor to receive your highness' letter, every word of which is clear and distinct as the sun at noonday, and every letter shown forth as brilliantly as the stars in the heavens. Your highness' letter was received by your faithful and highly honorable representative and ambassador, Edmund Roberts, who made me supremely happy in explaining the object of his mission, and I have complied in every respect with the wishes of your honorable ambassador, in concluding a treaty of friendship and commerce between our respective countries, which shall be faithfully observed by myself and my successors, as long as the world endures. And his highness may depend that all American vessels resorting to the ports within my dominions, shall know no difference, in point of good treatment, between my country and that of his own most fortunate and happy country, where felicity ever dwells. I most firmly hope that his highness the president may ever consider me as his firm and true friend, and that I will ever hold the president of the United States very near and dear to my heart, and my friendship shall never know any diminution, but shall continue to increase till time is no more. I offer most sincerely and truly, to his highness the president my entire and devoted services, to execute any wishes the president may have within my dominions, or within any ports or places wherein I possess the slightest influence. This is from your most beloved friend, "SYED BIN SULTAN."

"Written on the twenty-second day of the moon, Jamada Alawel, in the year Alhajre, 1249," at the royal palace in the city of Muscat.

"This letter is to have the address of being presented to the most high and mighty Andrew Jackson, president of the United States of America, whose name shines with so much brilliancy throughout the world."

PRESIDENTIAL ELECTION.

MASSACHUSETTS—OFFICIAL.

The governor and council have examined the returns of votes in the several cities and towns in the commonwealth, for electors of president and vice president, and the result is as follows:

Whole number of votes	74,761
Necessary to a choice	37,381
<i>For electors at large.</i>	
Nathaniel Silsbee	41,099
Edward A. Newton	40,757
Seth Whitmarsh	33,297
Nathan Willis	32,839
<i>For district No. 1.</i>	
Samuel Appleton	41,229
Caleb Eddy	33,471
<i>For district No. 2.</i>	
Leavertt Saltonstall	41,274
Robert Rantoul	33,416
<i>For district No. 3.</i>	
Benjamin Walker	41,274
Joseph Kittredge	33,394
<i>For district No. 4.</i>	
Loammi Baldwin	41,238
Francis Tuttle	33,524
<i>For district No. 5.</i>	
Joseph G. Kendall	41,104
Samuel Taylor	33,528
<i>For district No. 6.</i>	
Samuel Lee	41,228
Samuel C. Allen	33,505
<i>For district No. 7.</i>	
Thomas Longley	41,237
Joseph Fitch	33,408
<i>For district No. 8.</i>	
Isaac C. Bates	40,832
Harvey Chapin	33,542
<i>For district No. 9.</i>	
Bezaleel Taft, jun.	41,025
Benjamin P. Williams	33,432
<i>For district No. 10.</i>	
Howard Lothrop	41,928
Nathan C. Brownell	33,068
<i>For district No. 11.</i>	
Charles W. Morgan	40,980
Thomas Mandell	32,657
<i>For district No. 12.</i>	
Charles J. Holmes	40,994
Jabez P. Thompson	32,109

*Corresponding to the 7th of October, 1836,

Messrs. Silsbee, Newton, Appleton, Saltonstall, Walker, Baldwin, Kendall, Lee, Longly, Bates, Taft, Morgan and Holmes, were accordingly chosen, who voted for Daniel Webster as president, and Francis Granger as vice president.

INDIANA—OFFICIAL.

Harrison. Van Buren.

First district.

Vermillion	574	432
Fountain	687	948
Tippecanoe	1,244	1,041
Carroll	375	565
White	114	106
Park	824	534
Warren	541	349
Montgomery	1,066	752
Clinton	331	427

Second district.

Harrison	747	456
Jackson	439	307
Lawrence	670	815
Orange	483	564
Scott	294	267
Floyd	574	499
Washington	656	947
Clark	893	978

Third district.

Dearborn	1,203	1,282
Jefferson	1,172	664
Switzerland	630	519
Decatur	956	513
Ripley	673	443
Franklin	969	875
Jennings	626	292

Fourth district.

Perry	392	114
Crawford	196	166
Spencer	171	179
Posey	330	751
Dubois	155	127
Warwick	157	380
Pike	226	218
Vanderburgh	269	130
Gibson	496	425

Fifth district.

Madison	487	367
Marion	1,409	1,053
Boon	464	421
Bartholomew	608	412
Hendricks	731	360
Morgan	666	543
Hancock	366	293
Shelby	688	675
Johnson	438	559
Hamilton	569	262

Sixth district.

Fayette	965	545
Delaware	369	307
Rush	1,167	748
Randolph	633	234
Henry	1,304	712
Grant	239	132
Union	700	568
Wayne	2,284	965

Seventh district.

Vigo	963	289
Sullivan	203	583
Daviess	438	253
Knox	736	437
Greene	366	389
Monroe	424	704
Clay	153	251
Martin	142	197
Putman	1,067	694
Owen	427	286
Allen	343	266
St. Joseph	480	255
Marshall	94	42
A. Iams	64	28
Wabash	122	47
Kosciusko	160	149
Laporte	490	542
Huntington	52	62
Noble	46	80
Fulton	55	39
Porter	87	69
Lagrange	138	150
Elkhart	354	305
Miami	134	30
Cass	513	239

ILLINOIS—OFFICIAL.

Van Buren. Whig.

Alexander	106	25
Adams	651	390
Bond	108	173

Clark	218	180
Coles	151	180
Clinton	146	124
Champaign	86	61
Clay	85	54
Edwards	95	143
Effingham	45	1
Edgar	409	260
Fayette	268	80
Franklin	374	10
Green	1,087	711
Gallatin	452	150
Hancock	260	341
Iroquois	96	22
Jasper	12	7
Jefferson	227	17
Johnson	37	5
Jackson	164	84
Jo Davies	366	331
McDonough	158	123
Montgomery	266	120
Macon	313	93
Madison	682	959
Monroe	119	109
Morgan	1,720	1,532
Macoupin	486	269
McLean	427	425
Pike	868	615
Perry	127	85
Pope	85	107
Randolph	411	408
Shelby	333	59
Sangamon	903	1,464
Schuyler	490	384
St. Clair	551	354
Tazewell	356	510
Union	251	9
Vermillion	465	560
Wabash	101	280
Wayne	227	31
Washington	123	15
Winnebago	88	70
White	337	274
Total	14,830	12,255
	12,255	

Majority 2,625

LOUISIANA—OFFICIAL.

Parishes.	Van Buren.	Whig.
Avoyelles	41	184
Ascension	159	50
Assumption	84	102
Catahoula	85	66
Carroll	63	54
Concordia	49	91
Claiborne	not received.	
East Feliciana	296	150
East Baton Rouge	214	170
Iberville	91	60
Jefferson	26	40
Lafourche Interior	58	160
Livingston	100	100
Lafayette	153	36
Natchitoches	not received.	
Orleans	665	676
Ouachita	129	99
Plaquemines	44	9
Point Coupee	51	40
Rapides	120	175
St. Bernard	25	10
St. Charles	33	1
St. John the Baptist	4	
St. James	22	45
St. Helena	264	50
St. Tammany	194	60
St. Mary	63	152
St. Martin	36	109
St. Landry	265	384
Terrebonne	50	95
West Baton Rouge	28	80
West Feliciana	153	98
Washington	183	37
	3,653	3,383
	3,383	

Van Buren majority 270

ARKANSAS—OFFICIAL.

	Van Buren.	White.
Pulaski county	284	191
Hempstead	110	83
Saline	81	52
Lawrence	82	31
Randolph	138	77
Conway	23	48
Independence	134	113
Pope	93	46
Johnson	107	49
Crawford	109	119
Jefferson	50	48

Izard	87	15
Chicot	43	51
White	17	29
Arkansas	38	82
Van Buren	19	9
St. Francis	108	18
Washington	622	133
Phillips	96	65
Sevier	67	34
Hot Spring	11	5
Crittenden	38	27
Monroe	17	35
Jackson	56	48
	2,400	1,288

Ten counties were not heard from when the votes were officially made up. Their vote is of course excluded in the above result.

AMERICAN COLONIZATION SOCIETY.

A Washington correspondent of the New York Journal of Commerce furnishes the following notice of the proceedings of this society, at its recent annual meeting:—

Washington, Dec. 14th, 1836.

THE ANNUAL MEETING OF THE AMERICAN COLONIZATION SOCIETY was held last evening, at half past seven o'clock, in the hall of representatives. The hon. Henry Clay took the chair, and called the meeting to order.

The meeting being very thinly attended, on account of the inclemency of the weather, it was proposed by some to adjourn, but, after some consultation, it was determined to proceed.

The rev. Ralph R. Gurley, secretary of the society, read the annual report, giving a detail of the operations of the society for the last year. The report presents a most encouraging view of the condition and prospects of the colony. In health, temperance, industry and happiness, it is on a footing of equality with any other settlement on the face of the earth. It seems to require nothing but agricultural improvement, and the establishment of schools, to bring the people to a high state of civilization, prosperity and importance. The accounts from the intelligent agent of the Maryland colony represent the settlers as moral and happy. No reasonable man, says one account, could desire greater facilities for living than are here open to all. The articles of foreign demand spring up simultaneously in their hills and valleys. The coffee tree flourishes luxuriantly, and produces fruit after three years.—All that is necessary for a settler to do, is to plant 20,000 coffee trees; and in three years he will have a good income.

The report mentions one fact of great importance in reference to the slave trade, from which it appears that this opprobrium of Christendom is about to be blotted out. A treaty has been concluded between England, France and Spain, conceding, each to each, a mutual right of search, with a view to the total suppression of the slave trade, carried on under the Spanish flag. This alliance had heretofore been confined to England and France. The accession of Spain to the league will secure the suppression of the nefarious traffic, which has constantly been carried on between Cuba and Africa. It appears that the United States was solicited to join the league, but declined it, on the ground that they would thereby yield the right of search, which right of search was so liable to abuse, as we had experienced. The report expresses the hope that the United States, which was the first nation to denounce the traffic, and to declare it piracy, would accede to the proposition of granting a mutual right of search, under such guards as would secure it from abuse, as the most efficient means of suppressing the traffic.

The report also mentions that the Liberia colonists had expelled the trade from a coast of 300 miles in extent.

The finances of the society are small in reference to its objects, but are increasing. The receipts, during the past year, were \$16,157, and the expenditures about \$35,000. The amount of the receipts is less than that of the preceding year, for the reason that in that year \$10,000 were raised by issuing the society's stock, and over \$4,000 more received from the government for the transportation to Africa of recaptured Africans. But the amount received from donations and auxiliary societies was never so great as during the present year. The debt of the society has not been sensibly diminished, but hopes are entertained that the legacies recently left to the society will be fully adequate to the extinction of the debt. It is also expected that the agricultural prosperity of the colony will soon render any aid from the society unnecessary.

In the states of Virginia and Maryland the society is in greater favor than it ever was at any former period of its existence. It is believed that a ma-

jority of the intelligent citizens of the former state are in favor of an appropriation of money, by the state, for the objects of the association. In Kentucky, also, at several large public meetings, it was resolved that the objects of the institution are worthy of the patronage and support of the national and state government.

On motion, the report was accepted, approved and ordered to be printed.

The Rev. Dr. Proudfit submitted a resolution declaring that the society for the colonization of the free people of color, in Africa, with their own consent, is entitled to an honorable rank among the benevolent institutions of our land and age, and that the success which has attended the efforts of its friends, ought to encourage them to persevere. The reverend mover spoke at some length in illustration of his views, as stated in the resolution.

Dr. Reese offered a resolution declaring that the present prosperity of the settlements on the African coast, afforded a practical refutation of the calumny of its enemies, &c.

This gentleman spoke with much animation, in regard to the condition of the colony, and particularly in reference to its health, temperance and industry.

The hon. Mr. Grennell remarked that most of the donations received during the year by the society, were the results of collections made on the Sabbath preceding or near the fourth of July. He therefore begged leave to submit a resolution expressive of the thanks of the society to the ministers of the gospel who had aided it by affording facilities for such collections, and respectfully requesting them to continue the practice.

Mr. G. supported the resolution with some very judicious remarks.

Z. Collins Lee, esq. submitted a resolution declaratory of the expediency of applying to the federal and state legislatures for aid in the promotion of the objects of the society, and, thereupon, he spoke at some length, and in an able and interesting manner.

The rev. Dr. Hill, (of Alexandria), offered a resolution stating that the society looked with interest and gratification upon the formation of an association of young men in the city of New York for the purpose of endowing a seminary of education in Liberia. Dr. Hill spoke briefly on the subject indicated in the resolution.

The rev. Mr. Andrews and rev. Dr. Laurie also offered resolutions which the writer did not distinctly hear read.

George W. P. Custis, esq. delivered a most eloquent and appropriate eulogy on the deceased vice president of the society, the rev. bishop White, and Robert Ralston, esq.

The utmost harmony prevailed at the meeting. The resolutions were unanimously adopted, and, at half past ten o'clock, the meeting, on motion of Mr. Gurley, adjourned, to reassemble this evening at the rev. Mr. Post's church.

THE TREASURY ORDER—REMARKS OF MR. EWING.

In the senate on the 14th, the following offered by Mr. Ewing was taken up, on its second reading. Resolution to rescind the treasury order of the eleventh day of July, one thousand eight hundred and thirty-six, and to make uniform the currency receivable for the public revenue.

Resolved by the senate and house of representatives, &c. That the treasury order of the eleventh day of July, anno domini one thousand eight hundred and thirty-six, designating the funds which should be receivable in payment for public lands, be, and the same is hereby, rescinded.

Resolved, also, That it shall not be lawful for the secretary of the treasury to delegate to any person, or to any corporation, the power of directing what funds shall be receivable for customs, or for the public lands; nor shall he make any discrimination in the funds so receivable, between different individuals, or between the different branches of the public revenue.

Mr. Ewing then addressed the senate in explanation of his reasons for offering the resolution.—He stated that he did not think that the objects which had been avowed as those for which the circular had been issued, were the only or the leading objects. He then took a view of the condition of things previous to and during the last session of congress. It was foreseen before congress met that there would be a struggle to obtain some legislative measures for the purpose of checking the accumulation of the public money in the hands of the executive. When the bill for the distribution of the surplus revenue was brought forward, it was met constantly by the most positive assertion, that there would be no surplus revenue. This was repeated as long as it could be with any prospect of success; but when it was found that the public money was

coming in so fast that such statements could be no longer sustained, it was then declared that the whole of the surplus would be required for the necessities of the country. In the report made by the secretary of the treasury, on the 6th of December 1835, the erroneous estimate of the amount of revenue which would be in the treasury on the 1st of January next, was sent forth, in which the secretary under-estimated the amount by many millions, although all the receipts of that year were nearly all come in at the time when he issued the statement. A mistake of a couple of millions might have been attributed to mistake, but such a misstatement at the time, when the president must have been in possession of the facts, could scarcely be attributed to inadvertence.

Mr. Ewing went on to refer to a speech made by himself, in which he stated the evils to be apprehended from the irresistible influx of money into the treasury: when he was met with declarations that we should want all our means to sustain us through an expected war with France; that we were to look for a French squadron battering down the walls of the capitol, and to defend us, in these dangerous contingencies, we should require large expenditures in the erection of fortifications: we were further told that the contest with the Seminoles in Florida would spread into an Indian war along the whole of our western frontier, and that we must expend liberally to build forts in the west. Heavy appropriations had been made for fortifications, heavier than had ever before been made in time of peace. Still there remained a large surplus in the treasury. When every other expedient failed, only seven days after the adjournment of congress, this treasury circular was issued. It was not issued by the advice of congress, but was sent abroad in seven days after the adjournment, as soon as gentlemen were out of the city, changing the character of the funds to be derived from this, one of the greatest sources of our revenue.

Attempts had been made to make the people believe that the mischiefs which had resulted from the treasury circular, are in truth attributable to the distribution bill. These attempts however had not been successful. The true source of the evil was well understood; and was doubtless foreseen by those who advised the order to be issued. There were doubtless other interests which influenced the issuing the order which were not generally known. It was not the act of any single individual, but was advised by many. One of the effects of the order was to limit the sales of public lands and to raise their prices, and it had operated in favor of those speculators who had borrowed money from the deposit banks, and also in favor of the deposit banks themselves. This he had no doubt was one of the objects contemplated to be effected by the order. Another object was this: It was known that some of the deposit banks would not be able to pay over the moneys belonging to the public. It had been said on this floor that the distribution bill would break many of these banks.—This idea would have the effect of collecting specie in the land offices, and this could be distributed among these particular banks for the purpose of sustaining them, through the process of paying over the public money to the states. It had been said that this order would prevent the over issues of banks. He replied to this that there were no over-issues except by the deposit banks, and these would not be effected by this order. These banks had made great loans to speculators, and the effect of the order would be to accumulate specie to relieve them from the effect of their improvident loans.—He took views in *extenso* of the condition of the western banks which had increased their issues, of late years, as called for by the increasing commerce of that part of the country; but there had been no over-issues. As soon as this order was issued, these banks had closed their doors against all who wished to borrow, and had been compelled to push their debtors. Thus the whole commerce of the west had been crippled. He expatiated at length on these points.

Mr. Benton, after a brief reference to some of the topics of Mr. Ewing's remarks, (not heard with sufficient distinctness by the reporter), said that some time would be requisite for a reply at large to the senator from Ohio. He would now say that he concurred with him in his construction of the law in relation to the deposits remaining in the treasury. But he denied that any one had said, at the last session, that there would be no surplus remaining in the treasury at the end of the year. Assertions in any way like this were always made with some qualification. It is now declared, on the other hand, that there is a large surplus. But the president's message shows that fifteen or sixteen millions of that surplus is already appropriated, and continues in the treasury because it could not be

used. That such would be the fact, Mr. B. had repeated so often in the course of the last summer, that the walls of the senate chamber, if they could speak, would utter it. Every appropriation had been kept off, till it was known all round that it could not be used; and, accordingly, there now remained fifteen or sixteen millions unexpended.—The whole organization of the senate committees was such as to oppose appropriations and favor a surplus. Congress sat till July, when half the year was gone. Suppose they had continued in session till October, there would then have been a surplus of \$20,000,000; and if they had sat till this time, the whole revenue would still have been surplus, and there would have been double the amount to distribute that we have now got.

Do you see, sir, said Mr. B. these few and slender leaves? They contain every act of the last session up to the second of March; and they are nearly all private acts, sent up here by the industry of one member of the other house. Every appropriation of any moment was put off to the end of the session. If the appropriations had been made in time, there would have been no more surplus than often before. If it had not been for the organization of the chamber against appropriations and in favor of a surplus, the surplus now would have been many millions below what it is. We have often had a surplus to the amount of fifteen, sixteen and seventeen millions. If the appropriations of the last session had been made in time, and if many had not been even given up for the want of time to expend them, there would have been no surplus now.

Mr. B. said he had only intended now to state some points on which he concurred with the senator from Ohio, and to say what he thought of the construction which he (Mr. E.) had given to the deposit law. He had shown that the surplus is not a surplus in the ordinary import of the term, but a surplus created by congress itself. He wished now that some such disposition should be made of the resolution of Mr. E. as would permit bills now, and soon to be, in progress to go on, without blocking them up. It might either be laid on the table, or be made the order of some day sufficiently distant to give him time to prepare for a reply to the senator from Ohio. He was about to move the former, when

Mr. Webster expressed his assent to a postponement of the discussion, but hoped it would not extend beyond the residue of the week. He knew of no subject more important, or in which the public mind seemed at this moment to take a deeper interest. The condition of the country in reference to the currency was admitted on all hands to be greatly deranged. A state of things, indeed, existed which was anomalous and unprecedented; for while the price of all sorts of commodities was unusually high, there existed, at the same moment, a scarcity of money. Such a state of the pecuniary interests of the country called for investigation, and demanded the prompt attention of congress. He concluded by expressing a hope that Monday might be fixed upon for the further consideration of the resolution.

Mr. Ewing had no objection to such an arrangement, though he was opposed to any unnecessary delay. He said a few words in reply to some of the remarks which had fallen from Mr. Benton, disclaiming all agency in retarding the appropriations for the purpose of creating a surplus, &c. but reserved himself for the fuller discussion of the subject.

The resolution was then postponed to and made the order of the day for Monday.

INTERESTING FROM FLORIDA.

From the Charleston Courier of the 5th instant.

Col. Randall, late adjutant and inspector general of the army in Florida, but who retires from his command on the near approach of the session of the court of appeals of Florida, arrived in this city this morning in the steam packet Dolphin, from St. Augustine, to whom we are indebted for the following interesting particulars of the movements of the army in that territory.

Col. Randall is the bearer of despatches from gov. Call to the department at Washington.

Friday, November 11th, the army, composed of the Tennessee brigade about 950 strong, of about 350 regular troops, 200 Floridians, and the regiment of Creek volunteers of about 600 warriors, marched from Fort Drane in pursuit of the enemy. On the 12th the army encamped within three miles of the Wythlacoochee, and opposite the point where the passage of the river was attempted on the 15th of the preceding month. Preparations were made for forcing a passage on the following morning.

On the next day, (13th) the Tennessee volunteers applied for men, on the point of obtaining the

honor of forcing the passage of the stream at the point, when a month before the high waters had baffled their attempt, when it being reported that the enemy had retired, they were detached to march and attack the Negrotown to the left, where also an ineffectual effort had been the month before made to cross, which had been prevented by the same cause.

The regiment of Creek volunteers then supported by the greater part of the regular troops, the whole under the command of col. Pierce, crossed the river with no opposition from the enemy, but an immense danger and peril from the intrinsic difficulties of the passage, the river, although about four feet lower than on the former visit of the army, presented still a most formidable and dangerous obstacle. It was about 220 yards wide, deep at all points and swimming for about 50 yards, with a dense swamp on either bank. Four of the regular troops were drowned in effecting its passage.

On a report that trails of the enemy were discovered on the opposite bank, the commander-in-chief crossed the river with the mounted men under command of col. Warren. No enemy, however, was found; the cove had been deserted for some days by the hostile Indians, whose trails were discovered leading into Ochlawaha and the Wahoo Swamp; no appearance of recent habitation or cultivation was visible.

The left division, under gen. Armstrong, encountered no opposition from the enemy in crossing the creek to the Negrotown.

The creek was deep enough to swim their horses—Col. Trawdsdale's regiment crossed it, burnt two well-built negro or Indian towns on the opposite side; after which the brigade retreated to the camp near the river. From the report of an old and infirm negro, left at this place by the enemy, it was ascertained that they had fled for the Wahoo Swamp on the approach of our army, carrying with them all their property and corn. From the same source we learnt that, at the previous affairs of the 13th October, at the river and the creek, the loss of the enemy had been at the first 13, and, at the last 33 killed.

Dispositions were then made to pursue the enemy in every direction, by which he could possibly retire. Col. Pierce with 250 of the regulars, the Creek right, and col. Warren's mounted men were ordered to pass out of the cove, by the only practicable outlet in that direction, and after fully exploring the country south and west of the river, to reunite with the army about the 19th or 20th near Dade's battle ground, the commander-in-chief reserving the river, marched with the Tennessee brigade, two companies of artillery and the Florida footmen, and with the whole wagon train in search of the enemy, on the north side of the river and towards the Wahoo Swamp. Both divisions marched on the 16th, and on the 17th about noon, a large party of the enemy was discovered near the line of march of the main army, encamped near a hammock. The first regiment of Tennessee volunteers under col. Bradford, constituting the regiment under the immediate command of gen. Armstrong, was instantly detached to attack the enemy, then distant about 400 yards.

The enemy, though surprised, had time to withdraw themselves and a portion of their property into an adjoining hammock and swamp, where they awaited the approach of our men, who advanced rapidly to the encounter. Before the troops could dismount they were received with a severe fire from the enemy, the fire was promptly returned. The fight was vigorously maintained by the enemy firing from their covert upon our troops, but upon a charge being ordered and promptly executed by our men, in the most gallant manner, the enemy precipitately fled, leaving 20 dead in the wood, and all their horses and baggage. Other dead and a great number of wounded were carried off by them during the fight, as indicated by numerous bloody trains. The pursuit was continued by our men waist deep in water and mud, as long as the traces of the enemy could be followed.

At the beginning of the action two companies of the 2d regiment, and the companies of spies afterwards, were detached to the left, to cut off the retreat of the enemy, but the nature of the country prevented all effectual pursuit. The enemy were supposed to amount to from 150 to 200.

Our loss was one killed, and ten wounded—one mortally. This was a very gallant affair, in which both officers and men behaved with the utmost spirit and intrepidity. After bringing off our killed and wounded, the army moved four miles on its route, and encamped. On the 19th, the commander-in-chief, after leaving the wagon train under a strong guard, marched at the head of about 550 Tennesseans, consisting of colonel Trawdsdale's re-

giment, principally footmen, and a part of the 1st regiment and the companies of spies, all under the immediate command of general Armstrong, into the Wahoo Swamp. About three miles from the camp, they struck into a large Indian trail, which led to the left, through two dense hammocks, and over two creeks into a large field, surrounded on three sides by hammocks. The enemy, on our approach, were found to have just deserted their position, having set fire to their houses, which were then burning. Evidence of their presence in the hammock in front, was soon afforded, and the line was quickly formed to attack them. The footmen under colonel Trawsdale, were formed in open order to charge into the hammock, while the horsemen to the right and left were thrown back to protect the flank, and to act as a corps of reserve. Before our troops had received their final orders to advance, they were saluted by a tremendous fire along their whole front from the opposite hammock. After exchanging shots with the enemy for a short time and slowly advancing upon them, on receiving the orders to charge, our troops rushed forward with a shout to the wood, and were soon closely engaged in a deadly combat. Nearly at the same moment, a heavy fire was opened on both flanks, and soon after a large party of the enemy—at least fifty in number—boldly threw themselves in the rear following the courageous example of their comrades in the front, the horsemen on the right and left, quickly dismounted and charged into the wood.

The action was maintained on all sides with great animation and effect, for about forty or fifty minutes, when the enemy was driven at all points; a small company of men commanded by captain Fletcher, being led off from the left flank, charged down and dispersed the enemy in the rear. The enemy in front were driven completely through the hammock, and pursued so long as they could be seen or heard, after which they retired in order to the field, bringing off the dead and wounded; our loss was three killed and fifteen wounded. The enemy left dead on the field twenty-five, and others were doubtless carried off; of their wounded we could form no estimate. This was really a most brilliant affair. The enemy could not have been less than from 600 to 700 men, at the same moment their fire covered our entire front and both flanks, while a large party openly exhibited themselves in the rear. At this point of ground in the center of the field, occupied by the commanding general and his staff, the balls were distinctly seen and heard to strike and cross each other from three sides at the same moment. The extent of the ground, and the open order taken by our troops, together with the success of our charge, alone prevented the enemy from obtaining a decided advantage from their position and numerical superiority.

No terms can do justice to the gallantry of the troops on the occasion. Wherever the enemy could be found, they were promptly charged upon, and followed even to the very depths of their hammocks and swamps. Thus ended the first battle of the Wahoo Swamp. The lateness of the hour, ignorance of the country, the fatigue of the men, and the exhaustion of their ammunition, prevented the army from following up the advantage.

The next day, the 19th, the army marched to the place appointed for its junction with the right division under colonel Pierce, near Dade's battle ground, a position more formidable for the renewed attack meditated on the Wahoo Swamp. This juncture was effected late the next day.

On the 21st, the army marched in three columns into the swamp—the Tennesseans for the right, the regulars with colonel Warren's mounted men, the centre under colonel Pierce; and the Creek regiment the left. On reaching the scene of conflict of the 18th, the enemy showed themselves ready to renew the fight. The Tennesseans and regulars formed on the right and centre, and advanced steadily towards the hammock in line of battle, and were met by a general fire from the enemy on their whole front. Without pausing and without firing a gun, they marched into the hammock, and poured a destructive fire on the enemy. The charge was irresistible, the enemy fled and scattered.

So soon as the direction of their retreat was discovered, colonel Pierce, with his division and Creek Indians, were ordered to pursue, and, soon after, colonel Trawsdale, with his regiment, and colonel Warren, with the Florida horsemen, were sent to support them. The greater part of the regulars and the Tennesseans unfortunately took a trail to the right by which they became involved in an almost impassable morass, where no horse could move, and where the men were wading breast deep in mud and water.

A small body of Creek Indians on the left led by lieutenant-col. Brown, taking a better path followed

closely upon the enemy and found them strongly posted in a cypress swamp; there they were briskly charged upon by the Creeks, and the gallant major Monica, in attempting to cross a creek fell dead in the stream. Some others of the Indians fell at the same time, and it was soon discovered that the party was too small even to defend their own ground against the enemy, without a desperate struggle. Two companies of Florida militia, under command of capt. Groves and lieutenant Myrick, followed some companies of artillery under major Gardiner, captains Tompkins, Porter and lieutenant Lee, and by colonel Waire, with his mounted men, coming successively into action, enabled our men to sustain the unequal conflict.

A desperate struggle ensued, sustained with great animation on both sides, when the superiority of our fire was soon exhibited the arrival of colonel Pierce with the reserve of his battalion, and of colonel Trawsdale with the Tennesseans.

So soon as they could extricate themselves from the morass, rendered their superiority still more apparent, and almost silenced the fire of the enemy, yet the passage was not gained for all; previous attempts to turn or pass it had failed, and its practicability was unascertained, the hostile chiefs were distinctly heard by the friendly Indians encouraging their warriors, with assurances that the whites would not pass it, and appearances all led to the same conclusions. The officer in command of the troops engaged, decided that the attempt should not be made at so late an hour of the day, with an entire ignorance of the country behind, and they accordingly withdrew their men after carrying off the dead and wounded.

In this last affair, our loss was considerable, compared with that of any previous fight; besides the heroic Monica, two of the Creek Indians were killed. Capt. Ross, of the marines, commanding a company in the same regiment, was severely wounded in the thigh. Five of the regulars were killed, and seven of them wounded, including captain Maitland. The Tennesseans sustained a loss of 1 killed and 8 wounded.

The loss of the enemy was ascertained to be ten left dead on the field from which they were routed; their loss on the other side of the stream, cannot of course be certainly known, but must of necessity have been great, the orders of their chiefs, moreover, as heard by our Indians, directing the disposition of their dead and wounded, furnish the testimony of the enemy to the same conclusion—fifty at least must have fallen in the conflict.

The army having now exhausted the last day that could be spared in pursuit of the enemy, without incurring actual starvation, was compelled to return to the camp, which it reached about 10 at night; it thence marched the next day for Volusia, where supplies had been previously ordered, and which it reached on the morning of the fifth day. Before this last march had been undertaken, the troops had been for some days on half rations, all the corn exhausted, not a grain was left for the wagon horses.

These privations were borne by the troops with the utmost patience, and even cheerfulness, from the anxiety to protract the contest as long as possible. The results, then, of this campaign are, that the strong holds of the enemy, the heart of the Wythlacochee and the Wahoo, have been penetrated and overthrown. Morasses, hitherto uninvaded by our armies, have been explored; the enemy have been defeated in four several battles, with great loss; that our troops have now shown them that neither the swamps nor the hammocks, with a numerical superiority, afford them safety or defence, and that nothing can insure their escape but some impassable barrier of nature; that adequate supplies of provisions, to which the country can contribute nothing, alone were wanting to enable our troops to destroy the enemy utterly. The army may also boast that in all its marches through the country, encumbered as it was by an immense baggage train, the enemy, on no occasion, dare to assail it, nor did he, in any instance, cut off any of its detachments or convoys.

We further learn that the army is now at Volusia, receiving ample supplies of provisions, and that fresh horses are being transported to that point, to enable it speedily to enter upon another expedition. The Tennessee brigade, whose term of service will expire in this month, are eagerly looking forward to another fight with the enemy on the Wythlacochee, at which point it is proposed to embark them for their return to their homes. Should general Jesup, of whom nothing has been heard since his arrival at Tampa, be in a condition to follow up our blow on the Wythlacochee and Wahoo, into the very heart of which our trails will conduct him, the result may prove decisive.

The enemy, weakened, defeated and dispirited, can offer no effectual resistance to the final army

commanded by that able officer. On the other hand, should the enemy have dispersed and retreated on the night of the 21st, as there is great reason to suppose, from the numerous small trails discovered by our spies on the 22d, all conveying into one large trail, leading to the south and east, the route expected to be pursued by general Jesup, from Tampa bay, it is hoped may bring him in contact with the flying bands, in an open country, where their destruction will be inevitable.

At present, the army is engaged in reconstructing the stockade work and buildings, at Volusia, to serve as a post and deposite for the army, and it will be ready in a few days to receive the ample supplies of provisions into it from Black Creek.

Gov. Call's health is yet very feeble, but he continues to struggle against his disease, and to sustain himself, in the midst of the most laborious and trying difficulties. He left Fort Drane just after his recovery from a dangerous fever, and soon after had twice to swim the Wythlacochee, and to encamp in the cove without tents, and almost without fire, in cold rainy weather. His spirit and zeal for the service sustain him in a wonderful manner, amidst the greatest sufferings and privations, under an extreme prostration of bodily strength.

From the Jacksonville Courier of the 1st instant.

Nothing further has been heard of the movements of the army. They cannot have reached Volusia yet, as the steamboats, ordered there to await their arrival, have not returned. Should general Jesup have come up on the other side of the Wahoo Swamp with his regulars, they have probably been successful in their engagements with the enemy; otherwise, we fear, this attempt like all others before it, will end only in disgrace.

Last Friday a party of seven men started with five carts to go from Black Creek to Fort Mills. On their way, near New river, they encountered a party of about 60 Indians, who suddenly fired upon them and wounded one man. The men fled and left the horses, carts and their contents in the possession of the enemy. Captain Smith went in search of them next day. His success in pursuit we have been unable to learn, as he had not returned when we last heard from Black Creek. This attack proves the enemy too strong to require all their force to oppose the army. We hope ere long a force will be in the field sufficiently large to restrain these desperate and predatory bands, who are plundering our property and taking the lives of our citizens who have struggled with disease and poverty in daily expectation of relief.

"GENERAL ORDER."

"Head quarters, Volusia, 30th Nov. 1836.

"The commander-in-chief regrets, that ill health, and the numerous duties which have claimed his attention, since the arrival of the army at this place, should have prevented him from returning at an earlier day, his grateful thanks to the whole army under his command, for the gallantry with which it has fought, and the patience and cheerfulness with which it has borne the fatigue and privations of the march.

"The commander-in-chief reflects with pride and pleasure on the good conduct of every corps, and while it was painful to him to be compelled to reduce one half the allowance of rations, both to officers and men, it is now his highest gratification to remember and record to their lasting honor, that it was submitted to without a murmur, throughout the line.

"In a few days you have fought your battles, and gained as many victories. You have won for yourselves honor and the gratitude of your country.—You alone have taught the savage that his swamp and his hammock can afford him no longer a shelter or a hiding place.

"The commander-in-chief believes that it is no fault of yours that a final blow was not given to the enemy, and that a few days supply of rations would have produced this result. He still hopes and believes that it may and will be effected by the army under his command, in another campaign, as short and brilliant as the last.

Brigadier general Walker K. Armistead, of the United States army, having reported himself for duty, will forthwith assume command of the regular forces, the Florida militia and the regiment of Creek volunteers, which will form a separate brigade.

"By order of the commanding general,

"THOS. RANDALL,

"Adjutant and inspector general."

REPORT OF THE SECRETARY OF WAR AD INTERIM.

Department of war, December 3, 1836.

SIR: In compliance with your directions, I have the honor to lay before you the usual annual re-

ports of the several divisions of this department, and to submit, for your consideration, a summary of the contents of those documents, together with such additional statements and suggestions as seemed to me to be required by the present condition and necessities of the public service.

1. THE ARMY.

1. *Organization and force.* It appears, from the report of major general Macomb, and the tables annexed to it, that the regular army of the United States consists of 648 commissioned officers, and 7,310 non-commissioned officers, musicians, artificers and privates; making an aggregate of 7,958—organized as follows: General staff, 14, viz: one major general commanding; two brigadier generals, each commanding one of the two military districts into which the United States are divided; one adjutant general; two inspectors general; one quartermaster general, and four quartermasters; and one commissary general of subsistence, and two commissaries; pay department, 18, viz: one paymaster general, and seventeen paymasters; medical department, 76, viz: one surgeon general, fifteen surgeons, and sixty assistant surgeons; purchasing department, 3, viz: one commissary general of purchases, and two military storekeepers; corps of engineers, 22; topographical engineers, 10; ordnance department, (including 294 non-commissioned officers and enlisted men): two regiments of dragoons, each containing ten companies of sixty privates each; four regiments of artillery, each containing nine companies of forty-two privates each; and seven regiments of infantry, each containing ten companies of forty-two privates each.

The present actual force of the regular army, according to the last general return, is 6,283; but it also appears from that return, that after making the necessary deductions for sickness and other circumstances, the available force for service in the field, at the latest dates, was 4,282. The difference between the actual force (6,283) and the force allowed by law (7,958) is 1,675, and is occasioned by the fact, that only 360 recruits have yet been obtained for the new regiment of dragoons authorized by the act of the last session, and the by vacancies caused by expiration of service, and other casualties, in the other regiments.

2. *Distribution and present positions of the troops.* The eastern department, under the command of major general Scott, includes thirty posts, from twenty of which the troops have been mostly withdrawn for service in the Creek country and in Florida. The whole number of officers of the line and men, at the several stations in the eastern department, including absentees, is therefore now only 1,124. Of that number, 118 are at Fort Winnebago; 114 at Fort Brady; 105 at Fort Mackinac; 149 at Fort Howard; 67 at Fort Dearborn; 122 at Fort Gratiot; all which posts are on the north western frontier, or in that vicinity; and the remainder at posts in the Atlantic states.

The western department, under the command of major general Gaines, now includes twenty posts, and four temporary stations. Several of these posts have also been evacuated, and the troops ordered to Florida; so that the whole number of officers of the line and men now stationed at them, including absentees, amounts only to 2,458. Of that number, 233 are at Fort Snelling; 185 at Fort Crawford; 821 at Fort Leavenworth; 132 at Fort Gibson; 158 at Fort Towson; 44 at Fort Coffee; 380 at Fort Jesup, and 124 at a station seventy miles from that place; 147 at Camp Sabine, and 428 at Camp Nacogdoches; all which posts and stations are in the north west, or on or near the western frontier; 186 at Fort Mitchell, Alabama; and 58 at Fort Cass, Tennessee.

The regular force serving in Florida consists of the four regiments of artillery, five companies excepted; eight companies of the fourth regiment of infantry, one company of dragoons, and a battalion of 820 marines; making in the aggregate about 2,000, according to the latest returns received at the adjutant general's office. After deducting the number reported sick, and absentees, the efficient regular force for field service in Florida will not exceed 1,500.

For want of the necessary returns of the volunteers serving in that quarter, the estimate of that auxiliary force at this time is less accurate; but, from the best data in the adjutant general's office, it may be thus computed: Tennessee volunteers about 1,200; Alabama volunteers 300; Florida volunteers 250; and Washington city volunteers 58; amounting in all to about 1,800, besides 780 volunteer Creek Indians, who have been mustered into the service of the United States, and are now employed with the army. The whole active force, then, regular, volunteer, and Indians, now in Florida, is probably somewhat less than 4,000.

Besides the volunteers above mentioned, there are also employed of that description of force, 361 in Tennessee, under the command of brigadier general Wool; 537 in Arkansas, under the command of brigadier general Arbuckle; and 58 in Alabama; making, when added to those serving in Florida, an aggregate of near 2,800.

3. *Movements during the last year, and now in progress.* At the date of the last annual report from this department, several companies had been placed in Florida under the command of brigadier general Clinch, for the purpose of restraining any hostile intentions on the part of the Seminole Indians, and of enforcing the execution of the treaty providing for their removal. It was then hoped that an open rupture would be prevented; and it was confidently believed that the eleven companies actually in Florida, amounting to 536 officers and men, would be amply sufficient, with the reinforcements then under orders, and with such aid as might be derived from the local militia and volunteers, to put down any hostile attempt which might be made by the disaffected portion of the tribe. Both these expectations were disappointed, and a protracted warfare ensued which has not yet been terminated.

The most important military operations growing out of this state of things are mentioned in the accompanying report of major gen. Macomb, which brings down the narrative of events in Florida to the retirement of the forces under governor Call from the Wythlacoochee in October last. Authentic intelligence of that event reached the department on the 1st ultimo, through the medium of letters received by some of the bureaus, and of officers direct from Florida. By the same channels of information, it was also ascertained that the health of governor Call had been so much impaired by sickness and fatigue, as to make it doubtful whether he could renew the campaign with the promptitude and energy demanded by the crisis. On the 4th ultimo, no report having been received from that officer, and it being necessary that the department should act, without further delay, on the information then in its possession, despatches were sent by express to governor Call and to major general Jesup, expressing to the former the surprise and disappointment of the president at the failure of his movement, and calling for an explanation, and directing the latter to assume the command.—General Jesup was also instructed to establish posts at or near the mouth of the Wythlacoochee, at Fort King, and at Volusia, and, after taking the proper measures for securing through them the safety of the frontier, and for procuring sufficient and regular supplies, to concentrate all his disposable forces, and to proceed without delay to possess himself of the positions occupied by the Indians, and of the whole country between the Wythlacoochee and Tampa bay. Should the war thereafter be continued, he was then directed to take such advanced positions to the south of Volusia, and to the east and south of Tampa bay, as the nature of the country might admit, and to push from them such further operations as might be necessary to the most speedy and effectual subjugation of the enemy.

No acknowledgment of the receipt of the despatches of the 4th of November has yet reached the department; but it is known that governor Call and general Jesup have both been very actively engaged in preparing for offensive movements; and the latest intelligence gives reason to hope that the objects of the campaign will soon be accomplished. But as these expectations may be disappointed, and as the term of service of the Tennessee volunteers, who compose a very important part of the force serving in Florida, will expire on the 1st of January, it has been deemed important to make provision for supplying their places, in part at least, from the regular army. With this view, the commanding officer of the second regiment of dragoons was directed, on the 26th ultimo, to organize the recruits enlisted for that corps into companies, and to hold them in readiness to be moved to Florida on the shortest notice. It is also expected that two additional companies of artillery may be prepared for the like purpose, during the present month. After maturing these arrangements, information was received at the department, that general Jesup had recently called on the governor of Alabama for a battalion, and on the governor of Georgia for a regiment of volunteers, to meet the contingency of a want of force on the discharge of the Tennessee brigade. This call has been approved as a proper precautionary measure; but it is believed that the other troops now in Florida will be sufficient, especially when reinforced as above suggested, for all available purposes, even should the war be continued; and that the services of the volunteers last

called for may therefore very soon be dispensed with.

I beg leave to refer to the report of the general-in-chief for a succinct account of the operations rendered necessary by the hostile movements of the Creek Indians. To that account, however, it is but just to add, that the marine corps, at a very alarming juncture, generously volunteered their services to aid in suppressing these hostilities, and were accordingly employed for that purpose. Since the termination of their tour of duty in the Creek country, they have been moved to Florida, where they now compose a most efficient portion of general Jesup's army.

Indications of a mischievous disposition having been exhibited by the Winnebagoes and other tribes in the north west, some movement of the troops in the Upper Mississippi were had in the months of July and August last, which produced the desired effect of awing them into quietness.

The movements of the forces under the personal command of major general Gaines, on the western frontiers of Louisiana and Arkansas, are sufficiently stated in the report of the general-in-chief. Gen. Gaines has recently been relieved of this command by brigadier general Arbuckle, who was instructed, under date of the 10th of October last, to make a full report of the condition of things in that quarter. He was also particularly advised, that under the instructions previously given to general Gaines, that officer was not to advance into the territory claimed by Mexico, and if he should have advanced, was to retire, unless the Indians were actually engaged in hostilities against the United States, or unless he had undoubted evidence that such hostilities were intended, and were actually in preparation within that territory. On the 11th ultimo, a communication was received from the officer in command at Camp Nacogdoches, giving an unfavorable account of the health of the troops at that post, and stating that their continuance there during the winter would make it necessary to construct barracks and quarters for their comfortable accommodation. In consequence of this communication, brigadier general Arbuckle was instructed, under date of the 12th ultimo, to take all necessary measures to restore the health of the troops, and in the event of his deciding to retain possession of Camp Nacogdoches, to provide at that place all needful accommodations. He was also informed, that it was not in the power of the department, with the limited information then in its possession, to give any positive order in regard to the further occupation of the post. The opinion was, however, expressed, that there seemed to be no adequate cause for any longer maintaining a position so unhealthy and inconvenient; and he was instructed, in case he had not already withdrawn the troops, to give the requisite orders for that purpose immediately on the receipt of that communication, unless he should then have in his possession information satisfying him, that the maintenance of the post is essential to the protection of our frontiers, and to the due execution of our treaty stipulations, as explained in the previous instructions to general Gaines and to himself.

In the month of June last, it became necessary to call on the governor of Tennessee, under the act of the last session, for a volunteer force sufficient to put down any hostile attempt on the part of the disaffected Cherokees, and to insure the peaceful execution of the treaty then lately conducted with that tribe. The command of the troops to be raised for this purpose was committed to brigadier general Wool, who immediately repaired to the Cherokee country, and is yet in command there. The force under him amounted, at one time, to about 2,450, but has lately been reduced to 361—a number sufficient, from present appearances, to prevent any difficulty in that quarter. Much praise is due to general Wool, for the promptitude and zeal with which he has devoted himself to the execution of his duties.

The whole number of militia and volunteers mustered into the service of the United States, in the various movements and operations above mentioned, appears, from the rolls received in the office of the adjutant general, to have been about 24,500.—In the case of the Tennessee volunteers mustered by general Wool, a larger number appeared than had been called for, but as they acted in good faith, and under patriotic impulses, and as the commanding general deemed it best to receive them, it seems proper that provision should be made for their pay. Legal provision will also be required for the just settlement of many of the accounts growing out of the employment of militia and volunteers; and for the satisfaction of claims which, though equitable, cannot be allowed by the accounting officers.

In executing the first section of the act of the 28th of May last, "to provide for the payment of expenses incurred and supplies furnished on account of the militia or volunteers received into the service

of the U. States for the defence of Florida," it has been decided that this section does not authorize any allowance for horses or other property impressed into the service of the United States, nor for any special damage done to individuals or their property by the troops of the United States or the enemy. Some of these cases ought undoubtedly to be provided for by congress; and perhaps, under the peculiar circumstances which attended them, provision should be made for embracing the whole.

In addition to the movements now in progress, already mentioned, the troops stationed at Fort Dearborn, Chicago, have been ordered to proceed to Fort Howard, and to join the garrison at that post, and 75 recruits are on their way to join the first regiment of dragoons at Fort Gibson. The public property at Fort Dearborn will remain in charge of the late commandant of the post.

4. *General staff.* The reports of the chiefs of the different staff departments exhibit a perspicuous view of their operations during the past year.

I beg leave to call your attention to the communication of the adjutant general, setting forth the difficulties which have been, and are yet experienced in various branches of the public service, for want of additional staff officers.

The fiscal operations of the quartermaster's and subsistence departments have been unusually heavy, in consequence of the hostilities in which the army has been employed. It is due to these two important arms of the service, that I should state that from the time when adequate means were placed at their disposal by congress, nothing has been omitted on their part to provide the necessary supplies for the troops in the field.

The report of the acting quartermaster general states the progress made, or rather the inability to make progress, in the construction of the roads, and other works with which the department is charged. It also exposes, in a lucid and convincing manner, the utter insufficiency of this branch of the service, as now organized by law, to the execution of the duties committed to it.

The expenditures incurred during the past year in the emigration and subsistence of Indians, will appear in the report of the commissioner of Indian affairs, to whose office that business was transferred by a regulation made on the 1st ult. This change was made from a conviction that the interests of the service would be promoted by bringing all matters belonging to any one branch under the care of the bureau to which they properly belonged. The clerks and messengers allowed by law, have been transferred with the business.

The complaints made in the accompanying papers, as to the want of sufficient strength in the staff departments, appear to me to be well founded.

The present system seems to have been framed upon the principle of concentrating the business of those departments at the seat of government, and of employing therein a very small number of officers commissioned in the staff; the deficiencies being supplied by selections from the lines. This arrangement is very well adapted to a time of profound peace, when officers can be spared from the line without injury to the service; when the positions of the troops are chiefly permanent; and when the changes which occur, are made with so much deliberation as to afford ample time for preparing adequate means of transportation and supply; but when large bodies of troops, whose numbers and movements may be varied by unforeseen contingencies, are to be supplied in the field, and at a great distance from the seat of government, the system is worse than insufficient; it is the parent of expense, confusion and delay. During the time necessarily occupied in the transmission of despatches to, and of instructions from, the war department, the state of things may be so entirely changed as to render the instructions inapplicable; and even if it remain unaltered, the loss of time in military operations is always a great evil, and sometimes a fatal one. To prevent inconveniences of this sort, it is evidently necessary that staff officers of experience and rank should be associated with the commander; and to supply such associates, the staff departments must be enlarged. On the other hand, to make the line of the army truly effective, officers should not be taken for staff service, or other detached duties, in large numbers, nor for long periods, from their companies. And when, to relieve the weakness of the staff, on a pressing emergency, officers are selected from the line, the difficulty, instead of being remedied, is only exchanged for a new, and possibly a greater one. The embarrassments occasioned by these causes, during the operations of the year, have been of constant recurrence, and of the most serious character.

5. *Pay department.* So far as the regular army is concerned, there is nothing in the report of the paymaster general demanding particular remark.—

His suggestions, in regard to the services and responsibilities of the paymasters who have been, or may be, employed in making payments to militia and volunteers, undoubtedly demand the attention of congress. In order to a clear understanding of this subject, it should be observed, that after the reduction of the army on the conclusion of the late war, and until the act of July 14th, 1832, the secretary of war appears, in several instances, to have exercised the power of making discretionary allowances to paymasters of the army of the United States, for the risks and losses sustained by them in making payments to militia and volunteers. These allowances were made in the shape of *commissions* on the money paid, and were usually fixed at two and a half per cent. The only ground on which such a power could have been exercised, was the absence of any legislative provision making it a part of the regular duty of the army paymasters to make payments to militia and volunteers. But by the third section of the act of the 14th July, 1832, it was made the duty of the district paymasters of the army of the United States, "in addition to the payments required to be made by them to the regular troops, to make payment to all other troops in the service of the United States whenever required thereto by order of the president." The discretionary power before possessed by the secretary of war to make an extra allowance for payments to the militia and volunteers, was, as I suppose, taken away by this provision; and it was doubtless in consequence of this change, that the second section of the act of the 2d of March, 1833, expressly provided, "that the secretary of war be authorized, at his discretion, out of the moneys appropriated by this or any former act, for the payment of the militia ordered into the service of the United States according to law, during the last year, to allow and pay to the district paymasters of the army of the United States, employed in making such payments, a commission on the sums respectively paid by them, not exceeding one per centum upon the amounts."

The act of the 14th of January, 1836, making appropriations for the suppression of hostilities commenced by the Seminole Indians, provides "that the sum of one hundred and twenty thousand dollars be, and the same hereby is, appropriated, out of any money in the treasury not otherwise appropriated, to defray the expense attending the suppression of hostilities with the Seminole Indians in Florida; to be expended under the direction of the secretary of war, conformably to the provisions of the act of April 5th, 1832, 'making appropriations for the support of the army;'" and the same reference is in effect made in the subsequent acts.—When the act of the 5th of April, 1832, thus referred to, was passed, the discretionary power spoken of above, was possessed by the secretary of war, and was exercised in the settlement of the paymasters' accounts under that act, by the allowance of a commission of two and a half per cent. In a case of peculiar hardship, and of just merit also, which occurred before the resignation of the late secretary of war, the paymaster general, under the impression that the general reference to the act of the 5th of April, 1832, contained in the acts of the last session, included authority to allow a per centage, recommended such an allowance to the extent of one per cent. The secretary of war referred the case to me as attorney general, and called for my opinion as to the power of the department to allow the proposed commission. My opinion was, that the discretionary power was taken away by the act of 1832, above quoted, and also by the act of the 3d of March, 1835, making additional appropriations for the Delaware breakwater and other works, and that the intent to confer such a power was not sufficiently apparent in the general reference to the act of 1832, to authorize the allowance applied for. But as it would seem, from the report of the paymaster general, that justice requires that additional compensation should be allowed, I concur in recommending a special provision, similar to that inserted in the act of the 2d of March, 1833.

6. *Medical department.* The number of cases treated by the officers of the medical department, during the year ending the 30th of September last, was 14,856; of which number only 189 died. This result may well be taken as evidence of the professional skill of the surgeons and assistant surgeons, and of the care with which their duties are performed. For other matters respecting this department, I beg leave to refer to the report of the surgeon general *ad interim*. His suggestions in regard to the pay of hospital stewards, and the repairing and erection of hospitals at the different military posts, appear to me to be worthy the attention of congress.

7. *Purchasing department.* The report of the commissary general of purchases exhibits the seve-

ral amounts drawn and disbursed for clothing, camp equipage, &c. during the present year, with estimates for the like service for the year 1837.

8. *Engineers and topographical engineers.* The reports of the chief engineer, and of the head of the topographical bureau, exhibit the progress made during the last year upon the fortifications and other works under their care.

The failure, during the session of 1834-5, of the bill containing the usual appropriations for fortifications, occasioned a suspension of those works during the year 1835; and though liberal appropriations for resuming them were made at the last session of congress, yet it unfortunately happened, that the season for active operations was too far advanced at the time of the passing of the appropriation laws, to allow of much progress during the present year. Operations have been also retarded by the difficulty of procuring laborers, and still more by the insufficiency of the engineer department to furnish an adequate number of engineers to superintend the constructions. Several important works, authorized at the last session have not even been commenced, and but little has been done towards the completion of those previously undertaken. The like remarks are applicable to the various improvements in harbors on the seaboard and lakes, and at the mouths and in the channels of navigable rivers.

From the causes above stated, but a small portion of the sums appropriated by the present congress for the engineer and topographical service has yet been expended. The balances of those appropriations may, however, be expended without any further law; and measures will be taken for resuming operations at an early day, and with all practicable vigor.

In the last annual report of the secretary of war, he stated the insufficiency of the corps of engineers, and of the topographical corps, to the expeditious and economical performance of the duties committed to them, and recommended their increase. His suggestions on this subject were approved by you, and the attention of congress was invited to them in your message. The propriety of such a measure is greatly strengthened by the present condition of those branches of the service, and by the delays and embarrassments occasioned by a want of the necessary force. In connection with the proposed reorganization of the topographical corps, it may well be questioned, whether the existing arrangement as to the civil engineers attached to that corps, and the practice of lending the topographical engineers to the states, and to incorporated companies, ought longer to be continued. In my judgment, it would be better that all the engineers in the service of the United States should belong to one or other of the organized military corps. And the information derived from the services of engineers when employed by the states, or by companies, though useful in a military point of view, does not seem to me sufficiently important to counterbalance the inconveniences and objections incident to the practice.

9. *Ordnance department.* It appears from the report of the colonel of ordnance, that \$857,570 45 have been expended and accounted for during the first three quarters of the present year, being about \$207,000 more than was expended in the same service during the corresponding quarters of the year 1835. These moneys have been expended in the manufacture, repair and purchase of ordnance, ordnance stores, small arms and accoutrements, and in building materials, the details of all which will appear by the statements annexed to colonel Bomford's report.

During the year ending on the 30th of September, 1835, the sum of \$220,813 88 was expended in procuring and distributing artillery, small arms, accoutrements, &c. under the act of 1806, for arming and equipping the militia of the states and territories.

The munitions of war issued during the year ending on the 30th of September, 1836, have been very large, in consequence of the actual hostilities in which the army has been engaged.

No returns of lead made at the United States lead mines have been delivered to the superintendent during the last year, and there yet remains due to the United States, on account of rent-lead which accrued prior to the 30th September, 1835, an aggregate of 498,813 pounds. It appears that the refusal to account for and to pay over the rent reserved in the leases, mentioned in the last annual report, has become general, the lessees denying the validity of the laws under which the leases were made, and that suits have been commenced against several of the delinquents, but are not yet determined. Colonel Bomford recommends the selling of the mineral lands, as the most effectual

mode of terminating difficulties now existing between the government and the inhabitants, and of securing to the United States the value of the mines.

Of the works authorized by acts passed at the last session of congress, and belonging to the ordnance department, all have been greatly delayed, and some entirely suspended, by the want of the necessary officers to conduct them. The interests of the service, as well as the just claims of contractors, whose contracts are frequently delayed from inability to make the proper inspections, call loudly for an increase of this corps.

10. *Proposed increase in rank and file of artillery and infantry.* In compliance with the suggestion of general Macomb, and with my own convictions of duty, I beg leave to invite your attention to a proposal for the increase of the rank and file of the artillery and infantry.

The insufficiency, in several respects, of our present military establishment has already been noticed. It is greatest in the general staff and the rank and file; those arms of the service being much less numerous, in proportion, than the officers retained in the line of the army. The object of congress in this arrangement evidently was, on the one hand, to reduce the rank and file and the general staff to the lowest allowable point; and, on the other, to retain in the line officers enough to preserve an amount of military knowledge and experience competent to the direction of a large effective force, whenever such a force might be required by special emergencies, or by the permanent interests of the country. This policy was recommended at the time of its adoption (1821) by the existence of other and more pressing claims upon the treasury, and by the comparatively few calls then made for active military operations. In both these respects our condition is now widely different. The extinction of the public debt, whilst it gives us the ability to attend to other subjects of national importance, lays us under new obligations to do so.—We have a much larger number of fortifications and other posts to be garrisoned; and our Indian relations have now reached a point which demands an effective military provision.

There are thirty-two forts on the Atlantic seaboard and the Gulf of Mexico, each of which ought to be garrisoned by a force adequate at least to the preservation of the public property, and to the retaining of some knowledge of artillery practice.—This will require, as I understand, an average of about ninety-six men to each post, or about three thousand in the whole. The rank and file of the present regular army, supposing the new regiment of dragoons to be filled, amounts in the total to seven thousand and sixteen; from which number a large deduction must always be made for sickness, arrests, occasional absence and time lost in recruiting and marching. The effective force, exclusive of officers, which may be relied on, under the present arrangement, can, therefore, scarcely ever exceed six thousand men; a force utterly inadequate to the necessities of the public service, inasmuch as it affords, after the scanty provision for the seaboard, above suggested, only about three thousand for the interior.

In that part of his report which relates to Indian affairs, I shall have occasion to specify some of the weighty reasons which make it necessary that we should establish additional posts on our western borders and in the Indian country, and that each should be permanently garrisoned by a respectable force. We have now in that region sixteen posts, including three temporary stations, the whole of which are now occupied by about three thousand men, including a regiment of Arkansas volunteers recently called into service. All, probably, will agree that the present force at several of the existing posts is inadequate, and a deliberate survey of all the immense field of operations, and the various interests involved, will, I think, lead to the conclusion that this branch of the service cannot safely be left, for the next five or ten years, with a force at any time less than from five to seven thousand men.

The seaboard may be provided for in the manner above suggested, and adequate protection may be given to the interior and to the Indian country, by augmenting the number of men in each company of artillery and infantry to one hundred. This would increase the legal force, independently of commissioned officers and non-commissioned officers of artillery and infantry, to twelve thousand and thirty, from which we might at all times expect to command an available force of not more than about ten thousand effective men. Two plans for a similar increase in the rank and file of the army were submitted to congress in the report of the secretary of war of the 8th of March, 1836, and the accompanying communication of general Macomb, of the 7th of that month, both of which communi-

cations were laid before the senate of the United States in compliance with a resolution of that body. I refer to these documents for the details of those plans, and for an estimate of the expense, which, according to the statement then made, would be, for the increase above proposed, about \$850,000 per annum. Such an addition to the heavy expenses of our present establishment should undoubtedly be well weighed before it is incurred; but if we may judge from the experience of the last few years, the measure is as plainly called for on the score of economy as it is by other and more impressive considerations. The expenses occasioned by the hostile aggressions of the Sac and Fox Indians in 1832 amounted to more than \$3,000,000; and the several appropriations for suppressing Indian hostilities, made by congress at the last session, and amounting to \$5,000,000, have already been drawn from the treasury; and though a considerable amount is yet in the hands of disbursing officers, the whole will be required to meet expenses already incurred.

If it be one of the first objects of legislation to guard against the evils of war, then must it be admitted that the prevention of Indian hostilities, so far as human foresight is competent to that end, should be the great care of the congress of the United States. For, whilst our exposure to such hostilities is imminent, the evils which attend them are so peculiar and unmitigated as to bring on those public agents who may neglect to guard against them the most fearful responsibility. The presence of an adequate military force at or near each of the points where the Indians are numerous, is the most effectual, if not the only effectual means of security and defence. In my judgment such a force cannot be furnished by our present establishment; and as neither militia nor volunteers can be employed for permanent garrisons, the object can only be effected by the increase of the regular army. I trust it will be provided for without delay.

11. *Proposed revision of the pay of certain officers.* My attention having been called, by repeated resignations and other circumstances, to the pay of the subordinate grades, I have looked into the subject with some care, and the result is a decided conviction that the pay of the several grades above that of second lieutenant, and below that of colonel, ought to be increased; and that a new principle of periodical increase in each grade ought also to be introduced.

By the law, as it now stands, there is no increase of the fixed pay and emoluments, except when the officer is promoted; and, as promotion in time of peace is generally very slow, officers may serve over ten years in a single grade, and, after a service of twenty or thirty years, may still rise no higher than a majority, or even a captaincy. On the other hand, it will occasionally happen that resignations, or other casualties, may produce numerous vacancies, within a comparatively short period, in particular regiments, which may lead to rapid promotions, so that a second lieutenant may, within three or four years after entering the service, be advanced to a captaincy. To remedy the inadequacy of the present system, when promotion is slow, and to prevent its inequality, when its movement in particular regiments is rapid, it has occurred to me that it would be expedient and just to introduce the additional feature of increasing the pay after five years' service in any one grade, agreeably to the precedents established by the act of 1834, in relation to surgeons and assistant surgeons of the army, and by the act of 1835, regulating the pay of surgeons in the navy.

Concurrently with the introduction of this principle, I would also revise the scale of pay and emoluments, with a view to a moderate increase of the different grades above that of second lieutenant and under that of colonel. I think it would be just to allow to second lieutenants, for the first years from the dates of their commissions, the present pay and emoluments of their grade; and to those who have been in commission over five years, the present pay and emoluments of a first lieutenant; to first lieutenants for the first five years the present pay and emoluments of a captain; and to those who have been commissioned over five years, a corresponding increase; and, in like manner, to provide for an increase in the pay of those captains, majors and lieutenant colonels, who shall have been in commission over five years, taking care, however, that the increase, by means of five years' service in one grade, shall not be more than one-half the difference between the first pay of such grade and the first pay of the next grade. The effect of this double arrangement for increase of compensation would be to secure to the officer the certainty of an increase of pay, at periodical stages, corresponding to the probable increase in his wants, and in the value of his services. But it would not

interfere with the ancient and just practice of increasing the pay of the officer on his advancement to a higher grade. When promotions are slow, the principle is greatly needed, and then it would apply; when they are rapid, it would not be needed, and would not take place.

As the pay, emoluments and allowances now given by law depend on the grade of the officer, the corps to which he belongs, and his particular position and circumstances, the attempt to state them in this place would lead to inconvenient prolixity; and should you think proper to submit the subject to congress, the proper information can be laid before the committees of that body. It is, however, deserving of consideration whether the principle adopted in the act of 1835, regulating the pay of the navy, by which all allowances, (except for travelling expenses when under orders), are prohibited, and a gross sum in lieu thereof added to the pay, may not, to some extent at least, be advantageously followed. The whole subject undoubtedly demands revision, especially with a view to retain in the departments of engineering, and other branches requiring scientific attainments of a high order, experienced and valuable officers. Several of that class have retired from the army during the year, induced, as I have reason to suppose, by the inadequacy of the existing compensation, and the great demand for their services in civil life.

12. *Proposed increase of the pay of privates—land bounty on re-enlistments.* I think it highly expedient that the pay of privates should also be increased. They are now allowed, when serving as cavalry in the regiment of dragoons, eight dollars per month; in all other cases six dollars per month. No bounty is given except on a second enlistment, which is encouraged by a gratuity of two months' pay. In consequence of the great increase in the price of labor, it has been found difficult, during the last year, to procure able bodied men to supply the places of those soldiers whose term of service had expired; and the recruiting of the second regiment of dragoons, and to fill up vacancies in the other regiments, goes on very slowly. I submit whether it be not advisable to increase the regular pay; and as the services of an experienced and disciplined soldier are far more valuable than those of a new recruit, I cannot doubt the propriety of increasing the bounty on re-enlistment. It might be granted in land at less inconvenience to the government than if paid in money, and would probably be equally acceptable to the soldier. And as the service of the army, for some years to come, will be chiefly on our western frontiers, most of the men, when discharged in that region, would probably find it for their interest to become actual settlers. The policy of the government, in regard to the disposition of the public lands, would thus be promoted; and the settlers, whom this arrangement would plant on the frontiers, would be found, from their military knowledge, among the most useful of their class. These objects might be still further promoted by giving an increased quantity of land on the condition of actual settlement.

13. *Proposal for the employment of chaplains.*—Some provision, as it appears to me, should be made for securing to the army the services of chaplains. The act of April 12, 1808, required one chaplain, with the pay and emoluments of a major of infantry, to be appointed to each brigade. This provision was continued in force until superseded by the act of the 3d of March, 1815, fixing the military peace establishment; and there is now no authority for employing such an officer in the army at the public expense, except at the military academy.

The constitution of the United States has wisely provided that congress "shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof;" but this cannot lessen the obligation of congress to furnish to the officers and men employed in the military service such opportunities of religious worship and of moral culture as may be compatible with the appropriate duties of the army. And when it is considered that even the common soldier resumes, sooner or later, the character of a citizen, how important does it become that he should be shielded as much as possible from the pernicious influences to which a military life is usually exposed? The enlightening and tranquillizing effects of a regular attendance on public worship, and the aid which a judicious and devoted chaplain may give, in the promotion of discipline and subordination, ought not to be overlooked in the organization of an army.

Since 1815, the services of the chaplains at the fixed posts have frequently been secured by voluntary contributions, collected and applied, as I understand, by the council of administration. As the officers composing that council will be enabled to

consult the wishes of the garrison, and are, in other respects, better qualified to make judicious selections for services of this nature than the authorities at the seat of government, I recommend the passage of a law authorising them to select and employ chaplains from time to time, and giving to the persons so employed the pay and emoluments of such grade as congress may think proper to prescribe. To each regiment, when employed in the field, the like arrangement might be extended.

14. *General condition of the army, &c.* The vacancies in the rank and file being numerous, and many officers of the line being engaged on detached service, or absent with leave, or on furlough, the army, though in a high state of discipline, has not been found in the fittest condition for active field service. And notwithstanding the successive orders which have been issued, directing officers to join their regiments, the deficiency in officers has not yet been supplied—many having resigned, and others being so situated, by reason of sickness, or other causes, as to make a suspension of the orders, in respect to them, unavoidable. These circumstances, however, only enhance the merits of the officers and men, whether regulars, marines, militia, or volunteers, who have encountered the difficulties, privations and perils of field service on the western frontier, and in the south. Several instances have occurred, during the war with the Seminoles, in which our troops have nobly sustained the honor of the American name; and those who will dispassionately consider the events of the past year will find, in the services of the army, many strong claims on the confidence and gratitude of the nation.

The general-in-chief has noticed in his report, and in appropriate terms, the gallantry and good conduct of brigadier general Clinch, who commanded in Florida on the breaking out of hostilities in that quarter. The merits of that officer were so highly appreciated by this department, that his resignation was not accepted until it had been ascertained to have been rendered necessary by important private affairs. In consequence, doubtless, of pending inquiries, gen. Macomb's report intimates no opinion as to the conduct or operations of any other general officer in Florida, or in the Creek country. This forbearance was manifestly proper, as will be intimated by the department. But it is not inconsistent with the rule thus adopted, to express the hope that it may ultimately appear that nothing has occurred to justify permanent estrangement between soldiers who trod together the path of renown, nor to dim the lustre of those honorable services which each has rendered to his country.

II. MILITIA AND VOLUNTEERS.

It has already been stated that, within the last year, no less than about 24,500 militia and volunteers have been mustered into the service of the United States. As these forces, when in actual service, form a part of the army of the United States, such particulars concerning those employed during the year, as seemed proper to be noticed in this report, have been presented under the preceding head.

The defective organization of the militia was noticed at length in the last annual report of the secretary of war: and the outlines were suggested of a plan for its improvement, which received your sanction, and was submitted to congress in the opening message of the last session. No legislative action having been had on the subject, I deem it my duty to invite to it your renewed attention. If any arguments, in addition to those heretofore urged, were needed on this point, they would be found in the experience of the last year. Whilst the calls on the militia have been answered in a manner highly honorable to their patriotism, they have led to new illustrations of their deficiencies in organization and discipline. The matter has very often been presented to the consideration of congress; and, until the constitutional power of organizing, arming and disciplining this arm of the national defence shall have been more adequately exercised, it will continue to be a duty to invoke their enlightened interposition.

III. FORTIFICATIONS, ARSENALS, ROADS, &c.

The present condition of our fortifications, arsenals and other works of public defence, will sufficiently appear by reference to the accompanying documents from the engineer and ordnance departments; and the elaborate and very able report of the secretary of war of the 7th of April last, transmitted to the senate with your message of the following day, contains so full a view of the measures proper to be taken for their completion and armament, as to make any further observations on that point superfluous in this place. I would, however, particularly invite your attention, and also that of congress, to the proposal contained in that paper, and in the last annual report, for the establishment

of a national foundry for cannon, and to the suggestions on the subject of depots for arms, then also submitted.

The reports of the chief engineer and of the head of the topographical bureau must also be referred to for a succinct account of the present condition of the Cumberland and other roads, and of the harbors and other improvements authorised by law.

IV. MILITARY ACADEMY AT WEST POINT.

The report of the board of visitors, giving the results of the last annual examination, is well calculated to confirm the favorable opinion so generally entertained in respect to this institution. It also states some facts which, it may be hoped, will remove some of those misapprehensions which have occasionally prevailed to the prejudice of that establishment.

By the existing law, each cadet, on his appointment, is required to sign articles, by which he engages to serve five years, unless sooner discharged. As four years of this term, by the regulations in force since 1819, are to be spent at the academy, the engagement secures to the United States only one year's service after graduation. It appears, however, from the report of the visitors, that out of 841 graduates, the total number from the commencement of the institution, only sixty-five had resigned at the end of their term of enlistment.—The visitors also ascertained that, out of the same number, 403 still remained in the army; and that, of the others, fifteen had been killed in battle, and 106 had otherwise died in service. These facts illustrate the value of the institution as one of the effective means of providing for the national defence.

Whilst it thus appears that the public service has not been materially prejudiced by the early resignation of the graduates, I am yet inclined to think that its interests should be more effectually secured. In my judgment, the engagement for service after graduation should be considerably prolonged; and the graduate should be made liable by law, in case of his discharge after graduation and short of the prescribed term, for neglect of duty or other misconduct, to pay to the government an equivalent for the expenses incurred in his education and support. Such a provision would not only be just in itself, but seems due to other considerations. As there is no constitutional authority to maintain the institution, except as a part of the military establishment necessary to the defence of the country, it should be so regulated as to contribute directly to that end. Such, also, seems to have been the design of the act of 1812, in prescribing the articles above referred to. There was at that time no prescribed term of study; and, as the position of the cadet, on his entrance, was regulated by the extent of its attainments, he might, and, as I understand, usually did, complete his course in about two years. It was, therefore, intended by the framers of the act of 1812, that a term of army service should be secured, equivalent, in some measure, to the expense incurred by the government. I recommend the reassertion of this principle in a new enactment, adopted to the changes since made in the term of study.

The board of visitors having submitted various propositions for the enlargement of the public buildings, and of the courses of instruction, I have deemed it due to the subject as well as to the high character of the board, to present their suggestions to your consideration and to that of congress.—They are accordingly embraced in the estimates made by the chief engineer, with a single exception, which could not be submitted in that form. The recommendation thus excepted relates to the duties of the chaplain. By the second section of the act of the 14th of April, 1818, it is provided that there shall be one chaplain stationed at the military academy at West Point, who shall also be professor of geography, history and ethics. To assist the chaplain in the duties of his professorship, an officer of the army has been associated with him, and the two instruct in the branches above named, and also in grammar and rhetoric, and in the elements of political science, including the law of nations and the constitutional law of the United States. It has been found physically impossible for the chaplain to give adequate attention to his clerical duties, and, with the aid of one assistant, to instruct in a suitable manner in the various studies above named. The consequence is, that the religious instruction of the cadets receives less attention than is commensurate with its importance, and with the probable intent of the act of congress. The visitors, therefore, recommend, and the suggestion strikes me as important, either that the functions of the chaplain be separated from those of the professor, or that another assistant be provided to aid him in the professorship. The latter mode of relief may be extended by executive regulation;

but the former is deemed most appropriate, and for that reason the interposition of congress is solicited.

V. INDIAN AFFAIRS.

The report of the commissioner of Indian affairs, herewith laid before you, embraces a detailed account of the operations of his office during the past year.

It appears from that document that, within this period, more than 18,000 Indians, of whom 400 were Seminoles, 16,900 Creeks, and the remainder Pottawatomies, have reached the west bank of the Mississippi, on their way to their new homes; and that arrangements have been made for the removal of the residue of those tribes as early as day as circumstances shall allow. The mere process of removal has been conducted with greater expedition, as much economy, and as little of suffering and privation to the Indians as in former years; but the opposition made by the hostile portions of the Seminoles and Creeks, already noticed under a former head, has subjected the government, in those cases, to the painful necessity of resorting to coercive measures, which, in respect to the Seminoles, are yet continued.

The same report also exhibits the progress made by the commissioners appointed in pursuance of the resolution of the house of representatives of the 1st of July, 1836, requesting the president of the United States "to cause measures to be taken for investigating certain alleged frauds in the purchase of the reservations of the Creek Indians, and the causes of their hostilities." The investigations, thus directed, have necessarily suspended the action of the executive on many contracts for the sale of Creek reservations, and there are also other difficulties in respect to them which will probably require the intervention of congress.

A commissioner has recently been appointed to certify contracts and to take proof of residence, under the treaty with the Choctaws of the 27th of September, 1830, and has probably entered on the duties assigned him.

The provisions of the treaties of 1832 and 1834 with the Chickasaws, which are to be carried into effect before their removal, have been nearly completed; and an arrangement, it is hoped, will soon be concluded between them and the Choctaws west of the Mississippi for a portion of the territory assigned to the latter.

Measures have been taken for fulfilling the engagements of the United States contained in the treaties with the Chippewas and Ottawas, the Swan-creek and Black-river bands of the Chippewas, and the Wyandots, ratified at the last session of the senate; and, so far as allowed by the short time which has since elapsed, those engagements have been faithfully executed.

Immediately after the ratification of the treaty with the Cherokees east of the Mississippi, the initiatory measures for carrying it into effect were taken by the department; and though much retarded by various unforeseen occurrences, they are now going on with all the despatch of which the case is susceptible. The military movements deemed necessary to the maintenance of peace, and to the enforcement of the treaty, have already been noticed. Efforts have recently been made by Mr. John Ross, and by those of his people of whom he is understood to be the leader, to excite opposition to the treaty, and to prevent its execution; but it is believed that the steps taken by the government will be sufficient to counteract those efforts. The more intelligent part of the Cherokees are well satisfied with the treaty, and the prompt and faithful execution, on our part, of its very liberal provisions, will doubtless secure the good-will of the great mass of the nation, and issue in their peaceful establishment with their brethren in the west.

Treaties have been made with the Indians who have emigrated from New York to Green Bay, for lands on both sides of Fox river; and with four bands of Pottawatomies residing in the state of Indiana, for the extinguishment of their title to the sections of land reserved for them in the treaties of October, 1832. Negotiations have also been commenced with the Indians of New York, for the extinguishment of their title to lands in that state, and for their removal to the west of the Mississippi.—With a view to the extinguishment of the Indian title to the country between the state of Missouri and the Missouri river, negotiations were opened with the tribes interested therein for the relinquishment of their rights; and treaties to that effect have already been concluded with the Ioways and Sacs of Missouri, Omahas, Yancton and Santie Sioux, and Ottos and Missourias. Measures have also been taken for opening negotiations with the united nation of Ottawas, Chippewas and Pottawatomies, for an exchange of the lands north of the

Missourias river, signed to them by the treaty of Chicago of 1833, for lands south of that river; and with the Miamies, for a cession of their lands in Indiana.

The commissioner points out several defects in the laws relative to Indian affairs, and, for the purpose of remedying those defects, submits various propositions, to which I beg leave to call your attention, as worthy of being presented to the consideration of congress. He also recommends the removal of the seat of the superintendency of Indian affairs from St. Louis, where it is now fixed by law, to Fort Leavenworth, or some other point on the Missouri river; and the substitution of full agencies for the present sub-agencies of the Creeks, Cherokees and Osages, as measures rendered necessary by the onerous nature of the duties now pressing on the incumbents of those offices, and by the great accessions recently made, and hereafter to be made, to the tribes west of the Mississippi.

From the facts stated by the commissioner, it would seem that the proviso to the act of the 3d of March, 1835, making appropriations for the Delaware breakwater, &c. operates harshly on the military officers in the Indian department. I concur in the propriety of asking from congress, as an act of justice to those officers, the allowance of a commission on disbursements, as recommended by the commissioner.

Connected with the general subject of our Indian relations are two measures, proposed by the commissioner, which I deem of great moment. They are, the organization of an efficient system for the protection and government of the Indian country west of the Mississippi, and the establishment of military posts for the protection of that country and of our own frontiers, in addition to those now authorized by law.

These measures are due to the numerous tribes whom we have planted in this extensive territory, and to the pledges and encouragements by which they were induced to consent to a change of residence. We may now be said to have consummated the policy of emigration, and to have entered on an era full of interest to both parties. It involves the last hopes of humanity in respect to the Indian tribes; and though, to the United States, its issues cannot be equally momentous, they yet deeply concern our prosperity and honor. It therefore behooves us, at this juncture, seriously to examine the relations which exist between the United States and the inhabitants of the Indian country, to look into the duties which devolve on us, and to mature a system of measures for their just and constant execution.

In almost every treaty providing for the emigration of an Indian tribe, the impossibility of preserving it from extinction, if left within the limits of any of the states, or organized territories of the U. States, and thus exposed to the advances of the white population, is expressly recognized. The advantages which the tribe will derive from its establishment in a territory to be exclusively occupied by red men, under the solemn guaranties and the paternal care of the United States, are uniformly insisted on. In the treaty with the Choctaws of the 27th of September, 1830, the wish of the tribes to be allowed the privilege of a delegate in the house of representatives of the United States is expressly mentioned; and, though not acceded to by the commissioners of the United States, yet they insert it in the treaty, "that congress may consider of and decide the application."

In the late treaty with the Cherokees east of the Mississippi, it is expressly stipulated "that they shall be entitled to a delegate in the house of representatives, whenever congress shall make provision for the same." It is not to be doubted that the hopes thus held out to these tribes had an important influence in determining them to consent to emigrate to their new homes in the west.

Although some of the Indians have made considerable advances in civilization, they all need the guardianship of the United States. To leave them to the barbarism of their own institutions, with the inadequate assistance of an agent, and the slight control of the general superintendent, would be imprudent as it regards ourselves, and unjust towards them. Under such a system, hostilities will frequently break out between the different tribes, and sometimes between them and the inhabitants of our frontiers, attended, in both cases, by the usual consequences of savage warfare. To fulfil in their true spirit the engagements into which we have entered, we must institute a comprehensive system of guardianship, adapted to the circumstances and wants of the people, and calculated to lead them, gradually and safely, to the exercise of self-government. And, at as early a day as circumstances will allow, the expectations authorised by the passage above quoted from the treaties with the Choctaws

and Cherokees should be fulfilled. Indeed, from the facts stated by the commissioner, it is scarcely to be doubted that the Choctaws are already in a condition to justify the measure. The daily presence of a native delegate on the floor of the house of representatives of the United States, presenting, as occasion may require, to that dignified assembly, the interests of his people, would, more than any other single act, attest to the world and to the Indian tribes the sincerity of our endeavors for their preservation and happiness. In the successful issue of these endeavors we shall find a more precious and durable accession to the glory of our country, than by any triumph we can achieve in arts or arms.

The duty of planting a line of posts near the borders of the Indian country, and of opening along it a free communication for the passage of troops, has already been recognized by the present congress, by the act of the 2d of July, 1836, "to provide for the better protection of the western frontier." This law authorizes the president to cause to be opened a military road from some point upon the right bank of the Mississippi river, between the mouth of the St. Peter's and the mouth of the Des Moines, to Red river; and it contemplates the establishment of "military posts" at such places along said road as the president may think proper, "for the protection of the frontier, and for the preservation of the necessary communication." But this line of posts, though it will probably be sufficient, if well garrisoned, to protect our own frontier, will not be all that caution and good faith will require. To exercise the necessary supervision over the emigrated Indians, to preserve peace among the different tribes, and to protect them from their savage neighbors, we must also establish posts at convenient positions in the interior of their country.

The establishment and maintenance of these various posts is due to the emigrated tribes, for other reasons. By the most sacred pledges, the territory in which we have planted them is to be perpetually theirs; the white man, with certain specified exceptions, is not to reside among them. The pledges have been given in the utmost sincerity, and the American people cannot but desire that they should be honorably redeemed. Without a strong military force—a force adequate to repress the encroachments of the civilized and more powerful race, how can we hope for their fulfilment? In the history of the Indian tribes, from the Atlantic to the Mississippi, and, indeed, in the history of barbarians in every quarter of the globe, when pressed upon by a civilized population, we may read the issue of these pledges, unless we take early and efficient measures for their fulfilment. The measures must be such as will arrest the causes which, in all other cases, have ended in the extinction of the weaker race. The operation of those causes cannot be controlled by parchment guaranties, or mere moral considerations; to resist and counteract them, a physical force must be employed, sufficiently powerful and vigilant to keep them constantly in check. To my view, nothing is clearer than the ultimate failure of the great experiment we have commenced with the emigrated Indians, unless we secure to them, by military protection, the place and the time for the fair trial of that experiment. If we leave them unprotected, they will fade away as other tribes have faded; and the process, as in their cases, will be diversified by the same sanguinary events. The only difference will be, that, as the Indians on our western frontiers are concentrated in greater force than has ever before been known in the history of the race, their inroads, if not more frequent, will probably be more terrible and disastrous than any which have yet occurred.

When it is considered that the emigration of the present year includes great numbers recently engaged in open hostilities, and that, besides these, there are probably many others who cherish unfriendly feelings, though never manifested in overt acts, is it unreasonable to suppose they will seize the first favorable opportunity to gratify the strongest of savage passions, and to re-enact the scenes which have been so recently exhibited in the south? From them, and from the events yet passing before us, we may learn how much of individual suffering and of national calamity may be occasioned by even a small Indian force, organized by stealth, and acting with characteristic quickness and ferocity. If those events shall only teach us to provide, by wise forecast, against the repetition of similar disasters, they will not have been without their use. It is to guard against the recurrence of any such event, as well as to fulfil our plighted faith to the tribes now settled in the west, that I have felt it my duty to enforce, at such length, the views presented by the commissioner.

VII. PENSIONS, &c.

The sums paid to pension agents for disbursements during the current year amount to two mil-

lion six hundred and ninety-nine thousand, four hundred and thirty dollars and sixty-six cents, viz:
 For paying invalid pensioners \$276,450 00
 For paying revolutionary pensioners, under the act of March, 18th, 1818 675,113 66
 For paying pensioners, under the act of June 7th, 1832, including payments made in one hundred and thirty-five cases, allowed under the act of July 4th, 1836 1,563,376 00
 For paying pensioners, under the act of May 15th, 1828 137,320 00
 For paying claims, under the act of July 5th, 1832, granting half-pay to the officers of the Virginia state troops 47,172 00
 \$2,699,430 66

The particulars of which will appear by the report of the commissioner of pensions and the accompanying tables.

Under the act of the 4th of July last, granting half-pay to widows and orphans in certain cases, four hundred and thirty-six claims have been presented, of which one hundred and thirty-five have been admitted, and twenty-two rejected. The remainder have not yet received official decision.—The payments already made under this act have been from the standing appropriation made by the act of June 7th, 1832; but it would seem to be more appropriate that they should be specially provided for, and an estimate for that purpose will accordingly be submitted.

It is observed by general Macomb, and also by the commissioner of pensions, in their reports, that the existing pension laws do not extend to the widows and orphans of officers and soldiers of the regular army all the benefits now enjoyed by the widows of officers and soldiers in other branches of the service. This arises from the circumstance that the first section of the act of the 4th of July last is expressly confined to the widows and orphans of persons who served as militia or volunteers. I concur in the suggestion that this difference ought to be removed. The third section of this law has been construed to apply to those widows only whose husbands died before its passage. As this construction, though demand'd by the words employed, makes a distinction in the operation of the law which may not have been designed, it is perhaps worthy of being submitted to the attention of congress.

It appears from the accompanying report of the operations of the bounty land office, that eight hundred and seventy-six claims for services rendered in the revolutionary war, and six hundred and ninety-two for services rendered during the last war, were presented during the year ending the 30th of September last; and that of the former, forty, and of the latter and similar claims previously presented and suspended, one hundred and twenty-eight were allowed.

VII. FISCAL CONCERNS OF THE DEPARTMENT.

To exhibit, at one view, a summary of the various fiscal operations of this department during the year 1836, I have caused to be prepared the tabular statement, marked A, hereunto annexed, to which I beg leave respectfully to refer.

It appears from that document, that, on the 1st day of January, 1836, the various sums then under the control of the department, as unexpended balances of former appropriations, or by virtue of the standing appropriations made by the revolutionary pension and claims acts of May 15, 1828, June 7, 1832, and July 5, 1832, and the acts of April 23, 1808, and April 29, 1816, for arming and equipping the militia, amounted, in the aggregate, to \$5,675,746 12.

The estimates made by this department for the service of 1836, and transmitted to the secretary of the treasury, and by him laid before congress at the commencement of the last session, amounted to \$8,393,252 49; making, when added to the above sum of \$5,675,746 12, an aggregate of \$14,069,025 61, which was all then supposed by the department to be required for the service of 1836, on account of the objects then authorised by law. But, in consequence of the military operations which became necessary during the session, the conclusion of the treaty with the Cherokees and other Indian tribes, and the various increased or new expenditures directed by congress, there was appropriated at the last session, for the service of this department, an aggregate of \$28,242,331 28; being an excess of appropriations over the estimates of \$14,849,048 79; and making, when added to the unexpended balances and standing appropriations above mentioned, the sum of \$28,918,077 40, applicable to the service of 1836, and liable to be drawn out of the treasury during the year, if needed, for disburse-

ment; although it was doubtless known, when the appropriations were made, that in many cases only portions thereof would be so needed during the year.

During the first three quarters of the year 1836, there was drawn from the treasury, and placed in the hands of disbursing officers, the aggregate amount of \$13,514,456 27; the expenditure of which, so far as the accounts have been rendered and settled, will appear by the reports of the several bureaus and of the accounting officers, hereunto annexed.

It is estimated that the expenditures which will be made during the fourth quarter of 1836 will amount to \$6,307,626 92. In this sum is included all that remained, at the end of the third quarter, of the different appropriations, amounting to \$3,000,000, made during the last session for the suppression or prevention of Indian hostilities. Indeed, those appropriations have already been expended, or drawn from the treasury and placed in the hands of disbursing officers for expenditure.

Should the expenditures of the fourth quarter of 1836 conform to the preceding estimate, the expenditures of the year will have amounted to \$20,322,083 19; and the unexpended balance which will remain in the treasury on the 31st day of December, 1836, applicable to the service of 1837, will be \$3,595,994 21; but under the standing appropriations for pensions, &c. and for arming the militia, above mentioned, there will also be under the control of the department, for the year 1837, so much as may be required for those objects.

The aggregate of the estimates made by this department, for the service of the year 1837, and transmitted to the secretary of the treasury, to be included in his general estimate to be laid before congress, is \$10,753,431 33; which, if confirmed by the requisite appropriations, will make, when added to the balance of \$3,595,994 21, estimated to remain in the treasury on the 31st day of December, 1836, an aggregate of \$19,354,425 54, applicable to the service of 1837; besides the amount which may be required from the standing appropriations above mentioned.

The various bureaus and offices of the department to which the sums making the abovementioned aggregates are respectively referable, will appear by the table annexed, marked A; and the details of each aggregate, except those of the estimates, will appear in the documents from those bureaus and from the accounting offices accompanying this report. The details of the estimates for 1837 are included in the statement transmitted to the secretary of the treasury as above mentioned.

The estimates for the year 1837 include only those objects which are authorised by existing laws. The estimates for the engineer office, the topographical bureau and the ordnance department, embrace, in accordance with the usual course of legislation, various amounts, which, when added to the present unexpended balances, will constitute, in the case of each of those bureaus, an aggregate amount much larger, in all probability, than can be actually expended in the year 1837.

On the other hand, the estimates above mentioned include nothing for the suppression of Indian hostilities, nor for new works, or any other objects not already authorised by law.

A further appropriation is immediately needed for the suppression and prevention of Indian hostilities, including the maintenance of the volunteers on the south western frontier. The subject does not admit of specific estimates; but there is danger that at least \$1,000,000 will be required for this purpose.

In concluding, I desire to express my obligations to the experienced and able heads of the several branches of the department, for the aid they have given me in the preparation of this report. Having very recently undertaken the temporary care of the department, and many of its affairs being very foreign to my ordinary studies and pursuits, I have had, in this matter, as well as in others, constant occasion for their assistance. They cannot be held responsible for all the suggestions contained in this paper; but from me, at least, are justly entitled to this tribute.

I have the honor to be, sir, with high respect,
your obedient servant,
B. F. BUTLER,
Secretary of war ad interim.

To the president of the United States.

POSTMASTER GENERAL'S REPORT.

Post office department, Dec. 5, 1836.

To the president of the United States:

SIR: In his report of last year, the undersigned stated the post roads of the United States to be about 112,774 miles in extent, and the annual transportation of the mails upon them equal to about 25,869,486 miles.

On the first July last, the post roads were about 118,264 miles in extent, and the annual transportation of the mails was at the rate of 27,578,620 miles, viz:

On horses and in sulkies	8,291,504
In stages	17,408,820
In steamboats and rail road cars	1,878,296

Within the quarter ending 30th September last, improvements were ordered on old mail routes, increasing the rate of annual transportation 375,824 miles, 306,592 miles of which was in stages. Of the routes established at the last session of congress, 912 miles have been put under contract, adding 140,000 miles of annual transportation.

An express mail has been started within the last month, from Philadelphia to Mobile, a distance of 1,230 miles, adding to the rate of annual transportation 895,440 miles. The rate of annual transportation at this time is little short of 29,000,000 miles.

Of the new routes, 30,557 miles remain to be put in operation, which will add to the annual service 8,487,786 miles.

The accompanying report of the first assistant postmaster general, marked 1, will give this information more in detail.

The number of post offices in the United States on the 1st July, 1835, was 10,770; and on the 1st July, 1836, it was 11,091; and on the 1st instant, 11,100.

During the year ending the 30th June last, 666 post offices were established, 845 discontinued, and there were 1,844 changes of postmasters.

The number of post offices will be greatly increased in the coming year, in consequence of the great extension of mail routes.

The accruing revenue of the department for the year ending the 30th of June last, according to statements from the auditor's office was as follows, viz:

From letter postages	\$3,010,249 43
newspaper and pamphlets	876,217 13
fines	3,054 63
Estimated for deficient returns	8,934 00

Total	\$3,398,465 19
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The engagements and liabilities of the department for the same year, were as follows, viz:

For transportation of the mails,	\$1,638,051 76
compensation of postmasters	812,802 67
ship, steamboat and way letters	26,470 76
wrapping paper	15,013 82
office furniture	3,508 35
advertising	22,596 43
mail bags	24,837 44
blanks	27,029 06
mail locks and keys, and stamps	5,877 07
mail depredations, and special agents	5,113 12
clerks for offices	122,933 35
miscellaneous	31,389 93
Estimated for claims not presented	20,000 00

Total	\$2,755,623 76
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Excess of revenue over engagements and liabilities \$642,831 43

In the report of last year the excess was estimated at \$476,227 00; but the revenue was \$105,763 19 more than the estimate, and the expenditure \$60,841 24 less, which accounts for the difference.

The revenue of the last exceeds that of the preceding year \$404,878 53, equal to thirteen and a half per cent. increase.

The general condition of the department on the 1st of July last, is shown by statements from the auditor's office to have been as follows, viz:

Due to the department prior 1st July, 1835	\$602,482 40
Deduct for bad and doubtful debts	131,327 36
	\$471,155 04

Due to the department for the year ending 30th June, 1836	590,111 51
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Cash in bank, 1st July, 1836	192,005 46
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Due from the treasury for extra clerk hire	22,419 81
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Estimated for deficient returns	8,934 00
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Total available means	\$1,284,625 82
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Due from the department accruing prior to 1st July, 1835	\$76,542 93
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Accruing within the year ending 30th June last	546,240 58
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Estimate of claims not presented, say	20,000 00
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	\$642,783 81
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Balance in favor of department	\$641,842 01
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The suspended claims, a part of which has been paid, are not included in these statements.

Of the old debts, there was paid out of the revenue of the year ending 30th June last, the sum of \$486,376.

As anticipated in the last report, the bank debt was paid off in April last. The cash in bank has since rapidly accumulated, and on the 1st November last was \$550,000. Deducting all outstanding warrants, it was \$503,721 11. The sum of \$88,278 has been paid to Messrs. Stockton & Stokes on the award of the solicitor of the treasury, but notwithstanding this payment, and a great extension of mail service, it is estimated that the cash in bank will exceed \$600,000 before the first day of May next.

The accounts of postmasters are rendered, and the quarterly balances paid by them, with admirable promptitude. There are 1,010 post offices, yielding about \$382,000, after deducting the compensation of postmasters and other charges paid by them, which deposit their net income in bank weekly or monthly during each quarter, or within fifteen days after its close. There are 9,888 offices, yielding a net revenue of about \$222,000 quarterly, which are directed to pay their proceeds to contractors immediately after the close of each quarter. The number of offices directed to retain their funds until drawn upon, is yielding about \$8,600 quarterly. The balance of the officers are special, and pay directly those who carry the mails to them for the proceeds, except a few new offices, and others, which are not yet arranged under either denomination. From an examination of actual results, the undersigned is warranted in saying that more than *ninety-five per cent.* of the revenue of this department is collected within thirty days after the close of the quarters in which it accrues, without any expense therefor whatsoever.

By an examination of a portion of the quarterly accounts, it appears that the increase of revenue for the quarter ending thirtieth September last, over the corresponding quarter of the last year, was about sixteen per cent. The ratio will probably be as large during the whole year, especially as the improvements, the express mail, and the new routes, will produce a considerable augmentation. For safety, however, it may be estimated at fifteen per cent. yielding a revenue for the year ending 30th June, 1837, amounting to \$3,908,222.

During the year ending the 30th June, 1836, the new routes and other improvements in the mail service will doubtless produce a decided effect on the income of the department, and it may be reasonably anticipated that there will be an advance of at least fifteen per cent. over that of the current year. If this anticipation be realized, the revenue of that year, at the present rate of postage, will be about \$4,494,000 exceeding the estimated current rate of expenditure at its commencement about \$688,000. And it is expected that the department will have a surplus of cash in bank before the 1st of August next, exceeding \$700,000.

In view of these facts and estimates, the undersigned does not hesitate to recommend a revision of the present rates of postage, to take effect on the 1st July next, with a view to a reduction of about "twenty per cent." To this end he suggests the following scale of letter postage in lieu of the present, viz:

75 miles and under	5 cents.
150 miles and over 75	10
300 miles and over 150	15
600 miles and over 300	20
Over 600 miles	25

No better plan than the present suggests itself in relation to charges of double, treble and quadruple postage, and postage by weight.

From its simplicity, this scale will be easily remembered. It proposes to introduce the federal currency, renders copper coins unnecessary in making change, and saves the loss to the people arising from fractions. It will reduce the labor now required to making up and examining postmasters' accounts, about one fourth.

If the proposed scale of letter postages shall be adopted, it will be necessary to raise the lowest rate of commissions to enable the postmasters at the large offices to carry on their business. The propriety of placing gold coins sent by mail on the same footing as bank notes, is suggested.

Great changes have taken place in the newspaper business of the country since the present rates of postage were established. Newspapers have not only increased in number, but many of them have grown to an inordinate size. Postage, however, is the same, whether the newspaper be great or small. If not carried over 100 miles and out of the state where printed, it is 1 cent; if out of the state and over 100 miles 1½ cents.

The policy of reducing the rates of postage on newspapers generally is doubted. They constitute,

in weight, probably two-thirds of the mails, are in many parts of the country difficult of transportation, and produce numberless failures. These considerations would be of no moment if it were really necessary that large quantities of newspapers should be transported from one end of the union to the other, as means of instructing and enlightening the public mind, but that office can be as well performed by the local presses as by newspapers from a distance. To reduce the postage on newspapers below the actual cost of carrying them, would be to tax the correspondence of the country generally for the benefit of the large newspaper establishments in the principal cities, to the injury of all the distant and country presses. Such a measure is not believed to be consistent with sound principle or good policy. It is not sound principle to tax the business of one portion of the people for the benefit of another portion; it is not good policy to aid the large city establishments in monopolizing the newspaper circulation, to the exclusion of the local and country presses. But there is justice and good policy in graduating the postage on newspapers according to the size and weight of the matter to be conveyed. The following scale of newspaper postages is therefore suggested in lieu of the present, viz:

Size of newspapers.	Rates of postage.	
	Carried not over 200 miles, nor out of the state.	Carried over 200 miles and out of the state.
Cont'g 550 sq. inches or under,	$\frac{1}{2}$ cent.	1 cent.
920 sq. inches, and over 550,	1	$1\frac{1}{2}$
Over 920 sq. inches	$1\frac{1}{2}$	2

If these rates were reduced one half, it would not materially diminish the means of the department, provided the entire newspaper postage were paid in advance. So great an innovation would probably be expedient; but where editors will pay in advance the postage of their whole impression sent by mail, the postmaster general might be safely authorised to accept one half of the foregoing rates.

Single newspapers are now extensively used, through various devices and conventional signs, to answer the purpose of letters, and evade the payment of postage. It would check this abuse if they were in all cases subjected to double postage; to be paid in advance.

The rates of postage on periodical pamphlets may be advantageously regulated upon the same principles as those suggested for newspapers, and reduced to the lowest rate which will pay for their transportation. If a preference be given to any thing, it should be to works on agriculture, science and the mechanic arts; but the principle is believed to be a good one in relation to the mails, that every thing shall pay its own way.

Fugitive pamphlets may with propriety be subjected to double postage, always paid in advance.

The proposed revision of postages, if taken as a whole, would reduce the income of the department from two to three hundred thousand dollars below its estimated expenditures; but the surplus on hand will sustain it until the regular increase of revenue will cover the difference.

The franking privilege has been so far extended, and is by many so unscrupulously used, as to constitute an abuse which requires correction. Some who possess it do not hesitate to cover the correspondence of their friends and neighbors with their franks, in direct contravention of the law. A wilful violation by postmasters, when made known to the department, is punished by instant removal from office; but public officers of higher dignity, though more criminal, cannot be reached by the same authority. Violations of law in this respect, by those who are under pre-eminent obligation to set examples of obedience to its precepts, are believed to be diminishing, and there is ground to hope that they will soon measurably cease.

An amendment of the law is necessary in reference to the mode of making contracts with rail road companies. The law prescribing the manner of making mail contracts generally, presupposes the existence of competition in bidding, and is adapted to the existing state of things on old routes where the mails are carried on horseback or in stages.—But the reason of the law is not applicable to most cases where rail road service is required, because there is no competition. To advertise for service on such lines is a mockery. Either the department must give what the companies choose to demand, or the compensation must be adjusted by negotiation before advertisement or afterwards. Practically, the power of the postmaster general as to the amount

to be paid is unlimited, because he is authorised to accept the lowest offer, however enormous. It is desirable that this power shall be limited by law, prescribing some fixed basis upon which all such contracts shall be made. None present itself so equitable as the weight of the mails to be conveyed. An act fixing a reasonable rate per pound for carrying the mails a given distance, would operate as a restriction upon the power of the postmaster general; whilst it would undoubtedly facilitate the making arrangements with the rail road companies. At present, the views of the department and those of most of the companies differ so widely as to the amount which ought to be paid, as to render hopeless any present prospect of an adjustment.

If the price were limited by law, the companies would expect no more, and the department would not refuse to pay it. To secure the advantages of competition where it exists, the practice of advertising might be continued, and the contracts assigned, as in other cases, to the lowest bidder. A few of the rail road companies have exhibited a disposition to carry the mails at prices deemed reasonable. The most important of these is the Camden and Amboy company. The managers of that road, justly considering their interests as best secured by accommodating the public and the government on liberal terms, have undertaken to convey the mails in a manner, and at a price which are highly satisfactory. The Petersburg and Roanoke company have evinced a like disposition, as have some others.

To render the department measurably independent of the rail roads, and accomplish other important results, an express mail has been started on the great mail line between New York and New Orleans. From New York to Philadelphia, and from Mobile to New Orleans, it is merged in the great mail carried in rail road cars and steamboats. The great mail is twelve days and seventeen hours, according to contract, in going from New York to Mobile, and twelve days twelve hours returning. The express mail is five days seventeen hours going from New York to Mobile, and five days twenty-three hours returning. One day is occupied in transporting the mails between Mobile and New Orleans.

The success of this experiment is not doubted; and the size of the mail already affords an assurance that it will produce an income more than sufficient to support it.

This mail leaves far behind all news conveyed upon rail roads, or by any other means.

It will give unprecedented activity to commercial transactions between the north and the south; New York communicates with New Orleans in half the usual time; all enterprises are expedited; the whole intervening country and the valley of the Mississippi will feel the impulse.

The editors and people of New Orleans will receive the news from New York in less than half the time it has heretofore occupied in the transit. The editors will have the advantage of being the original dispensers of the news to their subscribers; and people will obtain it through their own papers, without postages, five or six days sooner than it can reach them in the New York papers, with postage. The editors and the people along the whole route, and to the right and left, will participate in the same advantages in a greater or less degree. On the other hand the circulation in the south of newspapers from the principal cities of the north will undoubtedly be diminished.

This injury is more than counter balanced by the benefits secured to the local establishments; and if they were not, it is not to be brought into competition with the advantages of an earlier transmission and dissemination of commercial and other intelligence.

No measure should be taken with a view to injure the great city establishments; but it would be unreasonable and unjust in the department to withhold information from the people of the south, because it cannot carry, with equal expedition, the cumbersome sheets from the northern newspaper presses. It is, and doubtless will continue to be, the policy of the department not to send the news with less expedition but to bring the whole mail to the speed of the express as fast as it can secure continuous rail road or steamboat transportation.

The undersigned confidently believes it will be found expedient, within the coming year, to start express mails from Washington city along the route of the national road to St. Louis, from New Orleans through Nashville, Louisville and Cincinnati, to connect above with the great eastern and western route and from Boston, through Albany, to Buffalo, New York.

Such mails, on these routes, he believes, would immediately support themselves, and give an activity to business and correspondence in every direction which would much enhance the general

revenue of the department, and promote public intelligence, and prosperity. But should experience or reflection lead to the conviction that these enterprises will not produce an increase of revenue sufficient to support them, they will not be undertaken.

The attention of the undersigned has been urgently called by the deputy postmaster general of the British North American provinces to the insecurity of correspondence carried on through the packet ships between Canada and the U. States on the one side, and the British isles on the other. Valuable letters and packets sent from Canada through the port of New York, and from various parts of the United States, never reach their destination. The only effectual remedy which suggests itself is a regular mail across the ocean, and a direct connection between the post offices of the two countries. By a reciprocal arrangement, mails might be interchanged between the post offices in New York and Liverpool, or any other foreign port, to be conveyed by the packets, or other vessels under contract. The number of letters now crossing the ocean is so great, that a moderate postage on them would pay the cost of their transportation. There is scarcely a doubt that such an arrangement may be effected, if congress shall think it expedient to grant the necessary power.

The object of authorising printers' exchange papers to pass through the mails free of postage, would be further promoted by extending the privilege to exchanges with printers in foreign countries; an extension which is desired by the printers in the foreign provinces bordering on the United States, and will be the more useful if the proposed interchange of mails with post offices in Europe shall be authorised.

The building in which the general post office is kept is not fire proof, and its valuable books and papers are daily exposed to destruction. With such ample means as the government now has at command, the undersigned perceives no good reason why the greatest possible security should not be given to its archives. The other executive departments suffer inconveniences from the distance of the general post office; and since the passage of the late law which connects the post office with the treasury, and makes frequent references to the president necessary, that inconvenience is seriously felt by the department itself.

Annexed will be found an outline of the organization of the department under the late act of congress, marked 2.

The contract office is overwhelmed with the increased business brought upon it by extensions of mail service and the new routes. Its force is found to be inadequate to the performance of its duties, and it requires two additional clerks, one of the first, and the other of second grade.

The appointment office has a sufficient force for the performance of its duties with accuracy and promptitude.

The duties of the inspection office are rapidly extending, and its present force will not long be equal to their performance. Its chief object is a rigid supervision over the rendition of postmaster's accounts and the performance of contractors. Conducted with system and energy, it will soon be felt on our thousands of mail routes, whenever a delinquency occurs. Most of the contractors perform their service with great fidelity and precision; but there are a few, some of them on important routes, who evade their contract obligations whenever they have a temptation to do so, relying for impunity on their adroitness in making excuses, and the indulgence of the department. They will find it their interest to fulfil their engagements, or quit the service. In some parts of the country where complaints of irregular mails are loudest, the fault is not in the department, nor the contractors, but in the roads.—The department is obliged to use such roads as it finds, and it is unreasonable in the people to expect regular mails unless they will make good roads.

My three assistants are assiduous in their duties, often by night as well as by day; and in relation to their compensation, deserve the favorable consideration of congress.

The auditor's office is proceeding with vigor to accomplish the objects of its creation. The disbursement of the post office funds through the treasury, formerly deemed impracticable, is effected with the utmost facility. Post office warrants are reduced to the size of ordinary bank checks, and, with the check of the treasurer endorsed, are remitted with the same ease, and answer the same purpose. Without the inconvenience of specific appropriations, the accounts of the department are more specific, more easily understood, and more readily examined, than those of any other department of the government. It is the desire of the undersigned

ed, which the auditor has shown every disposition to promote, to render them intelligible to any one who may examine the books.

Difficulty has in some cases been experienced in renewing, for six months, the mail contracts which will expire on the 31st inst. under the authority vested in the postmaster general, by resolution, at the last session of congress. The object of the resolution was to facilitate a change in the commencement of the contract year. To promote the same object and avoid a like difficulty in relation to the remaining contracts, power is asked to let them, in the usual mode, for four years and a half, which will lead to the same result. I have the honor to be, your obt' servant,
AMOS KENDALL.

TWENTY-FOURTH CONGRESS, SECOND SESSION—SENATE.

December 19. The chair presented the credentials of *James Buchanan*, elected a senator from Pennsylvania for six additional years.

A number of petitions having been presented and referred, and several bills, on leave, having been introduced, all of which of general interest, will be duly noticed in their progress. Mr. *Clay*, in pursuance of the notice which he had given, rose to ask leave to introduce the land bill. He felt it due to the occasion to make some explanations.

The operation of the bill which had heretofore several times passed the senate, and once the house, commenced on the last of December, 1832, and was to continue five years. It provided for a distribution of the net proceeds of the public lands during that period, upon well known principles. But the deposit act of the last session had disposed of so large a part of the divisible fund under the land bill, that he did not think it right, in the present state of the treasury, to give the bill—which he was about to apply for leave to introduce—that retrospective character. He had accordingly, in the draught which he was going to submit, made the last day of the present month its commencement, and the last day of the year 1841 its termination.—If it should pass, therefore, in this shape, the period of its duration will be the same as that prescribed in the former bills. The senate will readily comprehend the motive for fixing the end of the year 1844, as it is at that time that the biennial reductions of ten per cent. upon the existing duties cease, according to the act of the 2d March, 1833, commonly called the compromise act, and a reduction of one-half of the excess beyond twenty per cent. of any duty then remaining is to take effect. By that time, a fair experiment of the land bill will have been made, and congress can then determine whether the proceeds of the national domain shall continue to be equitably divided, or shall be applied to the current expenses of the government.

The bill in his hand assigns to the new state of Arkansas her just proportion of the fund, and grants to her 500,000 acres of land as proposed to other states. A similar assignment and grant are not made to Michigan, because her admission into the union is not yet complete. But, when that event occurs, provision is made by which that state will receive its fair dividend.

He had restored, in this draught, the provision contained in the original plan for the distribution of the public lands, which he had presented to the senate, by which the states, in the application of the fund, are restricted to the great objects of education, internal improvement and colonization. Such a restriction would, he believed, relieve the legislatures of the several states from embarrassing controversies about the disposition of the fund, and would secure the application of what was common, in its origin, to common benefits, in its ultimate destination. But it was scarcely necessary for him to say that this provision, as well as the fate of the whole bill, depended upon the superior wisdom of the senate and of the house.

In all respects, other than those now particularly mentioned, the bill is exactly as it passed this body at the last session.

The bill was read a first time, and passed to a second reading.

Mr. *Linn*, on leave, introduced a bill to authorise the construction of a rail road through the public lands in Washington country, Missouri. Read twice and referred.

Mr. *Wright*, on leave, introduced a bill supplementary to the act establishing a mint and regulating the coins of the United States. Read twice, ordered to be printed and referred to the committee on finance.

Mr. *Nichols*, on leave, introduced a bill giving effect to the 18th article of the treaty of 1819 with Spain. Read twice, and referred to the committee on foreign affairs.

Mr. *Moore*, on leave, introduced a bill authorising the relinquishment of the 16th sections of lands,

for the use of schools, and the selection of other lands in lieu thereof. Read twice and referred.

A number of other bills were introduced and several gentlemen gave notice of their intention also to introduce bills.

The chair presented a communication from the treasury department on the subject of steamboats and steam boilers.

The remaining portions of the president's annual message were appropriately referred to the various standing committees.

Mr. *Nichols* offered the following:

Resolved, That the committee for the District of Columbia be instructed to inquire whether there is any law in force in this district which confers on a medical society or any other association, whether self-constituted or incorporated, the power to grant licenses to persons to practise medicine, or to decide on licenses granted elsewhere, and making it illegal and a criminal offence for persons not licensed or approved to practise physic or surgery in the District; also, to inquire into the justice and expediency of the repeal of such laws, if any such are found to exist.

Mr. *Benton* offered the following, which was, on his motion, read twice and adopted:

Resolved, That the president of the United States be requested to cause a statement to be laid before the senate showing, as nearly as may be, the different appropriations which will leave unexpended balances on the 1st day of January next, the amounts so left, the objects to which they are applicable, and the dates of the acts by which they were authorised.

Mr. *Ruggles* moved the following:

Ordered, That a committee of five be appointed to examine and report the extent of the loss sustained by the burning of the patent office; and to consider whether any and what measures ought to be adopted to repair the loss, and to establish such evidences of property in patented inventions as the destruction of the records and drawings may have rendered necessary for its security, to report by bill or otherwise.

The resolution was agreed to, and Messrs. *Ruggles*, *Prentiss*, *Strange*, *Parker* and *Bayard* were appointed the committee.

Mr. *Linn* introduced a series of resolutions directing inquiries to be made as to the expediency of establishing a surveyor general's office, of making appropriations to construct roads and bridges, improving harbors, of laying off certain towns, for holding treaties with Indians, and establishing a territorial government, in the territory of Wisconsin.

The senate then proceeded to the further consideration of the joint resolution, introduced by Mr. *Ewing*, of Ohio, rescinding the treasury order of July 11, 1836, and prohibiting the secretary of the treasury from delegating the power to designate the kind of funds to be received in payment for public lands.

Mr. *Benton* addressed the senate at large, on the subject of the resolution, and in reply to Mr. *Ewing*. Mr. *B.* continued to speak until near five o'clock, when, having concluded his remarks, he intimated his intention of hereafter moving for a committee of inquiry on the subject; and then

The senate adjourned, without coming to any decision upon the resolution of Mr. *Ewing*.

December 20. A number of petitions were received and bills introduced. Among the latter was one introduced by Mr. *Southard*, for the enlistment of boys in the naval service and to extend the term of the enlistment of seamen.

Mr. *Webster* offered the following resolutions, and asked the unanimous consent of the senate to their immediate consideration:

Resolved, That the secretary of the treasury communicate to the senate the latest statement made at or for the treasury of the condition of the deposit banks; exhibiting, among other particulars, the names and places of all deposit banks appointed since the 23d June last; their capitals, and the amounts of public moneys actually transferred, or ordered to be transferred, to those banks respectively.

Resolved, That the secretary of the treasury communicate to the senate a detailed statement of all transfers of public moneys ordered since the 23d June last, for the purpose of executing the act of that date for regulating the deposits of the public money; showing the dates and amounts of such transfers; from what place to what place; from what bank to what bank, and the time allowed for such transfers, other than such as were made in execution of the aforesaid act.

Mr. *Webster* said that the honorable member from Missouri (Mr. *Benton*) had, in his speech yesterday, read statements which had been obtained at

the treasury, for the purpose of showing that sundry banks had enlarged their issues since the publication of the treasury order of the 11th of July.—This information (said Mr. *Webster*) is neither new nor surprising. That fact has been well understood. But what banks are these which have thus increased their loans? Are they the banks of the country generally, or the banks in the principal commercial cities, or a majority of them? No, sir. The gentleman's statement was confined to the *deposit* banks, or some of them. All those deposit banks were seventy or eighty perhaps in number, while it has been stated that the whole number of banks in the country is near a thousand. Now, as I understand the subject, one of the strongest grounds of complaint against the order of the 11th of July, and against the manner of executing the deposit law, is, that by those measures many of these deposit banks, in places where the wants of business did not call for more money, have had large and entirely unnecessary sums of money nevertheless thrown into them, drawn from places in which it was wanted, to the great prejudice of other banks, and of the commercial community generally. I understand this to be one of the prominent objections to the course which the treasury has pursued. By the provisions of the deposit law the deposit banks pay interest on sums deposited beyond a certain amount. If they receive money, therefore, beyond such amount, they are naturally tempted to put it out on loans, however, little real occasion there may be for such loans; for otherwise the deposit would be a heavy charge to them.

An answer to these resolutions will give us light on this part of the case. It will probably be in the power of the secretary to answer the first resolution without any delay. I hope we can have the answer to that so soon as to be before us before the conclusion of this debate. Nor do I suppose that any great time will be necessary to prepare an answer to the second resolution.

Mr. *Wright* inquired of the mover whether the resolution was intended to ask for any more than the last statement rendered at the treasury. Mr. *Webster* replied that he had no wish that the inquiry should go back and call for a voluminous amount of documents; all he wished was the last statement received. Mr. *Wright* made no objection; and the resolution was thereupon agreed to.

The following, offered by Mr. *Morris* lies one day.

Resolved, That the committee on the judiciary inquire into the expediency of giving the consent of the United States that each and every tract of land that has heretofore been, or hereafter may be sold by congress, be liable to taxation by state authority, and that the several state legislatures in whose states any such lands are situated, be at liberty to repeal any law or ordinance passed by such state, in pursuance of any act of congress by which such state is prohibited from laying any tax upon lands sold by the United States for the term of five years from and after the date of such sale.

The several senate resolutions lying on the table (heretofore published) were taken up and adopted.

Mr. *Niles* observed that, on a former sitting, the senator from South Carolina (Mr. *Calhoun*) had taken the ground that the whole subject of revenue belonged to the committee on finance; but if that doctrine was a sound one, the committee on manufactures would be left almost without any appropriate duty. He apprehended, however, that the hon. senator was mistaken in the principle he had laid down. The compromise act recognised the principle that a reduction was to be made on the tariff of duties: the principle existed in the statutes of the country. Whatever committee it might be who should undertake the very difficult and delicate duty of devising the mode and measure of a reduction of the revenue, would find that the chief difficulty in the way was not of a financial character, but had to do with the matter of protection, not of revenue. If the subject of reduction affected very exclusively the great interests of the country, ought it not to be sent to the committee on manufactures? In order to test the sense of the senate, he would make the motion that so much of the president's message as related to the reduction and repeal of duties be referred to the committee on manufactures.

Mr. *Calhoun* observed that the question was not open to a motion; the reference had been made.—If the gentleman wished to move a reconsideration, he could not do so unless he had voted in the affirmative.

Mr. *Niles* had supposed it in order to refer the same subject to two different committees, who might view it under different aspects. However, to avoid difficulty, he would confine his motion to so much of the message as related to the repeal of duties only.

Mr. *Calhoun* said that this was included in his motion as much as the other. Whatever went to

reduce the revenue he meant to refer to the committee on finance, as appropriately belonging to that committee. And he must be permitted to say that no committee in that body could represent more fully all the great interests concerned in such a subject. The chairman was connected extensively with one branch of manufactures; the senator from New York with another; and the senator from Louisiana represented the great sugar interest of the south; while he from Missouri represented that of lead.—As to the difficulty of the task, none could be more sensible of it than himself; none had felt it more deeply. The reduction, thus far, had been effected only by exertions such as he should be sorry to repeat.

On motion of Mr. Ewing, the subject was then laid on the table.

The senate proceeded to the further consideration of the joint resolution introduced by Mr. Ewing, of Ohio, rescinding the treasury order of July 11, 1836, and prohibiting the secretary of the treasury from delegating the power to designate the kind of funds to be received in payment for the public lands.

Mr. Crittenden, of Kentucky, addressed the senate on the subject of the resolution, and in reply to Mr. Benton.

After a few words of explanation from Mr. Benton, the question being announced from the chair as being on ordering the resolution to a second reading, Mr. Ewing called for the yeas and nays on this question, which were accordingly ordered. On motion of Mr. Webster, the senate then adjourned.

December 21. A message was received from the president of the United States, through Andrew Jackson, jr. his secretary, with a report of the postmaster general (of which a copy is inserted in this day's proceedings of the house of representatives.) Referred to the committee on the post office and post roads, and ordered to be printed.

The chair presented a communication from the treasury department, in obedience to a resolution of the senate of the 20th instant, with a statement of the condition of the deposit banks, and the names and places of such as have been appointed since the 20th of June last. Laid on the table, and ordered to be printed.

The chair also presented a communication from the war department, with a report from the engineer department, in obedience to a resolution of the senate of the 14th of April last.

After a number of petitions had been disposed of, Mr. Benton offered the following and asked its immediate consideration.

Resolved, That the secretary of the treasury be directed to inform the senate what amount in gold and silver has been received at each of the land offices since the treasury order of July 11th took effect; also, to inform the senate of the amount of receipts on certificates given by the treasurer of the United States for payments to him on account of public lands, and the amount and date of each certificate on receipt, and the name of the payer. The resolution was agreed to.

Mr. Calhoun, on leave, introduced a bill to extend the provisions of certain sections (therein named) of the deposit act of the last session to the money remaining in the treasury on the 1st of January, 1836. The bill was read twice, by unanimous consent.

Mr. C. accompanied the introduction of this bill with various explanatory and commendatory remarks, and moved to postpone farther action on the bill, and make it the order of the day for Monday week.

Mr. Walker moved to refer the bill to the committee on finance.

An animated discussion (to be published hereafter) arose on the second reading of the bill, in which Messrs. Clay, Walker, Calhoun, Buchanan and Rives, participated.

The question of referring the bill to the committee on finance was taken by yeas and nays, and resulted as follows:

YEAS—Messrs. Brown, Buchanan, Ewing, of Illinois, Fulton, Grundy, Hendricks, Hubbard, King, of Alabama, King, of Georgia, Linn, McKean, Niles, Page, Parker, Rives, Robinson, Ruggles, Sevier, Strange, Tallmadge, Walker, Wall—22.

NAYS—Messrs. Bayard, Benton, Black, Calhoun, Clay, Crittenden, Davis, Ewing, of Ohio, Kent, Knight, Moore, Morris, Nicholas, Prentiss, Robbins, Southard, Swift, Tipton, Tomlinson, Webster, White, Wright—22.

The yeas and nays being equal, the chair voted in the affirmative.

So the bill was referred to the committee on finance.

Mr. Ruggles, during the discussion, presented the credentials of the hon. Judah Dana, senator elect from Maine, (in the place of Mr. Shepley, resign-

ed,) who appeared, was qualified, and took his seat, but was excused from voting, at his own request.

After transacting other business of minor importance, the senate proceeded to the further consideration of Mr. Ewing's joint resolution, rescinding the treasury order of July 11th, 1836, and prohibiting the secretary of the treasury to delegate the power to specify the kind of funds to be received in payment for the public lands. The question being on ordering the resolution to a second reading—

Mr. Webster addressed the senate generally on the subject of the resolution. Before he had concluded, he gave way to a motion to adjourn. By unanimous consent, the motion was suspended while

Mr. Wright offered the following, which lies over one day:

Resolved, That the secretary of the treasury be requested to transmit to the senate, at the earliest convenient day, an abstract from the returns of the state banks, on file in his office, showing—

- 1st. The amount of discounts.
- 2d. The amount of public deposits.
- 3d. The amount of specie.

4th. The amount of bills or notes in circulation of each of those banks, making returns to the department, as shown by each return received, from the 1st day of July last to the present time.

Mr. Benton laid the following on the table, in the way of notice: Motion (to be made hereafter) to invest the committee to which the resolution (of Mr. Ewing) shall be sent, with authority, to inquire into the effect and operation of the treasury order of July 11th, upon the business of the country, and the banking institutions of the states, and into the conduct of banks in relation to that order, and into their attempts (if any) to withdraw specie from circulation, and to embarrass the exchanges and business of the country. The committee to summon witnesses before them, if any such are near at hand, and to conduct their inquiries at a distance by interrogatories.

The senate then adjourned, Mr. Webster still having the floor on Mr. Ewing's resolution.

HOUSE OF REPRESENTATIVES.

Friday, Dec. 18. Among the resolutions offered to-day was the following, by Mr. Forrester:

Resolved, That the committee on claims be instructed to inquire into the expediency of making suitable compensation for the expenses incurred by the volunteers or militia in equipping for a campaign against the Creek Indians; and who were received into the service of the United States, but (immediately discharged), as may seem just.

The house then, on motion of Mr. Whittlesey, proceeded to the consideration of private bills, a number of which were reported, when the house adjourned to Monday next.

Monday, Dec. 19. The following gentlemen were appointed a committee under a resolution of Saturday last to inquire into the causes of the frequent steamboat disasters, &c. viz: Messrs. Hannegan, Hardin, Halsey, Thompson, of South Carolina, Gillett, Borden, Johnson, of Tennessee, Garland, of Louisiana, and Spangler.

On motion of Mr. Connor,

Resolved, That the committee on the post office and post roads, which was on the 15th instant directed to inquire into the causes of the conflagration of the general post office building, and into the losses thereby sustained, and what legislative provision is necessary in consequence thereof, have leave to sit during the sessions of the house, to prosecute said inquiries.

The speaker announced that the unfinished business of the morning hour was the petition presented on Monday last by the gentleman from Massachusetts, (Mr. Adams), praying for a reduction of the duty on foreign coal.

[There were two motions pending; first, the motion of Mr. Adams to commit the petition to the committee on manufactures; and secondly, the motion of Mr. Patton to commit the same to the committee of ways and means.]

Mr. Adams said, he hoped the gentleman from Virginia (Mr. Patton) would withdraw his motion for commitment, since that part of the president's message which referred to the protective duties had already been committed to the committee on manufactures. He (Mr. A.) presumed, of course, that all these petitions for the repeal of duty on coal, which was one of the protective articles, would go to that committee. When this petition was last before the house, he had asked for the yeas and nays on the question of reference, and the house had decided they should be taken. He did not, however, wish to consume the time of the house in that way, and he would be glad if his friend from Virginia would withdraw his motion, and permit the petition to go to the committee on manufactures. Mr.

Patton having declined to withdraw his motion, a desultory debate arose in which Messrs. Cambreleng, Adams, McKean, Harper, Gidon Lee, Reed, Chambers and Davis participated. The last named gentleman concluded by moving that the further consideration of the subject be postponed until Monday next: which motion was decided in the negative, yeas 72, nays 89. The question then recurring on the motion to refer, the subject was further debated by Messrs. Cambreleng, Denny, Ingersoll and Boon. The question was then taken on the motion of Mr. Adams, to refer the memorial to the committee on manufactures; on which motion the yeas and nays having been heretofore ordered, were taken, and were, yeas 88, nays 124. So the motion of Mr. Adams was rejected.

The question was next taken on the motion of Mr. Patton, to refer the memorial to the committee of ways and means, and was decided in the affirmative. So the motion prevailed, and the memorial was referred accordingly.

The house having refused to adopt a resolution offered by Mr. Dunlap on the 12th inst. to authorise the state of Tennessee to issue grants, &c. the following resolutions were offered.

Mr. Bell, of Tennessee, moved the following, which was read, and laid on the table one day under the rule, viz:

Resolved, That the secretary of war be requested to communicate to this house copies of all orders issued to governors of states or territories, or to officers in the army who authorised a call for volunteers or militiamen, either for the protection of the south western frontier, or for the prevention or suppression of Indian hostilities within the last eighteen months; also, copies of all orders explanatory of or countermanding any original order; also, the number of such troops which at any time or times within said period presented themselves, equipped for the service, under said calls, and the states or territories to which they belonged; also, the number received into the public service, the dates of such acceptance, and the several places of rendezvous; also, the terms of service of such troops so received in the public service, and the terms during which they actually served; and also, the whole number of troops, whether volunteers, militiamen, mounted dragoons, or troops belonging to the regular army, which have been employed in suppressing the hostilities of the Creek Indians within the same period of time, and also the greatest number so employed at any one time.

On motion of Mr. Storer,

Resolved, That the select committee raised by order of this house on the subject of steamboat navigation be instructed to inquire what legal enactments are necessary by congress to prevent accidents on board of vessels navigating the waters of the United States by steam, and for the punishment of the commanders, pilots and engineers of such vessels who may be guilty of wilful misconduct or neglect in the navigation thereof.

On motion of Mr. Lane,

Resolved, That the committee on the public lands be instructed to inquire into the expediency of confirming the future sales of the public lands to actual and bona fide settlers in limited parcels.

Mr. Hannegan moved the following resolution, which was laid upon the table: yeas 87, nays 54.

Resolved, That the committee appointed to investigate the affairs of the West Point academy be authorised, by themselves, or a select committee, to visit the academy for the purposes mentioned in the resolution under which they were appointed.

Mr. Davis moved the following resolution; which was read, and laid upon the table.

Resolved, That all petitions, memorials, remonstrances, or other papers, (which may be offered during the present session), in any manner relating to the abolition of slavery, or the slave trade, in the District of Columbia, or any of the territories of the United States, shall, on presentation, be laid upon the table, without reading, without being ordered to be printed, and without debate.

On motion of Mr. McCarty,

Resolved, That the committee on roads and canals be instructed to inquire into the expediency of amending the several acts for the construction and continuation of the Cumberland road so as to authorise the further construction thereof through the state of Indiana, to be let out by contracts in sections, upon notice, to the lowest bidder, and of authorising the immediate grading and bridging of the unfinished parts thereof through said state; and that said committee further inquire into the expediency of an additional appropriation for the further construction and completion of said road.

Mr. Martin moved the following resolution, which was rejected:

Resolved, That the committee on the public lands be instructed to inquire into the expediency of per-

mitting entries to be made of forty acre tracts of the public lands, without any other restriction than that of requiring that the tract to be entered shall adjoin the improvement or plantation of the applicant.

Mr. *Ashley* moved the following resolution, which was also rejected:

Resolved, That the committee on the public lands be instructed to inquire into the expediency of granting to the state of Missouri 500,000 acres of the public lands for the purpose of internal improvement.

Mr. *Harrison*, of Mo. moved the following resolution, which was rejected:

Resolved, That the committee on public lands be instructed to inquire into the expediency of placing upon a footing with the other public lands liable to be sold at public sale such public lands as have been reserved as salt springs and saline and mineral lands.

On motion of Mr. *White*, of Florida,

Resolved, That the committee on roads and canals be instructed to inquire into the expediency of giving the right of way through the public lands for the rail roads proposed to be made in Florida by the East Florida rail road company, the Pensacola and Perdido rail road company, and the Brunswick and Florida rail road company, and the right of way to the St. Andrew's and Chipola canal company, to make a canal or rail road through the public lands.

Mr. *White*, of Florida, also moved the following resolutions, which lie on the table one day under the rule:

Resolved, That the secretary of the navy be directed to communicate to this house the report of the naval commission who have recently been engaged in the administration of the navy yard at Pensacola, and the report of commodore Stewart on the same subject.

Resolved, That the secretary of the treasury be directed to report to this house the causes which have prevented the execution of the 9th article of the treaty between Spain and the United States, of the 22d February, 1819, and the two acts of congress passed in relation thereto, and whether, in his opinion, any further legislation be necessary to carry the same into effect.

Mr. *Jones*, delegate of Wisconsin territory, threw himself on the indulgence of the house to be allowed to move several resolutions, embodying the prayers of sundry memorials from the legislature of the territory which he represents, which, he having received no mail from that territory for the ten days preceding the catastrophe, he had reason to believe were destroyed in the post office during the late fire in this city. He then moved the following resolution:

Resolved, That the committee on the territories be instructed to inquire into the expediency of so amending the act establishing the territorial government of Wisconsin, as to authorise the appointment of two additional attorneys, and that the committee also inquire into the expediency of authorising, by further amendment of said act, the extension of the jurisdiction of justices of the peace, in cases where the sum in controversy shall not exceed one hundred dollars.

The resolution was agreed to.

Mr. *Jones* also offered a series of resolutions similar to those offered by Mr. *Linn* in the senate.

A number of other resolutions and petitions were received and disposed of and then the house adjourned.

Tuesday, Dec. 20. The speaker laid before the house a communication from the first comptroller of the treasury, transmitting a statement of such officers as have not rendered their accounts within the year, or have balances unaccounted for, advanced prior to the 30th of September, 1836, as appears by the books of the third auditor.

Also, a statement of accounts in the office of the third auditor which have remained unsettled, or on which balances appear to have been due more than three years prior to the 30th September, 1836.

Also, an abstract of moneys advanced prior to the 8d March, 1809, on the books of the land accountant of the war department, and which remained to be accounted for on the books of the third auditor of the treasury on the 30th September, 1836.

A large number of resolutions of a private or local character, were offered and referred.

On motion of Mr. *Graham*,

Resolved, That the committee of ways and means be instructed to inquire into the expediency of causing single gold dollars to be made at the mints of the United States.

On motion of Mr. *Harper*,

Resolved, That a committee of five be appointed to inquire what loss has been sustained by the destruction of the patent office by the late fire, what

measures are necessary to restore the records and drawings and models, and for their safe keeping in future, and that they have leave to report by bill or otherwise.

On motion of Mr. *E. Whittlesey*, the house suspended the rule for the purpose of taking up the bill which had passed through committee of the whole on Friday last, entitled a bill to provide for the payment of horses and other property lost or destroyed in the military service of the United States. The question being on its final passage, Mr. *E. Whittlesey* having explained the operation of the bill, (in reply to an inquiry by Mr. *A. Mann*), the question was taken and the bill passed.

Mr. *D. J. Pearce* moved a reconsideration of the vote of yesterday, by which a resolution offered by Mr. *Hannegan* authorises the select committee on the West Point academy, by themselves or a sub-committee, to visit that institution for the purpose of investigation.

The motion lies over.

Mr. *Bell* made a similar motion in relation to a resolution offered on yesterday by Mr. *Jones*, delegate from Wisconsin, and which was then rejected, instructing the committee on Indian affairs to inquire into the expediency of making appropriations for holding treaties with certain Indian tribes; which motion also lies over.

Petitions and memorials were then called for, when a large number were presented.

In pursuance of the order of yesterday, the house went into the election of chaplain. On the third ballot the rev. Mr. Comstock received 103 votes, (102 being necessary for a choice); and the rev. Mr. Slicer received 89 votes. So Mr. Comstock was declared duly elected chaplain. And, on motion of Mr. *Grennell*, the house adjourned.

Wednesday, Dec. 21. The following petition, presented yesterday, came up this day for consideration:

To the honorable senate and house of representatives of the United States in congress assembled:

The undersigned, citizens of the first congressional district in the state of North Carolina, have for years past been accustomed to regard the action of the federal government with great anxiety.—Your petitioners have accordingly their just claims for such appropriations for public works in their immediate neighborhood, as fall within the peculiar province of the general government, trusting to the tardy justice of congress.

They have regretted to see appropriations of the public money not equally distributed with a view to the general benefit.

Your petitioners have viewed with great satisfaction the bill of the last session regulating the deposits of the public money among the several states. They regard this measure as the safest disposition of the national treasure, as best calculated to avoid all unjust, unconstitutional and partial appropriations of the common fund. They therefore pray that provisions similar to that contained in the deposit bill of the last session may become the law of the union for several succeeding years.

Mr. *W. B. Shepard* (who presented it) made a speech of some length in support of its general object; and, on his motion, the petition was then referred to the committee of ways and means.

The following message was received from the president of the United States.

To the senate and house of representatives:

GENTLEMEN: Herewith I transmit you a report of the postmaster general, and recommend the passage of such laws, and the making of such appropriations as may be necessary to carry into effect the measures adopted by him for resuming the business of the department under his charge, and securing the public property in the old post office building.

It is understood that the building procured for the temporary use of the department is far from being fire proof, and that the valuable books and papers secured from the recent conflagration will there be exposed to similar dangers. I therefore feel it my duty to recommend an immediate appropriation for the construction of a fire proof general post office, that the materials may be obtained within the present winter, and the building erected as rapidly as practicable.

ANDREW JACKSON.

December 20, 1836.

Document accompanying the president's message.

Post office department, Dec. 20, 1836.

To the president of the United States:

SIR: On the morning of the 15th instant, I performed the painful duty of reporting to you orally the destruction of the general post office building by fire, and received your instruction to inquire into the cause and extent of the calamity, for the purpose of enabling you to make a communication to congress.

A few hours afterwards I received through the chairman of the committee on the post office and post roads of the house of representatives an official copy of a resolution adopted by that house, instructing the committee to institute a similar inquiry, and the chairman asked for such information as it was in my power to give. The investigation directed by you was thus rendered unnecessary.

The corporation of the city of Washington, with honorable promptitude, offered the department the use of the west wing of the City Hall, now occupied by the mayor and councils and their officers, and the officers of the Chesapeake and Ohio canal company. The proprietors of the medical college also tendered the use of their building, on E street, and offers were made of several other buildings in the central parts of the city. An examination was made of such as promised by their magnitude to afford sufficient room for the force employed in the department, but none were found equal, in the commodiousness of their interior structure and abundant room, to Fuller's hotel, opposite the buildings occupied by the treasury department, on Pennsylvania avenue. That building has been obtained on terms which the accompanying papers, (marked 1 and 2) will fully exhibit. The business of the department will be immediately resumed in that building.

The agreement with Mr. Fuller will make necessary an immediate appropriation by congress, and upon that body will devolve also the duty of providing for the payment of the rent, if they shall approve of the arrangement.

In the mean time steps have been taken to secure all that is valuable in the ruins of the post office building, and to protect from the weather the walls of so much of it as was occupied by the general post office, which stands firm.

The department has no fund at command of out which the services necessary in the accomplishment of the objects can be paid for, nor has it the means to replace the furniture which has been lost, and must be immediately obtained to enable the clerks to proceed with their current business.

These facts I deem it my duty to report to you, that you may recommend to congress such measures thereupon as you may deem expedient.

With the highest respect your obedient servant,
AMOS KENDALL.

On motion of Mr. *Shields*, the message and accompanying documents were referred to the committee on the post office and post roads, and ordered to be printed.

Petitions and memorials having been called for, presented and referred, Mr. *Bell*, from the committee on Indian affairs, reported a bill to regulate, in certain cases, the disposition of the proceeds of lands ceded by Indian tribes to the United States; which said bill was passed in committee of the whole house, (Mr. *Garland*, of Virginia, in the chair), and ordered to be engrossed, and read a third time tomorrow.

Mr. *Cambreleng*, from the committee of ways and means, reported bills of the following titles, viz:

A bill making an appropriation for the suppression of Indian hostilities;

A bill making appropriations for the payment of the revolutionary and other pensioners of the United States for 1837;

A bill making appropriations for the naval service for 1837;

A bill making appropriations for the support of the army for the year 1837;

A bill making appropriations for certain fortifications of the United States for the year 1837;

A bill making appropriations for the current expenses of the Indian department, and for fulfilling treaty stipulations with the various Indian tribes for the year 1837; which said bills were severally read, and referred to the committee of the whole house on the state of the union.

Several reports on the claims of individuals were also received and disposed of.

The business next in order was the motion, submitted yesterday by Mr. *D. J. Pearce*, to reconsider the vote by which a resolution heretofore offered, authorising the select committee appointed on the affairs of the academy at West Point to visit the same, for the purposes of their investigation, had been laid upon the table. Mr. *Ward* addressed the house in favor of the motion for reconsideration. At the conclusion of his remarks, Mr. *Jarvis* moved to lay the resolution on the table. Mr. *Vanderpoel* moved a call of the house, but the house did not sustain the motion. Mr. *V.* then moved that the motion be laid on the table—which was agreed to, yeas 86, nays 77.

Mr. *D. J. Pearce* made an ineffectual motion to suspend the rule, to enable him to offer a resolution calling on the president of the United States for certain information in relation to the condition of

the claim of certain citizens for indemnity for Denmark spoiliations.

The house resumed the consideration of the resolution heretofore offered by Mr. Wise, proposing the appointment of a select committee to inquire into the administration of the executive departments, together with the amendment offered thereto by Mr. D. J. Pearce, proposing to confine the inquiry to specific acts of mal-administration.

Mr. Lane was entitled to the floor, and addressed the house for upwards of an hour in opposition to Mr. Wise's resolution. And then, on motion of Mr. Howell, the house adjourned.

THURSDAY'S PROCEEDINGS.

[Not having received the "Intelligencer" of yesterday, we avail ourselves of the report of the correspondent of the "Baltimore American."]

In the senate. A message was received from the president of the United States on the subject of the state of Texas, and giving the information obtained by the agent sent to that country during the last summer, and the views of the executive in reference to the propriety and prudence of a recognition of Texas. The president, after reciting the proceedings of the two houses on which he founded his own course of conduct in despatching an agent to Texas, states that he has transmitted extracts from the reports of that agent in order to give to congress all possible light on the subject.

He states that he had taken the steps towards recognition, and that the proceedings which he has instituted are entirely in consequence of the resolutions of the two houses at the last session. The disproportion between the physical force of Mexico and that of Texas is quoted as one of the reasons for apprehending that the establishment of Texian independence will not be effected without a still further and doubtful struggle. Under a new president, Mexico is preparing a new armament to pour down upon Texas, and our usual prudence and the policy on which it is founded, prescribe to us that we shall make no precipitate movement, but await the issue of this new attack. He reminded the two houses that the people of Texas had adopted a resolution to apply to the United States for admission into the union, as soon as the United States shall have recognised her independence of Mexico.—This circumstance is treated as one which involves the delicacy of our situation, and renders it more especially incumbent on us to act with the greatest coolness, prudence and deliberation. After a full view of all the circumstances the president arrives at the conclusion that prudence requires of us to stand aloof for the present, and wait to see how the coming struggle will eventuate. The president, in conclusion, expresses his entire willingness to coincide with the senate in any course which that body may think most conformable to the true interests of the country.

The message having been read, it was ordered on motion of Mr. Buchanan, that the message and documents with 1,500 copies of each, be printed.

Various petitions of a private character were presented and referred, among which was one from the hon. John Forsyth, praying for compensation for losses sustained during the Seminole disturbances.

On motion of Mr. Clay, it was ordered that when the senate adjourns, it adjourn to Monday next.

A number of bills were introduced and referred, which will be noticed in their progress.—Among them was one, introduced by Mr. Wright, for anticipating the payment of the indemnities awarded to citizens of the United States against France under the convention of 1831 and against the king of the Two Sicilies in 1832.

Several resolutions of inquiry were also offered and disposed of, when the senate proceeded to the consideration of the special order, being the resolution offered by Mr. Ewing, to rescind the treasury order.

Mr. Webster resumed and concluded the argument he commenced yesterday against the legality as well as the policy of the treasury order. Mr. Benton then expressed a willingness to refer the resolution with instructions. Mr. Niles then spoke at some length, in reply to Mr. Webster, and in defence of the order. Mr. Rives objected to the resolution because he questioned the power of congress to rescind an executive act. He read a series of resolutions embodying his views, which were to prevent the notes of any bank which shall issue notes under the denominations specified from being received in payment of revenue. He would at a proper time offer these resolutions. Mr. Ewing withdrew the call for the yeas and nays. The resolution of Mr. Ewing was then read a second time. The resolution offered by Mr. Rives was then moved as an

amendment, and it was ordered to be printed. The senate then adjourned till Monday.

In the house of representatives. The joint resolutions of the legislature of Illinois assenting to the continuing of the national road through that state, provided it be made to cross the Mississippi river at Alton, in Illinois, and not at any other point, were taken up.

Mr. Reynolds stated it to be the determination of the state of Illinois to withhold its assent from the continuation of the road unless it should take the route indicated in the resolutions; and he contended that the government had not the power to construct a road at all, without the assent of the state through which it should pass.

The resolutions were referred to the committee on post offices and post roads.

A message relative to the affairs of Texas (similar to that noticed, above, in the proceedings of the senate) was received from the president of the U. States. On motion of Mr. Howard it was referred to the committee on foreign relations and ordered to be printed. Mr. D. J. Pearce, then moved the printing of 20,000 extra copies, which, after a brief debate, was agreed to.

On motion of Mr. Cambreleng, the house resolved itself into a committee of the whole on the state of the union, Mr. Muhlenburg in the chair, on the bill to establish the United States mint and to regulate the coinage of the United States.

After some time spent in the consideration of the subject, the committee rose and reported progress. The house then adjourned.

DOMESTIC CHRONICLE.

The patent office. The corporation of Washington has offered, and the superintendent of the patent office has accepted, the City Hall for the temporary use of the patent office. The purpose is one to which the apartments of the City Hall are well adapted; much better, as far as regards some of them, indeed, than to the purposes for which they have been hitherto used. The patent office will be at once established in the part of the building heretofore occupied by the mayor and the board of common council, in the west wing of the City Hall.

[Nat. Intel.]

Post office department. All of the principal departments in Washington have published notices similar to that inserted in our last, from the treasury department, requesting duplicates of such letters as were probably destroyed.

Illinois Legislature. A letter from a member of the Illinois legislature, dated on the 7th says:—"The house of representatives have organized by the election of James Semple, V. B. as speaker and D. Prickett as clerk. All the candidates for speaker were Van Buren men. In the senate they have balloted three days without making a choice, that body being equally divided. The vote stands: Davidson, W. 19, Whiteside, V. B. 19, scattering 2. The election is adjourned to Monday. The governor's message is not yet delivered."

Wisconsin. The legislature of Wisconsin has passed a bill locating the permanent seat of government for that territory at Madison, on the Four Lakes; providing, however, that Burlington, on the west side of the Mississippi, shall be the place of meeting for the legislature until 1839.

Trial of an abolitionist. The Darien, (Georgia), Telegraph, gives us the particulars of the trial of Edwin E. Roberts, an Englishman, who had been capitally indicted for "attempting to excite an insurrection and revolt of slaves." After a long trial, Roberts was acquitted and discharged. The Telegraph says: "We never saw a greater object of pity than the prisoner. He lay in jail since last August, and had a severe attack of illness; indeed we doubt if he will ever recover from his present state of feebleness. A subscription was set on foot in court, to enable him to leave the city, which he did on the following morning."

Resources of Maine. About 9,226 oxen and horned cattle, 7,180 sheep and 128 horses, have passed through Kennebunk this season, chiefly for the Boston market. The aggregate value is estimated at \$159,150.

One of the representatives in the Massachusetts legislature, is Thomas Andros, of Berkly, Bristol county, who was a soldier of the revolution. He was imprisoned in the old Jersey prison ship. He is 80 years of age.

John W. Crockett, son of the honest hearted Davy, is proposed as a candidate for congress in the district once represented by his father.

The army. The 2d regiment of dragoons, consisting of four or five companies, and two compa-

nies of artillery, recently organized at New York and Fort Monroe, and which were ordered by the secretary of war to be held in readiness for service in Florida are now ordered, we hear, to join the army in that quarter, under major general Jessup. [Globe.]

The public prints, in all sections of the country, are teeming with accounts of the most revolting murders and attempts at murder. In Philadelphia, between Saturday and Monday last, no less than four attempts at murder, with deadly weapons were made, in all of which severe wounds were inflicted, and in one case resulted fatally. In Natchez, a meeting has been held to suppress street duelling; and in most of the cities, the Bowie knife and pistol are daily used as a means of vengeance or to arrest the hand of justice.

Boothbay. The harbor of Boothbay, at the mouth of the Darmariscotta, is said, in the Eastern Argus, to be one of the safest retreats for shipping in the state of Maine. Two or three hundred sail of vessels, and sometimes a still larger number are often seen hovering into the bay to which they have been driven like a flock of birds for shelter. Traces of settlement as old as 1630 have been discovered in this place—foundations of houses, iron and copper implements and human bones. It is conjectured to have been settled at that early period by Germans.

First rail road of Michigan. The rail road from Adrian, (Michigan), to Toledo, (Ohio), is now completed, and the cars have commenced their regular trips between the two places. It is, according to the Adrian Watch Tower, the shortest and cheapest route for travellers going west—preferable to that of Detroit. The opening of the road was celebrated at Adrian by 100 guns, a champagne party, toasts and other rejoicings. Well may salutes of artillery be fired in honor of such enterprises in young Michigan, yet a territory, and does much better in expending her powder in this way, as other portions of our population might, than in lauding the triumphs of some political election.

Switzerland vineyards. At those vineyards, situated just below Vevay, Indiana, there are about twenty acres in vines that bear, which will yield near four thousand gallons of wine per year, that will be worth from one to three dollars per gallon. The quality of wine made at these vineyards is pronounced, by competent judges, superior to most of the Rhenish wines imported into this country.

Oneida (N. Y.) bank. This bank, has gone into operation, notwithstanding it was robbed of its capital. The distribution of the stock has also been declared to have been fraudulently made.

Welland canal. The select committee of the provincial parliament of Upper Canada, to whom the subject was some time since referred, have reported in favor of assuming the Welland canal as a public work. They recommend that if the stockholders will, by a certain day to be named, agree to transfer their stock to the government, the receiver general shall be authorised to issue to them debentures for the amount of their stock, redeemable in twenty years, with interest half yearly, to commence in 1840, after the following rates, viz:—three per cent. for the first year; four for the second; five for the next; and thereafter six per cent. until the debentures shall be redeemed. And that as soon as the receipts upon the canal shall amount to £25,000 in any one year, three per cent. per annum upon the amount invested shall be paid to the present proprietors of stock, or their representatives; and when the annual receipts shall amount to £50,000, six per cent. per annum upon their former stock shall be paid, until the legal rate of interest upon the capital invested by them, from the time that it shall have been actually paid in, shall be fully paid.

Nantucket silk. Handkerchiefs made by the Atlantic silk company of Nantucket are now exhibiting in the Boston market. Those who have seen them say they bear a strong resemblance to the Pongee handkerchiefs, but are of a superior fabric and certainly of equal firmness. They are afforded at a cheaper rate than foreign goods of the same kind.

The fire at Washington. The correspondent of the Journal of Commerce ascribes the fire that consumed the general post office, and, we suspect, correctly, to the practice of depositing the ashes, made by the various fires in the building, in the cellar.—These ashes, it seems, are the perquisites of some of the minor officials, and were collected in the cellar, until they were called for by the purchasers.

When it is remembered that the dry pine wood used for lighting the fires, was also stored in the cellar, there seems to be no necessity for resorting to supposed incendiarism, in accounting for the mischief.

NILES' WEEKLY REGISTER.

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BALTIMORE, DECEMBER 31, 1836.

[VOL. LI.—WHOLE No 1,318.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED, BY WILLIAM OGDEN NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

THE HEALTH OF THE PRESIDENT, according to the last accounts from Washington, was rapidly improving, and it was expected that he would soon be able to attend to business as usual.

MARYLAND. The legislature of this state commenced its session on Monday last. Richard Thomas, esq. of St. Mary's county, was chosen president of the senate, and Benj. L. Ganitt, esq. of Prince George's county, speaker of the house of delegates.

The governor's message was transmitted to both houses on Wednesday last. It is said to be a well written document, containing many useful and important suggestions. It advocates the reception of the surplus revenue, and recommends early legislation upon the subject; and in pursuance of this recommendation, as we learn from the correspondent of the Baltimore Gazette, the committee of ways and means promptly reported a bill authorizing the state treasurer to receive it from the proper disbursing officer of the United States. "If it should be paid by checks and drafts on the Union and Franklin (the deposit) banks, the bill provides that there shall not be a sudden, but a gradual withdrawal of the funds—that withdrawal must be governed by the discretion of the treasurer, by the convenience of these institutions, and the interests of the state. The moneys as drawn from time to time are to be deposited in the bank of Baltimore and the Farmers' bank of Maryland—subject to the future disposition of the legislature, and in the meantime are to be applied to discounting real paper at short dates.—This report, in consequence of the time the state has for accepting the portion being limited, is not a general and final one. The permanent investment and appropriation of the fund is reserved for further consideration and for a future report."

This proposed transfer has caused no little excitement in certain quarters, and some think it would be eminently mischievous to the mercantile community; for the reason that it would compel the deposit banks to call in their loans in order to meet the demands of the state treasurer upon them. This may be true. But it is a little remarkable that the deposit banks have refused facilities to the commercial community, and thus added to the grinding oppression under which all classes have suffered for some months past, on the ground that they were compelled to do so to meet the demands of the general government for the surplus in their keeping. If this was the true reason for their conduct, the objection to the transfer is not valid, for the money must now be in their vaults subject to the draft of the secretary of the treasury, and its transfer can have no possible effect upon persons who are now borrowers. If not the true reason, the deposit banks have not been governed in their recent policy by the alleged obligations imposed upon them as keepers of the public treasure, and they must assume a fearful amount of responsibility. For the question will naturally arise, how is it that the commercial community have been deprived of facilities, when the deposit banks have not only discounted upon their own capital, but upon the revenues of the government?

The inference from such a question would go far to confirm charges against the deposit banks here, that have been preferred against those in other cities, and increase that distrust of banking institutions which was unhappily engendered by the villainous doings connected with the bank of Maryland and other similar swindling institutions. As friends of the character of our city we would regret to see the deposit banks here placed in an attitude that would render them liable to such imputations, and hope the question will be simply, whether the deposit banks of the United States, or banks selected by the state, can most advantageously use our portion of the surplus for the benefit of the people?—and for ourselves, do not hesitate to say that the state will consult its true interests by committing it to such custodians as will freely distribute it to those great interests, which have been so severely injured.

P. S. since the above was in type we have learned that the bill passed the house of delegates on Thursday, with an amendment providing that the treasurer shall deposit at least one-fourth, and not exceeding two-fifths, of the amount awarded to this state, in his discretion, in the Farmers' bank of

Maryland, and the residue in the Union bank of Maryland and the Franklin bank of Baltimore, subject to the control of the general assembly. The Farmers' bank of Maryland is located in Annapolis, the Union bank and Franklin bank are deposit banks.

Judge John Buchanan, of Washington county, gen. Thomas Emory, of Queen Anne's county, any Samuel Jones, jr. esq. of Baltimore city, have been appointed by the governor and council commissioners to negotiate the loan of \$3,000,000 provided for by the internal improvement bill of last session.

TRIAL OF RICHARD H. WHITE. We learn from the Intelligencer of Wednesday last, that in the case of Richard H. White, indicted and tried in the circuit court now in session in Washington, on a charge of burning the treasury building in 1833, the jury came into court on Tuesday, (after having been absent in the jury room for upwards of seventy hours), and stated that they were unable to agree upon a verdict. By consent of counsel a juror was then withdrawn,—thus leaving the case to be tried over again. We had laid aside a very interesting statement of the testimony delivered on the trial, for this weeks "REGISTER," but will now postpone its publication until the case is finally disposed of.

KENTUCKY SENATOR. Henry Clay has been re-elected a senator from Kentucky for six years from the 4th of March next. For Henry Clay 76, for James Guthrie (V. B.) 54. Eight members were absent, four of whom, it is said, would have voted for Mr. Clay.

UNITED STATES BANK. The following resolution was offered by Mr. Hill, in the legislature of Pennsylvania on Friday the 23d ult. which the Harrisburgh Reporter says "will doubtless prevail when the mover calls it up for consideration." It was accompanied by a preamble condemning the "unprecedented haste" by which the bill chartering the bank was passed, against the known and repeated wishes of a majority of the people of the state, &c. &c. We will publish the preamble in the next "REGISTER."

Resolved, That a committee of seven be appointed to inquire into the mode, manner and means by which the said act of 18th of February, 1836, was passed, and also into the conduct of the stockholders of the said institution and their agents, under the said law, since the 3d of March, 1836, and into such other matters as may be connected with the said inquiry, and that said committee have power to send for persons and papers, and report to this house.

SOUTH CAROLINA AND TEXAS. In the "REGISTER" of the 17th inst. we published Mr. McCord's report upon that portion of gov. McDuffie's message relating to our position towards Texas.—That report was agreed to by the house of representatives, but in the senate a counter report, made by Mr. Hamilton, formerly governor of the state, was adopted. See page 277.

SPAIN AND MEXICO. The editors of the New York "Express" have seen a letter received by the packet ship Havre, dated Paris, which states that the writer had received a letter from M. Santa Maria, the minister plenipotentiary from Mexico, then at the court at Madrid, which states that the treaty for the recognition of Mexico had been agreed upon between himself and the Spanish government, and that the difficulties which had previously existed between the two governments had been removed, and the treaty had only to be submitted to the cortes for their sanction.

The government of Venezuela is the only one except Mexico, from South America, that has a minister plenipotentiary at Madrid for the purpose of adjusting the terms of recognition. This minister is gen. Soublette, who recently has been elected vice president of Venezuela. There is very little doubt that he has negotiated a similar treaty for his government. There is a treaty between several of the South American republics, that they never will accede to any terms, which may encumber their commerce, or which may require the payment of money. If, therefore, Mexico is recognized, all the rest will follow.

MEXICO AND TEXAS. A letter published in the New Orleans Bulletin, dated San Louis, Mexico, Nov. 23, stated that gen. Bravo had departed for Texas with three thousand men, composed chiefly of "new recruits who came down, tied in pairs, to prevent their running away, and yet, notwithstanding this precaution, several hundred had deserted." But according to authentic accounts, received in New Orleans, from San Louis, under date of the 29th ultimo, General Bravo was still in that city, occupied in engaging provisions, &c. for the army from the commercial house of Rubio, who did not appear willing to furnish the supplies on the faith of the government. In consequence of this, Bravo had written to the minister of war, that he would renounce the command if he was not furnished with the means to carry into effect the projected campaign against Texas in the spring.

The sudden march of a division of troops toward the coast to reach which they had to traverse the Sierra d'Anahuac, where several of the soldiers perished by the cold and fatigue, was occasioned by an order from the city of Mexico, the government having been informed, by letters from New Orleans, that the Texians, instigated by Santa Ana and Mejia, were preparing to make an attack on Matamoras or Tampico, which induced the minister of war to send troops to those two points. No intention whatever existed of now invading Texas, and in truth, it cannot be supposed, if it be but taken into consideration that all the country from the border of the Rio Bravo to the Sabine river is impassable, a fact of which the Mexicans are well aware.

FOREIGN NEWS. Paris dates to the 9th and London and Liverpool to the 10th and 11th ult. inclusive, have been received at New York. The chief item of interest is an account of an attempt by Louis Napoleon Bonaparte, a son of Louis, to excite a revolution in Strasburg, a large fortified town on the frontier. It appears that this young man called upon the colonel of artillery, Vaudrey, in garrison, at Strasburg, with whom he had for some time corresponded. After a conversation, the colonel conducted him to the barracks of his regiment, assembled the men, and presenting Louis to them, said "Louis Philippe is no more. His government has been overturned in Paris. There is an end to the dynasty of Orleans. Behold the descendant of 'the great man;' he is worthy of being our king.—Vive Napoleon Louis Bonaparte!"

The soldiers joined the cry, and flew to arms; the different posts were relieved, and picquets immediately marched to the hotels of the prefect and other authorities, who were thus placed under arrest. Colonel Parquin, brother of the barrister who defended Fieschi, accompanied Louis Napoleon to the house of general Voirol, and found him just getting out of bed. The general successfully resisted the intruders, and having explained to the soldiers that they had been deceived, they then arrested the rebellious colonel and committed him to prison—and thus the rebellion was put down!—Louis has also been committed to prison.

The French journals also contain an account of an attempted insurrection at Vendome, simultaneously with that at Strasburg, which was checked without interrupting the tranquility of the town.

In England there was a probability that the crop of grain would be short.

MR. FORREST, the American actor, has successfully performed "Spartacus" in Dr. Bird's play of the "Gladiator," and several of Shakespeare's heroes before a London audience, and, in consequence, has caused much rejoicing among his friends on this side of the water, one of whom says "his fame is now permanently established!" We are certainly pleased at Mr. Forrest's success, for the London critics form a body whose decision is not to be lightly regarded. But his friends betray a spirit of dependence when they make these foreign arbiters the tribunal of last resort, that is neither creditable to their intelligence or patriotism. For they admit the inference that his failure would have caused them to revoke their own opinion of his capacity, and that in that event his reputation would have been run down as rapidly as it has been run up, and instead of laurels, he might have brought disgrace

from England. A similar result has been already witnessed in the fate of Dr. Bird's tragedy of the "*Gladiator*," in which Mr. Forrest made his first appearance in London. Here, it was thought to be a production of a high order, only equalled in its literary merits by Forrest's talents as an actor.—But having been "*damn'd*" in London, it has now no admirers in America—at least none who avow themselves; for we have not seen one word urged in its favor since the decision of the critics of old Drury.

THE MINT AND THE COINAGE. The important bill consolidating into one, with slight alterations, all the existing laws and regulations respecting the mint and coinage, was yesterday ordered to be engrossed for a third reading in the house of representatives, Mr. Adams having waived his objections to parts of the bill, after having maturely examined it, and other objections being obviated by amendments. As the bill now stands, the gold coin remains as now; the silver dollar is to be hereafter of the weight of 412½ grains instead of 416, its present weight, (the quantity of pure silver in it, however, remaining the same), and the parts of a dollar of proportionate weight; and the copper coin remains, instead of being reduced as proposed, at its present weight of 168 grains to the cent, and 84 grains to the half cent.

[Nat. Int. of Wednesday.]

MICHIGAN. The election for assemblymen and senators closed a short time ago, and the following is the result, except in two counties, sending one delegate each, which had not been heard from.

Assembly—Democratic 28; states rights 24.

The senate is said to stand 7 democratic and 5 state rights.

We have not seen the official result of the presidential election, but it has been forwarded to Washington by a special messenger—and is said to be in favor of Messrs. Van Buren and Johnson.

LOUIS McLANE, esq. late secretary of state, and recently president of the New York and Morris canal and banking company, has been elected president of the "*Baltimore and Ohio rail road company*." The energy, talents and weight of character which this gentleman will bring to his new duties, assure us that the great work will now be successfully prosecuted and realize the warmest wishes of its friends.

RESIGNATION OF MR. PORTER. The editors of the "*National Intelligencer*" have learned from a correspondent at New Orleans, that *Alexander Porter*, esq. has resigned his seat in the senate of the United States for the remainder of his term, which would have expired on the 4th of March next.—Personal indisposition and family affliction are, we regret to state, the reasons which induced Mr. Porter to state this course. It is presumed that, the legislature not being in session, a temporary appointment to fill the vacancy will be made by the governor.

RESIGNATION OF B. W. LEIGH. The committee of the house of delegates of Virginia, to whom Mr. Leigh's letter resigning his seat in the senate of the United States was referred, have reported the following resolutions.

"Mr. Watkins, from the select committee appointed to consider Mr. Leigh's letter of resignation, made a report, concluding with the following resolutions:

"1. *Therefore resolved*, That the two several letters aforesaid, of Benjamin Watkins Leigh, are deemed highly disrespectful in their tone, and unsatisfactory in their reasoning, and that this assembly doth decidedly disapprove of the conduct of the said Benjamin Watkins Leigh, touching the expunging resolutions, and the instructions concerning the same, given him by the general assembly at the late session thereof.

"2. *Resolved*, (the letters of the said senator to the contrary notwithstanding). That this assembly doth solemnly repeat their unshaken regard for the right of instruction, as resting on the broad basis of the nature of representation, and as one of the vital principles of our free institutions; and that it is the duty of the representative to obey the instructions of his constituents, or resign the trust with which they have clothed him, in order that it may be transferred into the hands of those who will carry into execution the wishes and instructions of the constituent body.

"3. *Resolved*, That after the solemn, and now repeated expression of the opinion of the general assembly on the right of instruction, and the duty of obedience thereto, no man ought henceforth to accept or retain the appointment of senator of the United States from Virginia, who doth not hold

himself bound to obey such instructions, or to resign the trust with which he is clothed.

"On motion of Mr. Pendleton, the report was laid on the table and ordered to be printed."

THE SURPLUS REVENUE. The following are the title and preamble of an act which has passed the legislature of Virginia relative to the reception by that state of her share of the surplus revenue.

"A bill declaring the willingness of the state of Virginia to accept the deposit of its proportion of the moneys that by the 13th section of the act of congress, entitled, 'an act to regulate the deposits of the public money,' approved the 23d of June, 1836, are to be deposited with the several states, and authorising the treasurer of the commonwealth to receive the same.

"Whereas, by the 13th section of the act of congress of the United States, entitled 'an act to regulate the deposits of the public money,' approved the 23d of June, 1836, it is enacted, 'that the money which shall be in the treasury of the United States on the 1st day of January, 1837, representing the sum of five millions of dollars, shall be deposited with the several states,' under the provisions and on the terms therein contained; and while the general assembly regards any system of taxation by the federal government producing more revenue than is necessary for the wants of the government economically administered, as impolitic and unjust; and denies the right of the congress of the United States to raise revenue for the purpose of deposit or distribution amongst the states: Nevertheless believing the surplus money in the treasury to have arisen under extraordinary circumstances, not likely to continue, and considering the provisions of the said act to be a temporary expedient to relieve a redundant treasury, and being willing in good faith, under such circumstances, to receive the proportion of said surplus proposed to be deposited with the state of Virginia: *Be it enacted*, &c.

ERIE AND CHAMPLAIN CANALS, 1836. *Canal collector's office, Albany, December 15th, 1836.* The whole quantity of down freight conveyed on the Erie and Champlain canals to the city of Albany, during the season of canal navigation in the year 1836, is as follows:

Barrels of domestic spirits	19,057
Feet boards and scantling	111,120,630
Thousands shingles	21,788
Feet timber	217,400
Pounds staves	85,026,048
Barrels flour	729,309
Bushels wheat	201,831
do. rye	9,448
do. corn	90,949
do. barley	237,869
do. other grain	144,977
do. bran and ship stuff	397,434
do. peas and beans	25,105
do. potatoes	902
Barrels pork	17,633
do. beef	8,806
do. salt	2,474
do. ashes	22,858
do. lime	8,990
Pounds dried fruit	482,917
Cords wood	23,209
Pounds clover and grass seed	1,009,152
do. flax seed	477,115
do. wool	1,384,277
do. cotton	41,500
do. cheese	5,877,637
do. butter and lard	4,496,892
do. hops	341,601
do. tobacco	1,659,800
do. leather	1,067,555
do. fur	19,800
do. peltry	213,100
do. gypsum	71,400
do. stone	4,989,800
do. domestic cottons	804,100
do. domestic woollens	71,300
do. merchandise	352,208
do. furniture	743,658
do. clay	2,400
do. mineral coal	88,800
do. bar and pig lead	250,400
do. pig iron	483,559
do. iron ware	280,605
do. sundries	7,670,297

The quantity of up freight conveyed on the Erie and Champlain canals, from the city of Albany, during the season of canal navigation in the year 1836, is as follows:

Pounds merchandise	148,508,272
do. furniture	3,917,618
do. other articles	21,806,673

The amount of toll paid at this office, is \$389,362 16.

The total number of boats that arrived at, and departed from Albany, was ten thousand two hundred and twenty-six. [Albany Argus.]

GOLD AND SILVER COIN. A writer in the "*Newburyport (Mass.) Herald*" estimates the present supply of gold and silver coin, in this country and in Europe, as being \$30,000,000 less in value than it was seven years ago. This decrease, he contends, is owing to two causes; the diminished supply from the mines, and the growing demand for gold and silver ornaments and utensils. The influence of the latter cause is much greater than would be supposed at first thought. It is upon sound authority estimated, that £5,000,000 are annually withdrawn from circulation for these purposes. The amount is of itself equal to the whole annual supply from the mines of Europe and America. £2,000,000 are annually exported to Asia, over and above what returns either from that quarter or from Africa, making a total of £7,000,000. The abrasion or wear of coin is estimated at one part in 420, or £2,881 in the million. The annual supply is about £5,000,000. The effect of all this is, that the amount of coin in Europe and America, which, in 1809, was estimated at \$350,000,000, was, in 1836, twenty years later, less than £308,000,000, showing a reduction of £72,000,000 in that short period. By extending the calculation to the present time—offsetting the increased supply from the mines of the United States and Russia by the increasing quantity required for the arts, by the growing taste for ornaments and luxury, also allowing for the drain to Asia and the loss by abrasion and other causes—we find that the stock of coin has, in the interval, suffered a still further reduction of £8,000,000 or nearly £80,000,000, and cannot now be put higher than £289,000,000, being a falling off from the entire stock, in 27 years, of £91,000,000, or nearly one-fourth.

COMMERCE OF CHICAGO, (ILLINOIS). The rapid growth of Chicago is a subject of remark and wonder throughout the union. The growth of the town, however, bears no comparison with that of its commerce, as will be seen in the following statements: In 1833, there were, as we are informed, but four arrivals from the lower lakes, viz: two brigs and two schooners, say 700 tons. In 1835, there were about 250 arrivals, nearly all of which were schooners, averaging about 90 tons burden each, or 22,500 tons in all. In 1836, the first arrival was on the 18th day of April. From that time to the first day of December, 226 days, 456 vessels (49 steamboats, 10 ships and bargues, 26 brigs, 363 schooners and 8 sloops) arrived, averaging 57,550 tons, as follows: 85 ships, steamboats, bargues and brigs, at 250 tons each, 21,250 tons; 363 schooners at 100 tons each, (many of them carry 150 to 200 tons), 36,300 tons; or 57,550 tons in all, without including the sloops. To give a more concise view of the increase of our commerce, for the years above named, we place it in the following order:

Year.	Number of arrivals.	Average tonnage.
1833	4	700
1835	250	22,500
1836	456	57,550

As there are several vessels now on the way, which will arrive here this season, we may safely state the tonnage at 60,000! being an increase of 59,300 tons in three years!

Is there any other town within the borders of our union which can boast of as large an increase in its commerce as this? We challenge! [Chicago Am.]

In speaking of the resources of Illinois the Chicago American further says—

"Grape vines are found indigenous and abundant in most parts of the state, yielding grapes which might be profitably made into excellent wine. Foreign vines are easily cultivated. But the indigenous vines are found in every variety of soil; twined with every little grove in the prairies and barrens; and curling themselves to the tops of the loftiest trees that rise in the beauty and luxuriance of their growth from the rich soil of the bottoms. In the infancy of settlement the French made wine in such abundant quantities, as to make it an article of export to their native country, itself celebrated for its "blushing vinehills." But the proper authorities of the old kingdom prohibited the introduction of wine from Illinois, as it might injure the sale of their own staple article. It is stated in one of the magazines of the country, that so prolific are the vines, one gentleman made twenty-seven barrels of wine with very little labor, in his own immediate neighborhood. And as it will appear, in a continued consideration of this state, that corn is one of its important productions, we have here the old scriptural standard of prosperity and luxury—a country abounding with "corn and wine."

REBELLION IN NAPLES. According to the New York "Commercial Advertiser," letters have been received in that city from Marseilles, dated Nov. 4th, mentioning a report that the people of Naples had risen in rebellion against the king, and declared in favor of the prince of Capua. Commodore Porter was at Marseilles on the 4th. Sloop of war John Adams was expected daily.

CUBA. A short time since the governor of Santiago de Cuba issued a proclamation declaring the constitution of 1812. Gov. Tacon promptly sent from Havana an expedition of about 3,000 men to quell the insurrectionists—but at the last accounts the rebellious governor had annulled his proclamation and tranquility was restored.

TEXAS. The London Times of November 8, founding his reasoning on the opinions of his American correspondent, under the signature of a "Genesee Traveller," says:

"We see in the late proceedings of the government and people of the United States a confirmation of the suspicion, long entertained in the best informed diplomatic circles, that the annexation of Texas to their already unwieldy territory is a favorite project. Texas would be the stepping-stone to the acquisition of Mexico. Will such a result, probably not a very distant one, be most injurious to Spain or to the American union? Meantime, will Europe be content to be a quiet observer of the progress of events!!!"

FATAL AFFRAY. Baltimore, December 27. Yesterday evening, between eight and nine o'clock, Dr. Edward J. Alcock departed this life. His death was caused by a wound in his thigh of a pistol ball, on the night of Tuesday, the 20th instant. Mr. George Steuart was charged with having fired the pistol which caused the wound—he was arrested on the charge, and it being represented to judge Brice that the surgeon who examined the wound considered it probably but not certainly such as might cause death, Mr. Steuart was held to bail in a recognizance of \$10,000. Yesterday afternoon, when it was declared by the surgeons that Dr. Alcock could not live more than a few hours, Mr. Steuart surrendered himself to the civil authority and was committed to prison, where he remains to await the decision of the law.

The circumstances which led to the above melancholy result, originated some weeks ago in a dispute of a political character between the deceased and a near relative of Mr. Steuart, which was soon changed into a most acrimonious personal one, in which Mr. S. was himself involved.

[Gaz.

HORRIBLE! Too soon has the ill-fated example of St. Louis, without any of its mitigating circumstances, been followed, in the burning of a murderer—a slave—in Arkansas. The only account we have of the horrible transaction is contained in the annexed extract from the Arkansas Gazette, of the 29th ult.

"We have been informed that the slave William, who murdered his master (Husky) some weeks since, and several negroes, was taken by a party, a few days since, from the sheriff of Hot Spring, and burned alive! yes, tied up to the limb of a tree, a fire built under him, and consumed in slow and lingering torture! We have mentioned this disgraceful and barbarous outrage, that the ministers of the law may take steps to bring those implicated in the guilt of so black a crime, to punishment."

The circumstances of this criminal outrage are aggravated by the fact, that the evidence against the negro was of such a character, that there was no chance of his escape from a just expiation of his crime by law—his condemnation was next to certain.

[Miss. Rep.

ANOTHER STEAMBOAT DISASTER. The number of steamboat disasters almost equals the fatal affrays which occur in all sections of the country, and like them are regarded as too trivial to attract the notice of the law. The last disaster was on board of the boat *Dolphin*, which when off the bar of St. John's river, Florida, having stopped to take on board a pilot, in attempting to start her engine burst the boiler, and killed fifteen persons! Among the killed were col. Brooks, lieut. Alexander Mackey, United States army; Miss Brown, daughter of col. Brown; Barney Duce, mate; Beaury and El-dree, engineers; Kemory, pilot; two deck hands, three stewards, and three blacks.

Col. Brown, lady, and two children; Mrs. Gibson and son; Dr. Martin, United States army; Mr. Waldron and col. Dill, slightly wounded, and one person whose name it not given. The survivors were rescued by the steamboat *Santee*. It is worthy of

remark that Dr. Martin, of the army, after the explosion took place, gave up his place in the bow to a lady, and clung to a log until the steamboat *Santee* came up.

DREADFUL SHIPWRECK. The brig *Gambia*, which sailed from N. York, for Lisbon, on the 16th ultimo, was capsized, on the night of the 19th, while lying to in a gale of wind in the gulf. The captain, first mate and a passenger were in the cabin at the time and were drowned. The survivors, seven in number, clustered around the fore-castle, the only part out of water, and lashed themselves to the bitts. Here for three days and nights they were exposed to the peltings of the storm, with nothing to eat but a few raw potatoes, and no water. At this period two of the crew died, and the cabin boy died, raving mad, and to satisfy the cravings of hunger the boy was cut up for food! On the night of the 22d the remainder of the crew, who had succeeded in reaching the main top, saw a vessel to leeward, which proved to be the ship *New England*, on board of which they were taken and landed in Boston. The names of the survivors are Joseph Couillard, second mate, Samuel Presson, Andrew Smith and A. Smith. Those drowned were captain French, M. Jordan, mate, and John Dean, passenger, Jacobs, the cook, Andrew Pater-son, seaman, and a Portuguese boy, named Alexander, died from fatigue and hunger. The *Gambia* was laden with rice and tobacco.

UPPER CANADA. The very liberal sum of £500,000 has been voted by the house of assembly of Upper Canada, for repairing the roads of that province. After an animated debate of three days, in committee of the whole, on the report of a committee appointed to examine and report the present condition of the Welland Canal, it was voted, 31 to 27, to purchase the stock held in the work by individuals, and apply the public funds towards its completion and repair. It was stated, in the course of the debate, that, including the money the province had already paid and was liable for, the sum required to purchase out the stockholders, and to make it a substantial work, would amount to about £1,000,000;—and that to pay even the simple interest on that sum, the tolls must yield not less than £60,000 per annum. The tolls for the past year are stated at £7,000.

LABORERS IN ENGLISH FACTORIES. It appears from certain statistical returns that there were employed in the cotton factories of Great Britain, last year—100,495 males, and 119,639 females—total 220,134 persons, of whom 28,771 were children from 8 to 13 years of age. In the wool factories there were 37,477 males, and 33,797 females—total 71,274 of whom 13,322 were from 8 to 13 years of age. In silk factories there were employed 10,188 males, and 20,494 females—total 30,682, of whom 9,074 were from 8 to 13 years old. In the flax factories, there were employed 10,395 males, and 22,888 females—total 33,283 persons, of whom 5,283 were from 8 to 13 years old. The whole number of persons employed in these four kinds of factories, were 355,373 persons, of whom 55,455 were children from 8 to 13 years old.

STEAM POWER vs. HORSES. It is evident that in a few years, steam power will be applied to such a variety of purposes, that the services of the horse, or the ox, will no longer be required. Dr. Lardner, in his excellent treatise on the steam engine, computes that there are above one million of horses engaged in Great Britain, in various ways in transporting passengers and goods, and that to support each horse requires as much land as would upon an average support eight men. If this quantity of animal power were displaced by steam engines, and the means of transport drawn from the bowels of the earth, instead of being raised upon its surface, then, supposing the above calculation correct, as much land would become available for the support of human beings, as would suffice for an additional population of 8,000,000—or what amounts to the same, would increase the means of support of the present population by about one-third of the present available means. The land which now supports horses, would then support men, or produce corn for food.

JUDGE WHITE. Some weeks since a number of the citizens of Carter county, Tennessee, invited Hugh L. White to partake of a public dinner. In consequence of its being necessary for him to repair early to Washington he declined the invitation, and addressed a letter to the gentlemen from which the following is extracted. It belongs to the history of the times:

"It is well known to many of my fellow citizens that it was my sincere wish that my name should not be used as a candidate for the distinguished office of the chief magistrate of this great and growing nation. Some of you, as well as others, were anxious it should be, and I consented. Attempts have been made first to coax, then to coerce me to withdraw it. These have failed, and the effort now making is to verify the prediction of my valued old friend, the president, "that I should be rendered as infamous as ever Aaron Burr was." Thanks to you, my countrymen; thanks to hundreds of others, who have long known me, I am not so yet. Whether I ever will be, the wisest cannot foretell. It shall be my constant aim to endeavor to merit a good character; but what my reputation will ultimately be, depends not upon myself, but on my fellow citizens. I am proud of your continued confidence, and return you my sincere thanks for your unwavering and steady support. I thank every early friend who solicited the use of my name, and has remained firm, notwithstanding the denunciations of those in power. The few who have yielded me up, I can readily forgive. Some of them, no doubt, have received weightier arguments than my friends can ever use. Others, as a distinguished friend has said, were "misborn." Their lot has been cast in a land of liberty, where every citizen is a sovereign; when, according to their principles, they were intended for the slaves of some despot.

"I shall preserve your invitation while I live and in death hand it over to my children, as an evidence that my constituents of Carter county did not credit the calumnies which have been showered down upon me; and that, let others do as they may, they have determined that "they and their children will continue to be free."

FLORIDA WAR—OFFICIAL.

In justice to general Call and general Jesup, as well as for the purpose of furnishing the latest intelligence of the army in Florida, we publish the following extracts of official communications recently received at the war department. [Globe.

Extract of a letter from gen. Jesup, dated
HEAD QUARTERS, ARMY OF THE SOUTH,
Volusia, Florida, December 9, 1836.

"The command of the forces in Florida was transferred to me yesterday. I would greatly have preferred that governor Call had been permitted to close the campaign. He has had difficulties to encounter of which no man can form an adequate idea who has not been here. I have examined carefully the state of the service, and have looked into every matter connected with the recent operations; and I am sure that no man could have done more under the circumstances. He established this post, and took every preliminary step to supply it. Supplies and means of transportation are rapidly arriving; and had he retained the command, he would soon have struck an important blow.

The term of service of the Tennessee volunteers will expire in a few days. To avail myself of their services in the attack I propose to make, I shall move sooner than in my own judgment I ought to move, and may have to fall back; but I am so arranging my depots, that if compelled to relinquish one object, I shall readily strike another. If I should not succeed in dislodging Powell, I can, on returning to this place, strike Micanopy, Philip and Cooper, who are about a day's march from each other, each with from one hundred and twenty to two hundred Indian and negro warriors; the latter, perhaps, the more numerous. My object will be to strike them in succession, and prevent them from concentrating."

Extract from a letter from maj. gen. Jesup, dated
HEAD QUARTERS, ARMY OF THE SOUTH,
Volusia, Florida, Dec. 12, 1836.

"A sufficient supply of subsistence having been received yesterday to enable me to move with twenty days' rations, the army will march to-day. The advance is now moving. At the Ocklawaha I shall have the choice of two objects—Micanopy, which is about thirty miles south of the point where I shall cross that river, and Powell, who is fifty miles southwest of it.

I propose, after placing the train safely across the Ocklawaha, to leave a sufficient force to protect it, and with the remainder, make a forced march and strike either Micanopy or Powell, and if successful with the first, immediately attack the other.

My movements are not in accordance with my own judgment; they are controlled by the necessity of availing myself of the few days that yet remain of the term of service of the Tennessee brigade, and I am, therefore, compelled to march on their route to the mouth of the Wythlacoochee, where they expect to embark for New Orleans, on

their way home. This movement will enable me to strike at the two chiefs mentioned above, and to cover the frontier; but had I the control of my measures, I could employ the force to much more advantage, in a succession of attacks along the Ocklawaha, and thence down the Wythlacoochee."

By the express mail, says the National Intelligencer, of yesterday, we have intelligence that more citizens are to be called into military service in Florida. In South Carolina, the governor has ordered a draught of 800 men from the 7th and 8th brigades South Carolina militia, to march immediately to Florida; and an order has also been issued to a detachment of militia from Alabama for the same purpose.

The following companies of United States dragoons, left New York on the 27th inst. for Florida, in the ship Washington.

- Company E. 1st lieutenant Howe.
- " 2d lieutenant McNeil.
- Company F. captain Anderson.
- Company G. 1st lieutenant Blake.
- " 2d lieutenant Kingsbury.
- Company H. 1st lieutenant Graham.
- " 2d lieutenant Hunter.

A letter from Florida, under date of December 12, announces the death of captain Ross, of the marine corps, of wounds received in the battle of November 21. Captain Maitland, who was wounded at the same time, was rapidly recovering.

The editor of the Connecticut Courant, on noticing the statement of the secretary of war, that there have been mustered into the service of the United States, during the past year, no less than *twenty-four thousand five hundred militia and volunteers*, remarks—"We believe the troops under the command of gen. Washington in the revolutionary war, frequently fell short of this number!"

GEN. SCOTT AND JOSEPH M. WHITE. To the editors of the National Intelligencer:

To avoid all misunderstanding and misrepresentation on the subject of the position I occupy, and the paper I recently transmitted to the military court now engaged in the investigation of the conduct of gen. Scott, I have to request that you will publish the letter itself.

It will be perceived that this letter is nothing more than was published over my own name, in the National Intelligencer, more than six months ago, in reference to, and in explanation of, a letter I addressed to the president in May last.

As that letter was transmitted to be used as evidence against gen. Scott, I considered it nothing but an act of justice that the substance of the other should also be made a part of the record.

It will be seen by the recent letter, of which I send herewith a copy, that I have retracted nothing. I have only repeated what I had previously published in relation to an officer with whom I have maintained the most friendly relations for fifteen years. It is due to myself to say, that this letter was conceived, written and sent, before I had any intimation that my letter to the president had been read or commented upon, as it is reported to have been in the military court now sitting. I had in a conversation with a mutual friend some time since, announced my intention, if my letter of May last was made the subject of a charge against gen. Scott, to communicate the substance of the publication referred to.

At the period of making that communication to the president, there was a deep feeling of distress and excitement prevailing in Florida. It was increased by the publication of "order No. 48," which I deemed it my duty, as their representative, to notice. I have never retracted, and never shall, what I said in condemnation of that order, and in vindication of the people of Florida against the denunciation contained in it.

But, believing, as I did, that the failure of the campaign was owing to the want of previous preparations, the lateness of the season, the nature of the country which was the theatre of operations, and the character of the enemy to be subdued, I felt myself bound, by all the obligations of honor and duty, voluntarily to say so, which, however, I should have been restrained from saying if I had then heard of the language of menace (imputed, I hope, without truth, to general Scott) before the court at Frederick.

The recent events have proved that after a year of preparation we have not had much more success, owing to the same causes, though the enemy was much more readily found, and the troops as efficient and gallant as were ever employed in any service. I have greatly misconceived the character of gen. Scott, if he does not, upon a dispassionate review of the subject, acquit the people of Florida of the ignominious charges made against them in that order.

I understand the facts to be, that a small band of Indians (their number at the time totally unknown) made a sudden incursion into the heart of the country more than one hundred and fifty miles from their boundary, in a neighborhood thinly settled and without arms. This produced some alarm and consternation among the defenceless inhabitants; but before midnight of the evening of their attack on colonel Gamble's plantation, twenty planters were armed with fowling pieces, and in pursuit of the enemy, without knowing their numbers or calculating consequences.

JOS. M. WHITE.

Washington, Dec. 13, 1836.

SIR: I was informed for the first time to-day, that my letter to the president of the United States, of May last, had been communicated to the court of inquiry, of which you are president, to be used as evidence against major general Scott, whose conduct is now under examination.

This places me in an attitude that I do not choose to occupy—that of an accuser of the distinguished officer, into whose military operations you are now inquiring.

Since the date of that letter I have, in the National Intelligencer, over my own name, as an act of justice to gen. Scott, corrected, upon better information, the complaints which I deemed it my duty, as the representative of the people of Florida, to make against him. I am unwilling that the first letter shall be laid before the court without the second, and as I have no copy of it with me at present, I take this occasion to say that I am satisfied, upon a full and impartial review of the facts and circumstances connected with the Florida campaign, and upon evidence not then before me, that the failure is not to be attributed to major general Scott, nor to causes which it was in his power to control or to remove.

It was my intention to have availed myself of the first appropriate occasion, in the house of representatives, to have declared this in my place, as an act of justice to a distinguished officer.

In saying this, I confine the corrigendum to his military operations. I neither intend to explain nor retract any thing I said of "order No. 48" reflecting on the people of Florida; and whilst I admit that there is much palliation for the order of a major general, founded on the reports of two of the highest officers and most conspicuous citizens of Florida, I can never think that there was any justification for the charge, however it may have originated, or by whomsoever avouched or endorsed.

If my letter has been laid before the court, I have to request that you will present this for their consideration, in explanation of the other.

I have the honor to be, your most obedient servant,

JOS. M. WHITE.

Maj. gen. Alexander Macomb, &c.

MR. MUHLENBERGH'S LETTER.

From the Washington Globe.

The subjoined letter speaks the language of a true patriot. The cause of the people is impregnable, so long as public men honored with their confidence and favor act in the spirit it manifests.—The lodgments of power which the few acquire over the many, in usurped, exclusive, and, as some are pleased to call them "*vested rights*," could never be attained but through dissension in the republican ranks; nor could they be maintained, when thus acquired, but for such discord. Tyranny all over the world has made its conquests through divisions created among the people, by trusted but treacherous favorites. The principle laid down in the letter of Mr. Muhlenbergh would save our country forever from the curse which has fallen on every other.

Reading, Dec. 1, 1836.

Col. John Miller.

MY DEAR SIR: I find from the public papers that my name has been placed before the people as a candidate for a seat in the United States senate.—This was done without my approbation or consent. I have not, however, deemed it necessary to interfere in the matter before now, as the people have an undoubted right to bring into view the name of any one they may deem proper for any situation at their disposal, leaving to the person thus brought into view the privilege of asking to be excused at such time as he may think most expedient. As the period is near at hand when the legislature must select some one to fill the vacancy which will occur on the 4th of March next, it may not be improper, at the present time, to give you my views on the subject.

We have been taught the fatal effects of disunion by experience, and should learn wisdom from the past. Union and harmony are, at this peculiar crisis, all important, and great care should be taken to avoid every thing which might distract the party

or foment dissensions among its members. This is, with me, the first consideration. Anxious not to interfere with friends, to remove every cause of dissension, to cement, if possible, a firm and permanent union among all the members of the party, I desire that my name may not be placed in nomination by any of my friends, even if they should believe a successful issue certain. I would only approve of a nomination in case a majority of the democratic members of the legislature should deem it necessary to insure the choice of a democratic senator. Under other circumstances, I do not wish to be considered as a candidate; and, if placed in nomination contrary to my wishes, I request that some one of my friends may withdraw my name.

To those who have thought me worthy to fill so distinguished and important a situation, be pleased to make my sincere acknowledgments. Their unmerited partiality and kindness are deeply felt, and will ever be remembered with profound gratitude. The best proof of this that I can give, will be my unremitting exertion to promote the general good and the real interests of the democratic party, (upon whose ascendancy the public interest is believed to depend), and a cheerful sacrifice of every thing that may be selfish and personal. To this I pledge myself. Very truly, your friend,

HENRY A. MUHLENBERGH.

ADDRESS OF GOVERNOR McDUFFIE, Delivered before the legislature of South Carolina, December 12, 1836.

FELLOW CITIZENS: As but a few moments will elapse before I shall retire, in all human probability, forever, from the stage upon which I have so long acted in the service of South Carolina, I cannot permit the occasion to pass without attempting to give some feeble utterance to the emotions it has irrepressibly excited in my bosom. In what manner I have acted the part which has been assigned to me in the great drama of public affairs, and in some of the most eventful scenes of that drama, it is not my province to determine.

It is all that I can desire, and more than I can hope, that the favorable opinion for which I am now indebted to the partiality and kindness of my fellow citizens, may be ratified by the more stern and impartial judgment which posterity will pronounce upon my character and conduct. One thing I may be permitted to say, I trust without arrogance, that in all the stations to which I have been summoned—in all the exciting and engrossing scenes in which I have been called upon to act—and amidst all those allurements which habitually beset the path of a public man—in no solitary instance has any selfish purpose of interest or ambition operated for one single moment to break the intensity and singleness of my devotion to the interests, the honor, and the glory of South Carolina. In the self-devoting idolatry of my heart, South Carolina has had no rival.

But whilst I claim to have brought these undefiled, but humble offerings to her altar, I am at the same time deeply sensible that all these, and ten times more, would be but a poor and inadequate return for the manifold proofs of her generous and unflinching confidence, by which I have been uniformly sustained in all the trials and in all the vicissitudes through which it has been my fortune to pass.

Whatever may have been the exclusiveness of my devotion; and whatever estimate partiality may have placed upon my services, I still owe her a debt of eternal gratitude, the record of which is deeply inscribed on my heart, and which neither time nor change, nor chance, shall ever obliterate. Wherever I may go; into whatever distant region of the earth my destiny may carry me—my heart will be with you, and my prayers will be directed, with an unerring polarity, to the home of my affections, and the land of my allegiance. And if—which may heaven forbid—it should so happen, that in the rapid progress of those inauspicious events which are even now casting their ill-boding shadows before them, South Carolina should be constrained to summon all her chivalry to the defence of her household gods and domestic altars; yielding a prompt obedience to the sacred call, I will fly to her glorious standard—"swift as the tempest travels o'er the waste of mighty waters," prepared and resolved, in common with every true and patriotic son of hers, to defend and preserve her institutions and liberties, or perish in their ruins.

And now sir, (to the governor elect), it remains that I surrender into your charge the ensigns of the high trust, to which you have been summoned. I trust, sir, you receive them untarnished from my hands,—I am sure you will transmit them untarnished to the hands of your successor.

Fellow citizens, with my most ardent and devout prayers for your prosperity, individually and collectively, I bid you farewell.

SOUTH CAROLINA—TEXAS.

Mr. Hamilton submitted to the senate of South Carolina the following report:

The committee of federal relations to whom was referred so much of the governor's message as relates to the relations of this country with Mexico and Texas, and to whom likewise was referred the report of the house of representatives on the same subject, sent to the senate for concurrence, beg leave to report:

That they have approached the discussion of the subject comprehended in these two papers, with a profound sense of its momentous importance, and of the highly delicate and interesting considerations necessarily involved in the issue of the pending struggle between Mexico and Texas.

Your committee are quite willing, and they believe the senate would desire, to record their entire concurrence in the wishes so emphatically expressed by the governor for the preservation of the neutrality of our government in the subsisting contest between these two powers. His excellency's views embrace principles as clearly in conformity with the maxims of international law, as they are with the lessons of sound policy and justice. Our government should certainly maintain all those relations towards Mexico which are at once sanctified by the faith of existing treaties, and the usages of civilized nations in amity with each other. Nor does your committee believe that there is the slightest reason to apprehend that the independence of Texas will be recognized by our government until she has vindicated her claim to such recognition, by a victorious possession of the country, and by establishing a government *de facto*, clothed with all the attributes of sovereignty and independence. When this event shall occur, this question, as well as that of voluntary admission into this union, may be safely confided to the only constitutional tribunal to which it properly belongs, the congress of the United States; and in the deliberations necessarily involved in this subject before that body, your committee have no reason to believe that the delegation from South Carolina will not discharge, in a manner eminently satisfactory to their constituents, their duty to their country, and to that portion of this confederacy having the deepest and most abiding interests in the question.

Here your committee would willingly leave this subject, under a painful reluctance they cherish to take any course which might seem to indicate a difference of opinion between our late executive and this body, who has just retired from the discharge of the duties of an office which have served only to confirm his high and irrevocable claims to the gratitude and confidence of his country. But the discussion has been forced on your committee by the report of the house of representatives transmitted for our concurrence, which seems to afford an unequivocal sanction to the sentiments which our late governor seems to entertain of the respective claims of the contending parties to our sympathy and regard.

In expressing this dissent from the opinions of our late executive, we are prepared to do justice to the exalted motives of patriotism which have influenced views which we may deem to be erroneous.

Your committee are constrained to say that on this topic, to differ with him on the declaration that both Mexico and Texas are equally entitled to our sympathy, which is precisely tantamount to the proposition that neither can invoke any such feeling, for it will be scarcely pretended that Mexico, in her career of violated faith and stupendous atrocity can put in any such a claim. Upon a simple statement of facts, it remains to be seen whether Texas has a just pretension to challenge any interest on our part in her present struggle.

The cause of Texas is identical with the cause which severed the colonies of North America from the parent country.

It is a radical mistake to suppose that the revolution in Texas was commenced by a band of mere adventurers, unsupported by a resident population in possession, by a legal title, of chartered rights and a portion of the property of the county. The truth is, that at an early period after the acquisition of Louisiana, when Spain exercised scarcely any jurisdiction, civil or military, over this vast territory, the hardy emigrants of our western frontier pushed their enterprise into these solitudes, and commenced settlements which have since become the most flourishing portions of the country. These infant settlements gradually increased and became prosperous; and in the struggle between Spain and her provinces, Texas rendered the most essential services to the common cause of liberty and right.

Immediately after the termination of the struggle by which Spain lost her colonies on our continent, the actual settlers in Texas obtained guaranties and charters for the encouragement of emigration and

settlement, which allured an enterprising portion of the people of the United States within her limits, under the faith of the most solemn compacts. These were violated without a color of justice, under a despotic jealousy of the growing importance of Texas, and in the most flagrant manner; and it was not until the confederacy of the provinces was flagitiously overthrown by the substitution of a consolidated central despotism, that Texas resisted, and even her resistance was not commenced until she had exhausted every resource of supplication and remonstrance. Her resistance rested like that of the former colonies which now form these independent states, on a violation of chartered rights and constitutional guaranties; and if in a cause so just and holy, many of the gallant spirits of our own country have hastened to her standard, it neither weakens the justice of her cause, or the force of those public principles which justify her resistance.

Since the invasion of Texas events have supervened which are well calculated to augment the sympathy which our people may have felt, even in the abstract right involved in the contest. We need not refer to the infamous and flagitious barbarity of her invaders when, flushed with a temporary success, they were able to perpetrate the most atrocious violation of the rights and usages of civilized warfare. If these for a time were calculated to challenge the deep concern and commiseration of our countrymen for a people suffering under every extremity of human misery and desolation, when the tide of war turned, and its current was rolled back with tremendous force; when a victory the most splendid, of which the annals of modern times afford scarcely a parallel, was followed by a humanity and moderation unequally exemplified, it is quite natural to suppose that this sympathy on the part of our people would be largely increased by the admiration they would feel towards a handful of brave men who had vindicated their claim to an empire by the rights of war, and by the glorious attributes of mercy and Christian civilization. To check this current of confraternity and feeling would be treason against our common nature and that moral sentiment upon which the preservation of our own liberties must rest.

The sequel of this deeply interesting drama must be left to the dispensations of a wise Providence whom we are taught to believe orders every thing for the best. There may be those who suppose that it will be neither the policy of the United States to recognize the independence of Texas, or admit her into the union. We do not desire to anticipate the vast considerations which enter into this subject. To such persons it might be said that, although both of these privileges might be denied, yet we cannot strike Texas from the map of the physical globe, or from her territorial location. There she stands as our neighbor, for good or for evil, touching our frontier at a point of intimate community with our most sensitive interests, and alluring, by her immense and boundless fertility of soil, a stream of emigration which is destined to make her a great state in our confederacy, or a powerful separate empire.

Nor is it to be concealed that the interest which our people feel in her future destiny is in no small degree augmented by her having not only domestic institutions analogous to our own, but from the fact that she has already been threatened with the hostility of Great Britain and the opposition of some of the free states of our own union, by reason of these very institutions which have been engrafted in her new constitution as a part of the fundamental law of the land.

If these events admonish us of the necessity of maintaining a strict neutrality between the contending parties, they likewise teach us the no less important duty of looking well to our own interests: of husbanding the good will and nourishing the sympathy of those who may be in alliance with us on the vast and momentous relations of property, and social and political organization, which may be destined to be touched by the hand of ruthless ambition, not the less desolating and destructive, because guided by the madness of a blind and pernicious fanaticism.

Your committee in conclusion recommend that the report of the house of representatives be not concurred in, and that this report be sent to that body respectfully asking for their concurrence.

[The above report was adopted in the senate by nearly a unanimous vote.]

UNITED STATES AND TEXAS.

The following message from the president of the United States was transmitted to both houses of congress on the 22d instant.

To the house of representatives of the United States:

During the last session information was given to congress, by the executive, that measures had been

taken to ascertain "the political, military and civil condition of Texas." I now submit for your consideration, extracts from the report of the agent, who had been appointed to collect it, relative to the condition of that country.

No steps have been taken by the executive towards the acknowledgment of the independence of Texas; and the whole subject would have been left without further remark, on the information now given to congress, were it not that the two houses, at their last session, acting separately, passed resolutions "that the independence of Texas ought to be acknowledged by the United States, whenever satisfactory information should be received that it had in successful operation a civil government capable of performing the duties and fulfilling the obligations of an independent power."—This mark of interest in the question of the independence of Texas, and indication of the views of congress, make it proper that I should somewhat in detail, present the considerations that have governed the executive in continuing to occupy the ground previously taken in the contest between Mexico and Texas.

The acknowledgment of a new state as independent, and entitled to a place in the family of nations, is at all times an act of great delicacy and responsibility; but more especially so, when such a state has forcibly separated itself from another, of which it had formed an integral part, and which still claims dominion over it. A premature recognition, under these circumstances, if not looked upon as justifiable cause of war, is always liable to be regarded as a proof of an unfriendly spirit to one of the contending parties. All questions relative to the government of foreign nations, whether of the old or new world, have been treated by the U. States as questions of fact only, and our predecessors have cautiously abstained from deciding upon them, until the clearest evidence was in their possession, to enable them not only to decide correctly, but to shield their decisions from every unworthy imputation. In all the contests that have arisen out of the revolutions of France, out of the disputes relating to the crowns of Portugal and Spain, out of the separation of the American possessions of both from the European governments, and out of the numerous and constantly occurring struggles for dominion in Spanish America, so wisely consistent with our just principles has been the action of our government, that we have, under the most critical circumstances, avoided all censure, and encountered no other evil than that produced by a transient estrangement of good will in those against whom we have been, by force of evidence, compelled to decide.

It has thus made known to the world that the uniform policy and practice of the United States is, to avoid all interference in disputes, which merely relate to the internal government of other nations, and eventually to recognize the authority of the prevailing party, without reference to our particular interests and views, or to the merits of the original controversy. Public opinion here is so firmly established and well understood in favor of this policy, that no serious disagreement has ever arisen among ourselves in relation to it, although brought under view in a variety of forms, and at periods when the minds of the people were greatly excited by the agitation of topics purely domestic in their character. Nor has any deliberate inquiry ever been instituted in congress, or in any of our legislative bodies, as to whom belonged the power of originally recognizing a new state; a power, the exercise of which is equivalent, under some circumstances, to a declaration of war; a power no where expressly delegated, and only granted in the constitution as it is necessarily involved in some of the great powers given to congress; in that given to the president and senate to form treaties with foreign powers, and to appoint ambassadors and other public ministers; and in that conferred upon the president to receive ministers from foreign nations.

In the preamble to the resolution of the house of representatives, it is distinctly intimated, that the expediency of recognizing the independence of Texas should be left to the decision of congress.—In this view, on the ground of expediency, I am disposed to concur; and do not, therefore consider it necessary to express any opinion as to the strict constitutional right of the executive, either apart from, or in conjunction with the senate, over the subject. It is to be presumed that on no future occasion will a dispute arise, as none has heretofore occurred, between the executive and legislature in the exercise of the power of recognition. It will always be considered consistent with the spirit of the constitution, and most safe, that it should be exercised when probably leading to war, with a previous understanding with that body by whom

war can alone be declared, and by whom all the provisions for sustaining its perils must be furnished. Its submission to congress, which represents in one of its branches the states of this union, and in the other the people of the United States, where there may be reasonable grounds to apprehend so grave a consequence, would certainly afford the fullest satisfaction to our own country, and a perfect guaranty to all other nations, of the justice and prudence of the measures which might be adopted.

In making these suggestions, it is not my purpose to relieve myself from the responsibility of expressing my own opinions of the course the interests of our country prescribe, and its honor permits us to follow.

It is scarcely to be imagined that a question of this character could be presented in relation to which it would be more difficult for the United States to avoid exciting the suspicion and jealousy of other powers and maintain their established character for fair and impartial dealing; but on this, as on every other trying occasion, safety is to be found in a rigid adherence to principle.

In the contest between Spain and her revolted colonies, we stood aloof, and waited not only until the ability of the new states to protect themselves was fully established, but until the danger of their being again subjugated had entirely passed away. Then, and not until then, were they recognized.—Such was our course in regard to Mexico herself. The same policy was observed in all the disputes growing out of the separation into distinct governments of those Spanish American states, who began or carried on the contest with the parent country, united under one form of government. We acknowledged the separate independence of New Granada, of Venezuela, and of Ecuador, only after their independent existence was no longer a subject of dispute, or was actually acquiesced in by those with whom they had been previously united. It is true that, with regard to Texas, the civil authority of Mexico has been expelled, its invading army defeated, the chief of the republic himself captured, and all present power to control the newly organized government of Texas annihilated within its confines. But, on the other hand, there is, in appearance at least, an immense disparity of physical force on the side of Mexico. The Mexican republic, under another executive, is rallying its forces under a new leader, and menacing a fresh invasion to recover its lost dominion.

Upon the issue of this threatened invasion, the independence of Texas may be considered as suspended; and were there nothing peculiar in the relative situation of the United States and Texas, our acknowledgment of its independence at such a crisis could scarcely be regarded as consistent with that prudent reserve with which we have heretofore held ourselves bound to treat all similar questions. But there are circumstances in the relations of the countries which require us to act, on this occasion, with even more than our wonted caution. Texas was once claimed as a part of our property; and there are those among our citizens who, always reluctant to abandon that claim, cannot but regard with solicitude the prospect of the reunion of the territory to this country. A large proportion of its civilized inhabitants are emigrants from the United States, speak the same language with ourselves, cherish the same principles, political and religious, and are bound to many of our citizens by ties of friendship and kindred blood; and more than all, it is known that the people of that country have instituted the same form of government with our own, and have, since the close of your last session, openly resolved, on the acknowledgment by us of their independence, to seek for admission into the union as one of the federal states. This last circumstance is a matter of peculiar delicacy, and forces upon us considerations of the gravest character. The title of Texas to the territory she claims is identified with her independence. She asks us to acknowledge that title to the territory, with an avowed design to treat immediately of its transfer to the United States. It becomes us to beware of a too early movement, as it might subject us, however unjustly, to the imputation of seeking to establish the claims of our neighbors to a territory, with a view to its subsequent acquisition by ourselves. Prudence, therefore, seems to dictate that we should still stand aloof, and maintain our present attitude, if not until Mexico itself, or one of the great foreign powers, shall recognize the independence of the new government, at least until the lapse of time or the course of events shall have proved, beyond cavil or dispute, the ability of the people of that country to maintain their separate sovereignty, and to uphold the government constituted by them. Neither of the contending parties can justly complain of this course. By pursuing it, we are but carrying out the long established pol-

icy of our government—a policy which has secured to us respect and influence abroad, and inspired confidence at home.

Having thus discharged my duty, by presenting, with simplicity and directness, the views which, after much reflection, I have been led to take of this important subject, I have only to add the expression of my confidence, that if congress shall differ with me upon it, their judgment will be the result of dispassionate, prudent and wise deliberation; with the assurance that, during the short time I shall continue connected with the government, I shall promptly and cordially unite with you in such measures as may be deemed best fitted to increase the prosperity and perpetuate the peace of our favored country.

ANDREW JACKSON.

Washington, Dec. 21, 1836.

TWENTY-FOURTH CONGRESS,

SECOND SESSION—SENATE.

December 26. The chair presented a communication from the treasury department, with a statement of the discounts, deposits, specie and circulation of the several deposit banks;

Also, from the war department, with the report of the commissioner of pensions, in compliance with the act of 1830.

Both these documents were referred, and ordered to be printed.

The chair also presented the annual report of the commissioner of public buildings, showing the manner in which the appropriations for the public buildings had been applied.

A number of petitions were presented and referred; after which, Mr. Grundy, from the committee on the judiciary, reported a bill referred to them, entitled, an act, in addition to an act to amend the judiciary system of the United States, with an amendment, which was read—also, several other bills, without amendment.

Mr. Wright, from the same committee, reported the bill referred to them, to extend certain provisions of the deposit act, and gave notice that, when it should come up, he should move for its indefinite postponement.

A number of bills were reported by Mr. Hubbard, from the committee on revolutionary pensions, which were read and ordered to a second reading.

Mr. Hendricks, on leave, introduced a bill authorizing the purchase by the United States of the private stock in the Louisville and Portland canal.—Read twice, and referred.

Mr. Buchanan, on leave, introduced a bill authorizing the secretary of the treasury to compromise the claim of the United States on the Alleghany bank of Pennsylvania. Read twice, and referred.

Several gentlemen gave notice of their intention to introduce bills, which will be noticed in their progress.

The following resolutions were offered:

By Mr. Calhoun:

Resolved, That the secretary of the treasury be directed to report to the senate, as early as practicable after the first of January next, the amount of the exports for the year ending the 31st instant, ascertained and estimated, and distinguishing between the domestic and foreign, and the portion of the latter that is free and dutiable; the amount of the imports for the same period, estimated and ascertained, distinguishing in like manner the free and dutiable; the amount of duties accrued in the same period, ascertained and estimated, stating the portion paid into the treasury during the year, and the amount outstanding at the end of the year; also, the amount of money that will be received in the year from the sales of lands, ascertained and estimated, distinguishing the receipts of each quarter; and, also, the amount of public money in the treasury at the end of the year, ascertained and estimated, and distinguishing what stands to the credit of the treasurer from what stands to that of the disbursing officers.

By Mr. Hendricks:

Resolved, That the committee on commerce be instructed to inquire into the expediency of establishing a port of entry or delivery at Michigan city.

Resolved, That the committee on commerce be instructed to inquire into the expediency of making an additional appropriation for the construction of a breakwater at Michigan city.

December 27. The following message, in writing, accompanied by documents, was received from the president of the United States:

To the senate and house of representatives of the United States of America:

By the second section of the act "to establish the northern boundary line of the state of Ohio, and to provide for the admission of the state of Michigan into the union, upon the conditions therein expressed," approved June 15, 1836, the constitution and state government which the people of Michigan had formed for themselves was ratified and con-

firmed, and the state of Michigan declared to be one of the United States of America, and admitted into the union, upon an equal footing with the original states; but on the express condition that said state should consist of, and have jurisdiction over, all the territory included within certain boundaries described in the act, and over none other. It was further enacted, by the third section of the same law, that, as a compliance with the fundamental condition of admission, the boundaries of the state of Michigan, as thus described, declared and established, should receive the assent of a convention of delegates, elected by the people of said state, for the sole purpose of giving the assent therein required; that, as soon as such assent should be given, the president of the United States should announce the same by proclamation; and that, thereupon, and without any further proceeding on the part of congress, the admission of the state into the union, as one of the United States of America, should be considered as complete, and the senators and representatives in the congress of the United States entitled to take their seats without further delay.

In the month of November last, I received a communication, enclosing the official proceedings of a convention, assembled at Ann Arbor, in Michigan, on the 28th of September, 1836; all which (marked A) are herewith laid before you. It will be seen by these papers that the convention there referred to was elected by the people of Michigan, pursuant to an act of the state legislature, passed on the 25th of July last, in consequence of the above mentioned act of congress, and that it declined giving its assent to the fundamental condition prescribed by congress, and rejected the same.

On the 24th instant, the accompanying paper marked B, with its enclosure, containing the proceedings of a convention of delegates subsequently elected, and held in the state of Michigan, was presented to me. By these papers, which are also herewith submitted for your consideration, it appears that elections were held in all the counties of the state except two, on the 5th and 6th days of December, instant, for the purpose of electing a convention of delegates to give the assent required by congress; that the delegates then elected assembled in convention on the 14th day of December, instant; and that, on the following day, the assent of the body to the fundamental condition above stated was formally given.

This latter convention was not held or elected by virtue of any act of the territorial or state legislature; it originated from the people themselves, and was chosen by them, in pursuance of resolutions adopted in primary assemblies, held in the respective counties. The act of congress, however, does not prescribe by what authority the convention shall be ordered, or the time when, or the manner in which, it shall be chosen. Had these latter proceedings come to me during the recess of congress, I should therefore have felt it my duty, on being satisfied that they emanated from a convention of delegates elected, in point of fact, by the people of the state, for the purpose required, to have issued my proclamation thereon, as provided by law.—But as the authority conferred on the president was evidently given him under the expectation that the assent of the convention might be laid before him during the recess of congress, and to avoid the delay of a postponement until the meeting of that body, and as the circumstances which now attend the case are in other respects peculiar, and such as could not have been foreseen when the act of June 15, 1836, was passed, I deem it most agreeable to the intent of that law, and proper for other reasons, that the whole subject should be submitted to the decision of congress. The importance of your early action upon it is too obvious to need remark.

ANDREW JACKSON.

Washington, December 26, 1836.

Mr. Grundy moved that the message and documents be printed, and referred to the committee on the judiciary.

Mr. Benton remarked that, as the president had given his opinion that Michigan had complied with the requisite terms of admission, and as he had said that he should have issued his proclamation accordingly, had the information arrived during the recess of congress, he (Mr. B.) regarded the proposed reference as a mere matter of form, and would prefer that a joint resolution of admission should forthwith be passed by both houses.

Mr. Grundy said he would still prefer the course which he had suggested, and, on this account—that the first convention had not assented to the terms of admission; but another convention had decided to accede to the proposition made by the congress of the United States. The great inquiry now was, are the proceedings in accordance with the act of admission? The decision of which question de-

pends on information which ought to be ascertained before the actual admission, though the president had said that, in his opinion, all was right, and, if the information had come during the recess, he would have acted accordingly. Mr. G. had no design to produce any delay by a reference to a committee. He should not withdraw his motion, and he hoped the senator would withdraw his opposition.

Mr. Benton said that, as the committee might draw up a joint resolution for admission to-day, he should not oppose the reference.

The message was also accompanied with a report from the secretary of the treasury, in compliance with the senate resolution of the 19th instant, in relation to the unexpended balances remaining in the treasury on the 1st of January, 1836.

The chair presented a communication from the secretary of the treasury, in compliance with a senate resolution, offered by Mr. Webster, relating to the transfers, &c. of the public money, since the 21st of June last. Referred, and ordered to be printed.

Mr. Tomlinson presented the petition of a large number of the inhabitants of Norwich, in Connecticut, praying for a total repeal of the duty on foreign coal; which was referred to the committee on manufactures, and ordered to be printed.

Several other gentlemen presented petitions and memorials which were referred.

Among the bills introduced were the following:

By Mr. Southard. A bill for the relief of the heirs of the late Henry Eckford. A bill to establish a naval asylum. A bill for the relief of commodore Isaac Hull. A bill to establish and regulate navy rations, and for other purposes. A bill to regulate the pay of the officers of the marine corps. A bill for the erection of a dry dock at Pensacola. A bill to reorganize the navy of the United States. A bill to defray the expenses of a rendezvous and naval depot at the southern extremity of Florida.

By Mr. Buchanan: A bill to extend to a longer period the several acts for the relief of certain insolvent debtors of the United States.

By Mr. Moore: A bill authorising the secretary of the treasury to invest the two per cent. fund set apart for the construction of a road or roads, to the state of Alabama.

The senate now proceeded to the special order, the farther consideration of the joint resolution introduced by Mr. Ewing, of Ohio, on this subject, the question being on the following amendment, or substitute, offered by Mr. Rives.

Resolved, That, hereafter, all sums of money accruing or becoming payable to the United States, whether for customs, public lands, taxes, debts or otherwise, shall be collected and paid only in the legal currency of the United States, or in the notes of banks which are payable and paid on demand, in the said legal currency, under the following restrictions and conditions in regard to such notes; that is, from and after the passage of this resolution, the notes of no banks which shall issue bills of a less denomination than \$5 (five dollars) shall be received in payment of the public dues; from and after the 1st day of July, 1839, the notes of no banks which shall issue bills or notes of a less denomination than \$10, (ten dollars) shall be receivable; and from and after the 1st of July, 1841, the like prohibition shall be extended to the notes of all banks issuing bills or notes of a less denomination than \$20, (twenty dollars) but the public debtor shall have the option of paying either in the said legal currency, or in the notes of banks of the descriptions above mentioned, in good credit; provided, however, that no notes shall be taken in payment by the collectors or receivers, which the banks in which they are to be deposited shall not be willing to pass to the credit of the United States as cash."

Mr. Hubbard addressed the senate at large on the subject of the resolution and the amendment. Mr. Hubbard having concluded his remarks, Mr. Ewing, of Ohio, inquired whether he was to understand Mr. H. as including in his argument of justification the discrimination made in the order between citizens of different states of the union, requiring of one class to pay gold and silver, and permitting the other to pay in the ordinary currency? Mr. Hubbard replied that he had not turned his attention to that point, considering it as having been sufficiently met in the able speech of the senator from Missouri, (Mr. Benton). Mr. Morris obtained the floor for to-morrow; and then the senate, at a little past three, went into executive business; after which, the senate adjourned.

December 28. Mr. Linn presented several memorials from the legislature of the state of Missouri, chiefly relating to the public lands in that state. Referred.

Mr. Hendricks, from the committee on roads and canals, reported two several bills referred to them, authorising certain internal improvements in the territory of Florida, one of them with an amendment, which was read.

Mr. Davis, on leave, introduced a bill in addition to the acts for the relief of sick and disabled seamen. Read twice, and referred.

Mr. Davis, in connexion with the above bill, also offered the following resolution, which lies over one day:

Resolved, That the committee on commerce be instructed to inquire into the expediency of repealing the laws which impose twenty cents a month on seamen as hospital money.

Mr. Sevier, on leave, introduced a bill for the relief of sundry citizens of Arkansas, who lost their improvements in consequence of the treaty between the United States and the Cherokee Indians. Read twice and referred.

Mr. Grundy, from the committee on the judiciary, reported the bill referred to them in addition to the act authorising a settlement of accounts between the United States and the receivers of the public money, without amendment.

Mr. Rives offered the following:

Resolved, That the 47th rule of the senate be amended as follows:

After "country" insert "or who have received medals by a vote of congress."

Mr. Benton moved that, of a document from the treasury department, showing the unexpended appropriations remaining in the treasury (and liable to go to the states) on the 1st of January, 1837, 1,000 extra copies should be printed for the use of the senate; and that five copies be printed, and sent to each of the governors, and twenty copies to each branch of the legislatures of the several states.

On this motion an animated discussion arose, in which Messrs. Benton, Calhoun, Davis, King, of Alabama, Hubbard and Strange participated.

Mr. Benton supported the motion by a speech, in which he explained the nature of the treasury document he wished to have printed and distributed, and in the course of which reference was frequently had to the deposit bill of the last session, and its effect in robbing the country of what (Mr. B. said) ought to have gone to objects dear to many of the states, and rendering it necessary to lay equivalent taxes, or at least to retain taxes which might otherwise have been dispensed with.

Mr. Calhoun opposed the motion, contending that it presented a false view, and was calculated only to mislead. He adverted to the course of the finance committee in treating the bill he had introduced providing for the prospective distribution of any balance that should remain in the treasury on the 1st of January next year in a manner somewhat cavalier, and called on Mr. Wright, the chairman of that committee, to state the reasons why that committee had announced the determination to move for the indefinite postponement of the bill, without any report showing the grounds on which they proceeded.

Mr. Wright considered the call on him as out of its place and unwarranted. When the bill came up for consideration he should fully state the grounds on which the committee were opposed to it.

Mr. Calhoun rejoined, and complained in strong terms of this refusal, and of the course of the committee as extraordinary and unprecedented.

Mr. Hubbard opposed the resolution of Mr. Benton on the ground that the statements he wished to circulate could have no good effect on the state legislatures, and so far as they could operate at all, were calculated to mislead all who relied upon them.

The discussion was further continued by Messrs. Calhoun, Davis, King, of Ala. Niles and Strange, all of whom concurred, and some of them very warmly, in opposing the resolution, and by Mr. Benton, who spoke several times, and with great earnestness, in reply.

On motion of Mr. Buchanan, the question was divided, and being about to be put first on the printing of an extra number of 1,000 copies for the use of the senate, and then on ordering copies to be sent to the governors and legislatures of the several states, and the yeas and nays having been ordered, Mr. Benton, on request of Mr. Strange, consented to withdraw so much of the resolution as related to the circulation of copies; whereupon, the residue, viz: the printing of 1,000 copies for the use of the senate, was agreed to without opposition.

The order of the day on the resolution of Mr. Ewing, to rescind the specie treasury order, was postponed.

The senate then proceeded to the election of a chaplain, when the ballots being counted, it appeared the rev. Mr. Goodman, having received 22 votes, was duly elected.

Several bills received from the house received their first and second reading, and were appropriately referred; when the senate adjourned.

December 29. A message was received from the president of the United States, through Andrew Jackson, jr. his private secretary, together with a report from the secretary of the navy, in compliance with a senate resolution of the 24th of May last. Referred.

Mr. Grundy, from the committee on the judiciary, to whom the subject had been referred, reported a bill for the admission of Michigan into the union on an equal footing with the other states. The bill was read twice by unanimous consent.

Mr. Grundy said, so far as the committee had any information on the subject, they were ready now to communicate it to the senate. He hoped, therefore, the senate would at once proceed with the bill.

Objections were made to the immediate progress of the bill, and a discussion took place, in which Messrs. Grundy, Ewing, of Ohio, Calhoun, Buchanan, Morris and Benton participated.

On motion of Mr. Calhoun, the bill was postponed to, and made the order of the day for, Monday next.

On motion of Mr. Calhoun, the various documents on the subject of the above bill were ordered to be printed.

The chair presented a communication from the treasury department, in compliance with a resolution of the senate, with a statement of the amount of gold and silver received in payment for the public lands in 1836. Ordered to be printed.

The resolution offered by Mr. Calhoun, calling on the secretary of the treasury for information on the subject of exports, imports, and the avails of the public lands for the past year, was taken up, and Mr. Calhoun having stated that the design of the information called for was to aid in making an estimate for the coming year in reference to the public deposits, which he regarded as the great subject of the session, and liable to produce much debate, the resolution was adopted.

Several bills were reported by Mr. Wright, from the committee on finance, among them were the following:

The bill from the house making appropriations for the payment of revolutionary and other pensioners, without amendment.

The bill from the house supplementary to the act establishing the mint and regulating the coins of the United States, with an amendment; which was read.

The bill from the house making an appropriation of \$2,000,000 for the suppression of Indian hostilities; considered as in committee of the whole, and ordered to be engrossed for a third reading.

The senate proceeded to the further consideration of the joint resolution rescinding the treasury order of July 11, 1836, &c. The question being on the substitute offered by Mr. Rives, aiming, indirectly, at the suppression of the small bills of the state banks.

Mr. Morris having waived his right to the floor, Mr. Southard addressed the senate on the subject generally.

About the usual hour of adjournment, Mr. Southard gave way for a motion for adjournment by Mr. Ewing.

Before the senate adjourned, however, Mr. Rives gave notice of his intention to modify his amendment to Mr. Ewing's resolution on the subject of the treasury order, so as to cause it to read as follows, viz:

Resolved, That hereafter all sums of money accruing or becoming payable to the United States, whether for customs, public lands, taxes, debts or otherwise, shall be collected and paid only in the legal currency of the United States, or in the notes of banks which are payable and paid on demand in the said legal currency, under the following restrictions and conditions in regard to such notes; that is, from and after the passage of this resolution, the notes of no bank which shall issue bills or notes of a less denomination than five dollars shall be received in payment of the public dues; from and after the first day of July, 1839, the notes of no bank which shall issue bills or notes of a less denomination than ten dollars, shall be receivable; and from and after the 1st of July, 1841, the like prohibition shall be extended to the notes of all banks issuing bills or notes of a less denomination than twenty dollars; provided, however, that no notes shall be taken in payment by the collectors or receivers, which the banks in which they are to be deposited shall not under the supervision and control of the secretary of the treasury agree to pass to the credit of the United States as cash."

The amendment, thus amended, was ordered to be printed, and then the senate, on motion of Mr. Clay, adjourned over to Monday next.

HOUSE OF REPRESENTATIVES.

[Standing committees of the house of representatives, omitted in the list as published from the National Intelligencer.]

A committee of revision and unfinished business, consisting of Messrs. Huntington, of New York; Mann, of Pennsylvania; Mason, of Ohio; Harlan, of Kentucky; Farlin, of New York.

A committee of accounts, consisting of Messrs. Lee, of New Jersey; Hall, of Maine; Johnson, of Virginia; Turner, of Maryland; McKennan, of Pennsylvania.]

Friday, Dec. 23. After the reading of the journal of the preceding day—

Mr. Ashley, of Missouri, rose and asked leave to make a few remarks on the subject of certain resolutions from the legislature of Illinois, in relation to the location of the national road, which had (the day before, when, from indisposition, he was unable to attend the house) been referred to the committee on roads and canals. Hearing some dissenting voices, Mr. A. said he would defer his remarks until a more fit occasion, when the subject should again receive the action of the house. He would then be prepared to show the absurdity of the statements contained in the resolutions, and the remarks which had been made in their support.

After memorials and petitions had been called for, in the order of states and territories, and presented, and some private bills disposed of, the house proceeded to consider the motion, heretofore submitted by Mr. Bell, to reconsider the vote by which the following resolution, offered on a former day by Mr. Jones, delegate from Wisconsin, had been laid on the table.

Resolved, That the committee on Indian affairs be instructed to inquire into the expediency of appropriating money for holding treaties with, and the purchase of the lands belonging to, the Sac, Fox, Sioux and Winnebago Indians, in Wisconsin territory, and to provide for their removal west of the Mississippi river.

Mr. Bell briefly explained that, since the vote on this resolution had been taken, he had become satisfied that it might be expedient, if possible, to effect a treaty with one or more, and possibly with all, the tribes referred to in the resolution; and, as the resolution was merely one of inquiry by that committee into the expediency of the measure, he hoped the house would reconsider the vote, and adopt the resolution.

And the question on the motion to reconsider was then taken and decided in the affirmative. So the vote was reconsidered.

A brief debate now ensued, in which Messrs. Bell, Garland, of La. Ashley, Garland, of Va. Harrison, of Missouri, and Davis participated. The question was taken and the resolution adopted.—Ayes 99; noes not counted.

The resolution offered by Mr. Jarvis on the 12th inst. (see page 255), directing the secretary of the navy to report the names of officers of the navy who have received orders for service, &c. was next considered and agreed to.

The house proceeded to the consideration of the resolution heretofore offered by Mr. Fry, instructing the committee on agriculture to inquire into the expediency of immediately abolishing the duties on foreign grain and bread-stuffs of all kinds.

There were two amendments pending: 1st. That of Mr. Adams to include "the duties on foreign coal, salt and iron." And, 2dly, that of Mr. Williams, of North Carolina to include the duty on "sugar." Mr. Fry addressed the house at considerable length in remarks which may be published hereafter.—After which, on motion of Mr. E. Whittlesey, the house proceeded to the orders of the day, being the consideration of private bills. On motion of Mr. A. Mann, the rules of the house were suspended by a vote of 117 ayes against 45 noes, to enable him to submit a motion that when the house adjourn, it adjourn to meet on Monday next. Mr. Anthony moved to amend the motion by inserting Tuesday; which motion was lost. Yeas 70, noes 104. And the motion of Mr. Mann was then adopted. Yeas 96, noes 95.

The speaker laid before the house the annual report of the commissioner of public buildings, in obedience to the act requiring him to make an annual report of the manner in which all appropriations for the public buildings and grounds have been applied.

The speaker laid before the house a communication from the comptroller of the treasury, transmitting a statement of the accounts which have remained unsettled, or on which balances appear to have been due more than three years prior to the 30th of September, 1835, on the books of the fourth auditor of the treasury.

After some further proceedings on a private bill the house adjourned.

Monday, Dec. 26. William C. Dawson, elected from Georgia to fill the vacancy occasioned by the death of gen. Coffee, appeared, was qualified and took his seat.

Among the petitions presented was one by Mr. Adams, from J. Page and twenty-six other citizens of Silver Lake, Susquehanna county, state of Pennsylvania, praying for the abolition of slavery and the slave trade in the District of Columbia.

Mr. Adams moved that the said petition be referred to the committee for the District of Columbia.

Mr. Pickens asked for the decision of the chair upon the construction of the resolution reported from the select committee appointed on the subject of slavery in the District of Columbia, at the last session of congress. By that resolution all memorials and other papers relating to this subject had been ordered to lie on the table without being referred or printed. Mr. P. wished to know what would be the destiny of these petitions under that resolution.

The speaker said it would be a matter for the consideration of the house. After referring to such authorities as he could find, he had come to the decision that the operation of the resolution referred to, ceased with the last session of congress. The question, however, was one for the house to determine.

Mr. Pickens said he could not consent that these petitions should be referred to any standing committee of the house. He objected, therefore, to the proposed reference of the memorial presented by the gentleman from Massachusetts, and he called for the yeas and nays on that motion.

Mr. Parks moved to lay the petition on the table. Mr. Cushman called for the yeas and nays on the last motion; which were ordered.

[The name of Mr. W. Thompson, of South Carolina, having been called, Mr. T. rose and inquired whether the act of recording his vote on this motion would imply that he assented to the reception of these petitions at all? The speaker said that the question of reception could not now be entertained, the petition actually being at the present time in the possession of the house. Mr. T. thereupon asked to be excused from voting, and the house accordingly excused him.]

And the vote, having been taken, stood: yeas 116, noes 36.

So the petition was laid on the table.

Mr. Davis asked the consent of the house, at this time, to take up and consider a resolution heretofore offered by him, providing that all resolutions, petitions, memorials, and other papers, which might be offered during the present session of congress, in any manner relating to the abolition of slavery and the slave trade in the District of Columbia, or in any of the territories of the United States, should, on presentation, be laid upon the table without being read, or ordered to be printed, and without debate.

Objection having been made, Mr. Davis moved a call of the house, and the yeas and nays were ordered. On motion of Mr. Owens, it appeared that a quorum was not present. Mr. Adams asked the speaker if the question was debateable. He replied it was not. Mr. Adams then suggested to Mr. Davis the propriety of postponing the consideration of his resolution.

Mr. Anthony said that, as gentlemen had been so anxious to come here to-day, [Christmas day], and as there was no quorum present, he wished to know who was away; for this reason he moved a call of the house: which motion prevailed, ayes 77 noes 65. So the house ordered the call. The roll having been thereupon called, 170 members answered to their names: when, on motion of Mr. E. Whittlesey, further proceedings in the call were suspended. And the question on the motion to suspend the rule was then taken, and decided in the negative. So the house refused to suspend the rule.

The presentation of petitions and memorials was then completed.

A number of reports on private claims were received and disposed of; after which the house took up the unfinished business of the morning hour, being the resolution of Mr. Fry instructing the committee on agriculture, to enquire into the expediency of immediately abolishing the duties on foreign grain, or on bread-stuffs of all kinds, to which resolution two amendments had been heretofore offered: first, by Mr. Adams, to amend by inserting the words "and also on foreign coal, salt and iron;" and, secondly, by Mr. Williams, of North Carolina, by inserting the words "and sugar."

Mr. Anthony addressed the house at some length in opposition to the resolution.

Mr. Johnson, of Louisiana, said that, as the question immediately before the house was on the adop-

tion of the amendment proposing to include the article of "sugar," it was his wish to offer a few observations. But by way of testing the sense of the house, he would move to lay the whole subject on the table; which motion prevailed.

So the resolution and amendments were laid on the table.

The resolution submitted by Mr. Underwood, on the 12th instant, directing the secretary of the treasury to lay before the house a statement of the various sums paid to the new states out of the 5 per cent. upon the net proceeds of the sales of public land, &c. was considered, and agreed to by the house.

The resolution moved by Mr. Chambers, of Kentucky, on the 19th instant, instructing the secretary of the treasury to report to this house the amount of revenue due to the United States, the payment of which has been suspended under the act for the relief of the sufferers by fire in the city of New York, passed at the last session of congress, was taken up, considered, and agreed to.

The house took up for consideration the motion, heretofore made by Mr. Parker, to print 5,000 extra copies of the accounts of receipts and expenditures of the United States for the year 1835.

After some remarks of Mr. Adams, in opposition to the motion, which he believed to be unusual and the documents useless to the public, and a reply from Mr. Parker, who thought the document contained information that would be useful to the people, the question was taken and decided in the negative: ayes 52, noes 81. So the motion was rejected.

The house proceeded to the consideration of the resolution submitted by Mr. Huntsman on the 19th instant. Various modifications were proposed, and the resolution was finally adopted as follows:

Resolved, That the secretary of the treasury cause to be prepared, as soon as convenient, and report to this house, a tabular statement showing the gross revenue receivable on each article of foreign import for the last four years, distinguishing the amount received in each year, together with the amounts of drawback in each year.

The house proceeded to the consideration of the resolution submitted by Mr. Bell on the 19th inst., requesting the secretary of war to communicate to this house copies of all orders issued to governors of states or territories, or to officers in the army, authorising a call for volunteers or militiamen, &c. and the same resolution was agreed to by the house.

The house proceeded to the consideration of the resolution moved by Mr. Johnson, of Louisiana, on the 19th instant, instructing the secretary of the treasury to report to this house the number of claims to lands in the state of Louisiana, confirmed under different acts of congress, and the number of those acquired from the United States by purchase, the number of patents issued for said claims, &c.; which resolution was agreed to by the house.

The resolution submitted by Mr. White, of Florida, on the 19th instant, directing the secretary of the navy to communicate the report of the naval commission, who have recently been engaged in the examination of the navy yard at Pensacola, &c. was considered and adopted by the house.

The resolution moved by Mr. White, of Florida, on the 19th instant, relative to the 9th article of the Spanish treaty, was also agreed to by the house.

The resolution moved by Mr. Underwood on the 12th instant, relative to printing 5,000 copies of the senate document No. 333, entitled "Report of geological reconnaissance, made in 1835, by G. W. Featherstonhaugh," was taken up for consideration; and, on motion of Mr. Bell, was modified, by inserting after the word "Resolved," the words "That the committee on the library be instructed to inquire into the expediency of printing;" and at the end thereof, "the same to be printed under the direction of Mr. Featherstonhaugh;" and the resolution, as modified, was agreed to.

The speaker laid before the house a letter from the secretary of war ad interim, transmitting the annual report in relation to applications for pensions made in the year 1836, which have been rejected at the pension office, prepared in obedience to the resolution of congress of the 29th of May, 1836; which letter and report were ordered to lie on the table, and be printed.

By the report of the commissioner of pensions, it appears that the number of claims for pensions which have been made and rejected in 1836, are as follows:

For invalid pensions	6
Revolutionary pension, under act March 18, 1818	1
Do. do. under act May 15, 1828	2
Do. do. under act June 7, 1832	166
Do. do. under act July 4, 1836	36

Total rejected applications - - - 211

And, on motion of Mr. Briggs, the house adjourned.

Tuesday, Dec. 27. After the presentation of petitions and memorials, several reports were received, among them a bill from the committee of ways and means, reported by Mr. Cambreleng, making appropriations for the civil and diplomatic expenses of government for the year 1837; which bill was read twice, and committed to the committee of the whole house on the state of the union.

A message was received from the president of the United States, transmitting proceedings of a late convention held in Michigan, for accepting the conditions of the act of congress for admitting the state of Michigan into the union; of which message a copy will be found in this day's proceedings of the senate.

The message was read; and.

On motion of Mr. Craig, the message and accompanying documents were referred to the committee on the judiciary, and ordered to be printed.

On motion of Mr. Briggs,

Resolved, That the committee on invalid pensions be instructed to inquire into the expediency of continuing to the widows and children of the officers and soldiers of the late war with Great Britain, the pensions to which their husbands and fathers were entitled.

On motion of Mr. Cushman,

Resolved, That the committee on naval affairs be instructed to inquire into the expediency of reviving the act granting pensions to the widows and orphan children of persons who were employed on board of private armed vessels of the United States, who died in such employment during the late war.

On motion of Mr. Smith,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of extending the provisions of the act entitled "an act for the relief of certain insolvent debtors of the United States," passed March 2, 1831, to such persons who were indebted to the United States in the manner provided for by said act on the 1st day of January last past.

On motion of Mr. Everett,

Resolved, That the committee on the library be instructed to inquire into the expediency of publishing a stereotype edition of the laws of the United States.

Mr. Cambreleng offered the following resolution.

Resolved, That the committee on commerce be instructed to inquire into the expediency of repealing all laws authorising protections to be issued to American seamen.

Mr. C. briefly explained the object of this resolution. He said it was matter of surprise that these laws had not been repealed before this time. In the early stages of our government, in the infancy of our dangers, such laws were necessary. But now, the time had arrived when the flag of our country was in itself a sufficient protection. The American seamen were taxed heavily for the payment of these protections; and no necessity, he thought, existed for their continuance.

Mr. Parker was understood to oppose the object of the resolution on the ground that there were many cases in which such protections were indispensable; such, for instance, as shipwreck.

Mr. McKeon hoped that the gentleman from New Jersey would yield his objections. It was merely for inquiry, and he trusted that the house would not oppose a proposition which made an inquiry into the propriety of relieving a highly deserving class of our citizens from an onerous tax. Mr. Parker said he would not oppose the adoption of the resolution.

Mr. D. J. Pearce said that he should, at a proper time, object to any alteration in the law referred to. It had been adopted with a view to increase the number of American seamen. The resolution, like many others submitted to this house, looked to an existing evil, and took the present year as a standard for years to come. The law, as it now stood, served to increase the number of our seamen; the resolution, to his mind, looked to a decrease.

Mr. Cambreleng could not understand how the removal of an actual existing tax upon seamen was to decrease their number. In his opinion, the tax ought to be abolished. If the committee on commerce should see any reason why it should be continued, he would yield his own opinion to that committee. He wished to refer it to them simply as a matter of inquiry. So far as he had himself examined the subject, and from the information he had collected from sources where the subject ought to be best understood, he was decidedly of opinion that the law ought to be abolished.

Mr. Gillett hoped the resolution would pass; but suggested to Mr. Cambreleng so to enlarge the re-

solution as to instruct the committee to inquire into the expediency of abolishing the fees.

Mr. Cambreleng accepted the modification.

Mr. Adams said he was very glad the proposition had been made; that he hoped the subject would be referred to the committee on commerce, and that they would consider it in all its aspects, and present a report on which the house might act with deliberation. It was a great and important change which was proposed to be made in the condition of the seamen of the United States. He had said it was a great and important change; great and important in the present state of things, and which might become much more important from day to day by a change, not in our own condition, but in that of other nations. He had his doubts, therefore, whether this resolution was not too extensive. If, however, a report was made by the committee on commerce, they would present their views fully on the subject. He had his doubts whether it was expedient to repeal all the laws for the protection of American seamen. He doubted very much whether, even in a state of peace, American seamen ought not to be furnished with some document or paper, constituting their national character, which should protect them over the surface of the globe. He did not know but that, in the present condition of the world, American seamen might cross over the ocean without any serious damage from wanting such a document; but inasmuch as they had been possessed of such a document for more than forty years, he had some hesitation in abolishing it altogether, lest thereby that very useful and important class of men should lose the protection which was afforded them by that document, when distant from their country.

The world, or, at least, the United States, had been at peace for upwards of twenty years; and there might be gentlemen in that house who did not know what was the origin of the protection which it was now proposed to take away. It originated in the practice of impressment by the British government in time of war; the practice of taking out of all vessels every seaman whom the officers of the British armed ships might think proper to consider as a British subject. The United States had endured this national indignity, and our seamen had endured this heavy affliction, for a period of five and twenty years, during all the wars of the French revolution: and all these laws had been founded upon the practice of the British government, by which, from the moment it entered upon or projected a war, the king, by an order of council, authorised his officers on the sea to take British seamen wherever they were to be found, without regard to their condition, without regard to their rights, and without regard to the engagements by which they might be bound. This order of the British council was not legal, even in England, in time of peace; but the king, by his prerogative, had the power of making war; and whenever he projected any thing like hostilities against another nation, from that moment an order of council was issued to take British seamen wherever they were to be found, from all American vessels. By this order, for twenty-five years, every seaman whom the officer sent to search or examine our vessels chose to consider as a British subject was taken, and the only check or counter-acting influence ever enjoyed by the U. States was this very same protection which it was now proposed to take away. It was introduced as an expedient for saving native American citizens, or naturalized American citizens from being taken away in this manner, and impressed on board the British ships of war, to serve the king of England for an indefinite length of time; to expose their lives in his wars, and to be entirely deprived of that protection which their country owed them. Now, he hoped that, if the resolution passed, and was considered by the committee, they would consider it with very serious reference to this state of things; and that, if all the laws of protection were to be repealed, they would provide some substitute by which the American seaman should still be protected. He hoped it was not the intention of the gentleman from New York (Mr. Cambreleng) to take from the seaman the actual protection of his country.

Mr. Cambreleng explained that the *role d'equipage*, which every master of a vessel took from the custom house, was a sufficient protection to the sailor when on the ocean. He did not see that any American seaman could require a greater protection. The law of the land expressly provided that no seaman should be discharged abroad; on that score, therefore, there was no difficulty. It was not his design to take away any protection from seamen; he wished only to relieve them from a grievous tax, if it could be done without impairing any important principle.

Mr. Adams, in continuation, said it had not been his intention when he rose to oppose the resolution, nor did he mean now to oppose it; but he did mean to remind the house that a proposition thus made was a proposition involving a question of peace and war; and it was a question of peace and war with no less a power than Great Britain; and he hoped that the committee would view the subject with reference to that *role d'equipage* which the gentleman from New York declared to be a sufficient protection. Did not that gentleman know that there was not an officer in the British service who would look upon it as any more than a piece of waste paper? If the order of council, authorising this impressment of seamen, were issued to-morrow, and it infallibly would be issued in case Great Britain was arrayed against any maritime power—against France, Russia, Sweden, Denmark, or any other power—I ask the gentleman what good his *role d'equipage* would do to protect an American citizen, native or otherwise, against that order? It would be no protection at all. But the British officers would ransack every vessel of the ocean, and would take out every able-bodied man whom they chose to say was a British subject. And what would we do? We would remonstrate; we would instruct our minister in England to remonstrate; and we would cavil and quarrel as we did twenty-five years ago; and, finally, we would come to a war. That was the cause of the war; there never would have been a war but for that cause; it was a war as righteous as was ever waged on the face of the earth; and much as he abhorred war upon earth, he hoped it would come in less than twenty-five weeks, if a seaman should ever again be taken out of an American vessel. That was the cause of the war.

Twenty-two years had now elapsed, during which, in time of peace, the United States had been constantly endeavoring to settle this matter with Great Britain, and had never been able to do so. The United States had made war, and had been obliged to make peace, without remedying the evil.—Would they, then, now take away this protection from an American seaman, not perhaps very necessary, yet it might be very proper in time of peace? This was a proper subject for inquiry by a committee. But he wished especially to caution the house against the abolition of that particular protection, without something were substituted which would secure the seaman on the ocean. As to the fees which the seaman paid for the protection, he (Mr. A.) would vote for their abolition at this time; but, under the color of relieving the sailor from that trifle, he was not willing to take from him that which was a talisman to carry him safe through the world, against the practice of the British government, (and he did not wish to bandy words or to qualify the truth), of seizing seamen upon every occasion to serve the British king; and, under the pretence that he spoke the same language, taking it for granted that every stout able-bodied American seaman was a British subject. He wished to say no more, nor did he wish to oppose the resolution.

Mr. Cushing said he did not rise for the particular purpose of opposing the adoption of the resolution before the house. Indeed, he thought some inquiry, upon a point closely connected with the present, not undesirable. He referred to the provision of the law requiring the employment in the merchant service of a certain proportion of American, as distinguished from foreign, mariners.—Owing to causes not immediate only, as implied in the remarks of the gentleman from Rhode Island, (Mr. Pearce), not temporary only, but permanent in their operation, there is a deficiency of seamen for the supply of our mercantile as well as our military marine. Not only does the difficulty exist, but it operates unequally in the different parts of the United States. At some custom houses, as he (Mr. C.) had had occasion to know in his own business, there is more of rigor in the administration of the law in this respect, in others less; which gives a sensible advantage to the commerce of those ports where the most liberality is manifested. It might deserve consideration whether some relaxation of the existing laws in that particular may not be proper and expedient. There certainly could be no serious objection to having the subject examined by a committee.

But (Mr. C. said) he wished to object most distinctly and emphatically to the reasons with which the gentleman from New York (Mr. Cambreleng) advocated the passage of the resolution. He entertained views the very opposite of those which that gentleman had expressed.

The gentleman from New York says a protection is not necessary to the seaman, because the *role d'equipage* will indicate his citizenship. But is not the *role* a secondary piece of evidence only, made

up from the protections themselves? And what foreign officer, then, would receive the *role* as conclusive proof of the citizenship of any individual whose name happened to be borne upon it? Beside which, the individual needs a document which may accompany his person. But the *role d'équipage* belongs to the ship. The individual seaman may be discharged. His contract of service may expire in a foreign port. The ship may be wrecked. And what, then, becomes of his protection? Is it not self-evident that he should have a separate document to prove his citizenship to accompany himself wherever he navigates the sea?

But Mr. C. had a still graver difference with the gentleman from New York. He (Mr. *Cambreleg*) seems to think there is something discreditable, either to the country or the individual, in the fact of the latter bearing a protection. Is not this a most mistaken view of the subject? I heartily rejoice, (said Mr. *Cushing*), in common with the gentleman from New York, that a series of brilliant naval victories, during the last war, has vindicated the honor of our flag in this matter; and I trust we shall never cease to maintain the same controversy with equal decision and triumph. But is it dishonorable to carry a protection? By no means.—How stands the fact? If an American citizen desires to travel in foreign countries, he sends to the department of state, and, upon proof of his citizenship, obtains a passport; if a seaman desires to pass on the ocean, he repairs to an officer of the customs, and on similar proof obtains a protection. The things differ in name: in substance they are one. Each of them is a certificate, signed by some officer of the government authorized by law, attesting the citizenship of the individual named and described in the document. Is it any disgrace to the U. States to give, or the citizen to receive, such a document? Surely not. The protection is to the mariner at sea what the passport is to the landsman on shore. Am I (said Mr. C.) dishonored by bearing such a document in foreign lands or distant seas? On the contrary, is it not matter of pride, as well as convenience, that, armed only with a paper bearing the seal of the United States, I may travel the earth over, secure, in every place, of the protection of the ministers of my country, of the goodwill of the functionaries of other countries allied with us, and, if need be, of the guns and whole public force of the republic to vindicate any injury done to my person? That I may go unharmed throughout the world, under the magic influence of the broad seal of the United States?

Besides, it is not material to remember, as suggested by my honorable colleague, (Mr. *Adams*), the origin of the particular usefulness of protection? We speak the language, inherit the blood, and wear the features of the inhabitants of the British islands, from whom most of us are descended.—Shall we hastily abandon the use of a document which certifies the citizenship of the seaman, and reclaims for him, as its name denotes, the protection of his nation? Which affords him the convenient proof of his nationality, which his person and language do not furnish? And to maintain which the United States should stand ready now, as they had heretofore done, to recur, if necessary, to the ultimate remedy of war?

One thing, in this connection, (Mr. C. said) deserved the interposition of this house. The landsman, though probably better able than the mariner to pay for his passport, obtained it from the department of state free of cost. The seaman ought to have his free of cost. The fee paid by him to the customs for his protection ought to be immediately abolished, and then the situation of all citizens, in this particular, would be equal. And he should insist, if the resolution was to be adopted, on amending it to this effect.

Mr. *Cambreleg* expressed his astonishment at what had fallen from the honorable gentleman (Mr. *Cushing*); this was the first time he (Mr. C.) had even heard that protections were given to our seamen with a view to their convenience when on their travels in foreign countries.

He must express his astonishment at the pertinacity with which some members still persisted in holding allegiance to the British flag. The protection referred to had nothing to do with travelling in foreign countries. Every captain of a vessel was bound by the law to pay three months' wages to a seaman if he left him in a foreign port; if in an island where there was no consul of ours residing, yet a captain dare not leave any of his hands, because the owners of the vessel are liable. No protection is necessary to the seaman for these purposes, and therefore, the tax imposed upon that useful class is both odious and unnecessary. That tax, (Mr. C. observed), was not merely 25 cents as the honorable gentleman (Mr. *Cushing*), had stated; on the contrary, it was more than a dollar. As to the ori-

gin which had been assigned to these protections by the honorable member from Massachusetts, (Mr. J. Q. *Adams*), Mr. C. desired that our flag alone should be a protection to our seamen, and not a paltry slip of paper for which they were made to pay an onerous and odious tax. This was the chief cause of the last war, namely, that our flag was not itself alone a sufficient protection, that it was not sufficiently respected. But as to whether these protections could operate in warding off the calamity of war, Mr. C. ridiculed the idea. He (Mr. C.) must beg the honorable gentleman's pardon, (Mr. J. Q. *Adams*), but really he must say that he (Mr. A.) appeared to him ever on the alert to watch each little speck upon the horizon and make it out as if it were a cloud portending war; he (Mr. A.) could see nothing before him on that horizon but war and blood. These laws, (Mr. C. said), he had thought for years past were unnecessary and ought to be repealed; he hoped, therefore, they would be totally abolished.

The question was then taken on agreeing to the resolution as modified, and determined in the affirmative.

Mr. *Wise's* resolution for the appointment of a select committee to inquire into the conduct of the different departments, together with Mr. *Pearce's* proposed amendment to the same resolution, being the first thing in the orders of the day—

The resolution having been read, Mr. *Cambreleg* moved that its consideration be postponed till Thursday next, in order to take up several bills which he deemed of great importance.

Mr. *Dunlap*, of Tennessee, protested against the further postponement of a decision upon Mr. *Wise's* resolution. For weeks he had wanted to call the attention of the house to the business of his constituents, when its proper order should bring it up; and he was against interrupting the regular order of business in the manner proposed to favor any particular bills before the house. Here was a resolution, he said, to which no member of the house ought to object, and least of all ought the friends of the administration, which had been attacked, and ought to court inquiry into its conduct, to resort to this expedient of postponement to prevent action upon it, &c.

Mr. *Cambreleg* repelled the charge of postponing this resolution in order to evade the question of inquiry. Not only in this, but in the last session, he had voted affirmatively on every question involving an inquiry into the affairs of government; the only object he now had in view was the public benefit, as several bills relating to appropriations of immediate necessity were waiting to be passed. If, however, the house should seem to desire it, he (Mr. C.) would withdraw his motion to postpone.

The house was proceeding to the debate upon this resolution, when

Mr. *Pickens* observed that, as he did not see the honorable mover of this resolution (Mr. *Wise*) in his seat, and as that gentleman, no doubt, would be anxious to watch the progress of the debate, and perhaps might wish to make a reply to what had been opposed to his resolution, perhaps it would be according to parliamentary use, and respectful to the mover, to postpone the subject until his return. He therefore moved that it be made the special order of the day for Thursday next.

At the suggestion of Mr. *Harper*, Tuesday next was substituted, it being doubtful whether Mr. *Wise* would be in his seat on Thursday.

Mr. *Boon* hoped the consideration of this important subject would not be postponed another hour; for if it were much further postponed, it would be too late in the session to obtain the information to be called for.

The question of postponement was then put; and a division being called for, there appeared 98 for the postponement, and 51 against it. So the further consideration of the subject was postponed, and made the special order of the day for Tuesday next.

The engrossed bill to regulate the disposition, in certain cases, of the proceeds of lands belonging to the Indian tribes, was read a third time, passed, and sent to the senate for concurrence.

The house then again resolved itself into a committee of the whole on the bill concerning the mint (to consolidate all existing and some other regulations concerning the mint and coinage).

The question being upon the motion of Mr. *Harper* to strike out 140 grains, (the proposed weight for the new cent,) and insert in lieu of it 168 grains, the weight of the present cent.

The debate on this proposition was resumed, in which the motion was opposed by Mr. *Cambreleg* and Mr. *McKim*, and supported by Mr. *Harper*, and at more length and with great earnestness by Mr. *Adams*.

The motion of Mr. *Harper* was finally agreed to, without a division; and Mr. *Adams* then, as the sec-

tion had been amended, withdrew his motion to strike out the section respecting copper coin.

Mr. *Harper* then moved further to amend the bill, so as to reduce the minimum amount of gold and silver bullion receivable at the mint for coinage from two hundred to one hundred dollars; in support of which he made some cogent observations.

Mr. *Cambreleg* made no opposition to this motion.

The motion was agreed to, *nem. con.*

Mr. *Adams* then moved to amend the bill so as to raise the proposed weight of "the dime, or tenth part of a dollar," from 40 to 41½ grains, so as to make it correspond in weight with the weight of the new dollar (412½ grains). Unless this amendment was made, Mr. A. said, the bill would include the absurdity of declaring that the tenth part of 412½ was 40! Mr. A. protested, besides, against this debasement of the dime, one of the most useful of our coins, because it was entirely at war with the decimal system, as well as tending in practice to introduce confusion into the currency.

Mr. *Cambreleg* inclined to agree in the propriety of this amendment, being as much opposed as the gentleman from Massachusetts to depreciating the coin. The reduced weight had been introduced into the bill at the suggestion of the director of the mint, from a desire that these coins should be kept in circulation by being made less liable to be exported or melted up, and also because the coinage of small coins was more expensive to the mint than of the large.

The amendment moved by Mr. *Adams* was agreed to without a division. The mint bill was then laid aside; and

The bill (before the same committee) for making further appropriations for the suppression of Indian hostilities, was taken up and read through, no objection being made to it.

Both the bills were then reported to the house; and the amendments to the mint bill were immediately taken up for consideration.

The question being on concurring in the amendment which strikes out the provision making cents and half cents a legal tender for all sums less than a dime, it was opposed by Mr. *Gillett*, who maintained that if the coin was made, it ought to be a legal tender to some amount, if for no more, at least for half a dime; and he made a motion so to amend the bill.

Mr. *Adams* suggesting that this amendment had been introduced on the motion of a gentleman now absent, proposed on that ground to postpone the further consideration of the bill, unless gentlemen would consent to let the bill pass as amended.

Mr. *Gillett's* opposition, however, was overruled by the house; and the amendment made in committee of the whole was concurred in by the house: yeas 86.

Mr. *Gillett* then moved to strike out the 12th section (being all that part of the bill which establishes the weight and value of the copper coin). The motion was *negatived*, without a count; and

The bill, as amended, was then ordered to be engrossed for a third reading.

The Indian hostilities appropriation bill, as well as the bill making appropriations for payment of the revolutionary pensioners, were then also ordered to be engrossed for a third reading, and

The house adjourned.

Wednesday, Dec. 28. Mr. *Howard* reported a bill to provide for carrying into effect the treaty of limits, and the additional article thereto, between the United States of America and the United Mexican States; which bill was read twice, and committed to the committee of the whole on the state of the union.

On motion of Mr. *Turrill*,

Resolved, That the committee on commerce be instructed to inquire into the expediency of causing a survey and accurate chart to be made of the coasts of lakes Ontario and Erie.

Mr. *Love* submitted the following resolution which lies on the table one day, under the rule:

Resolved, That the secretary of war be directed to report to this house the survey and examination made of a harbor at the east end of Lake Erie, connecting the present harbors of Buffalo and Black Rock, together with his opinion of the practicability of the construction of said harbor, and of its utility and necessity in regard to the increasing commerce upon that lake.

On motion of Mr. *Mann*, of N. Y.

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of prescribing the effects of judgments of the courts of the United States on liens in the several states, and regulating the fees of clerks of the several districts.

Mr. *Gideon Lee* offered a resolution, directing the committee on the post office and post roads to

inquire into the expediency of erecting, or otherwise procuring, a fire proof building for the use of the post office department in New York, which was agreed to.

Mr. *Vanderpoel* offered the following resolution:
Resolved, That the committee on the post office and post roads be instructed to inquire into the expediency of abolishing the office of agent of claims at Paris and London.

Mr. *V.* said we had been going on for a number of years paying the consuls at Paris and at London \$2,000 per annum, each, as the agents of claims.—He could not find any law creating that office.—Originally, there had been some necessity for employing such agents, but he did not know that there were now any claims requiring their attention, or authorizing the payment of these annual allowances. At all events, let us call things by their right names. If two thousand dollars were allowed to them as consuls, be it so; but the very idea of allowing it to them as agents of claims was opposed to the law.—During the past year, the agent at London had been receiving for rent, fuel, stationary, &c. \$3,500; besides \$2,000 as agent of claims, and two or three thousand dollars for fees.

Mr. *Taylor* offered the following resolution:
Resolved, That the committee on revolutionary pensions be instructed to inquire into the expediency of amending the third section of the act entitled "an act granting half pay to widows or orphans where their husbands and fathers have died of wounds received in the military service of the United States, in certain cases, and for other purposes," approved July 4, 1836, so as to extend the provisions of that section to all widows of officers and soldiers of the war of the revolution whose husbands were entitled to a pension, excepting cases of second marriage after the termination of the war.

Mr. *T.* addressed the house at some length in favor of the resolution. After which, it was adopted.

Mr. *Hard* offered the following resolution:
Resolved, That the committee on public lands be instructed to inquire into the expediency of providing by law for granting to each of the disbanded officers who served in the late war with Great Britain a quantity of land, according to rank, as a remuneration for sacrifices and services rendered by them in that war.

A brief debate now ensued in which Messrs. *Williams*, of N. C. and *Craig* opposed the resolution and Messrs. *Hard*, *Mann* and *Hardin* advocated it. Mr. *Craig* at the conclusion of his remarks, moved to lay the resolution on the table, when Mr. *Chambers* called for the yeas and nays, which were ordered, and the motion of Mr. *Craig* agreed to—yeas 121, nays 70.

On motion of Mr. *Gillett*,
Resolved, That the committee on the judiciary be instructed to inquire into the expediency of creating, at the seat of government, a board of claims to receive and examine all claims against the government, and to report thereon to congress, for final adjustment.

On motion of Mr. *Howard*,
Resolved, That the committee on naval affairs be instructed to inquire into the expediency of establishing a naval academy.

Mr. *McKenna* offered the following resolution, which lies one day:

Resolved, That the secretary of war be directed to report to this house what sums, if any, have been claimed by the respective disbursing officers of that department, and what sums have been allowed them in the settlement of their accounts for difference of exchange on moneys paid out by them since the 1st of December, 1835, giving the names of the officers, the sums disbursed by each, and the places where the disbursements were made.

On motion of Mr. *Chambers*, of Pennsylvania,
Resolved, That it be referred to the committee on the library to consider the expediency of reporting a bill providing for the engraving and publication of copies of the various medals struck in relation to important events in the United States, before and since the Declaration of Independence, with an account or statement of the events or occasion which said medals were designed to commemorate.

The hour devoted to reports and resolutions having expired, Mr. *E. Whittlesey* made an ineffectual motion to suspend the rule for the purpose of continuing the call for resolutions.

The speaker laid before the house a letter from the postmaster general, transmitting, in obedience to the act reorganizing the post office department, passed July 2, 1836, an estimate of the sums of money expected to be required for the service of the year commencing July 1, 1837, as follows, viz:

The transportation of the mails	\$3,200,000
Ship, steamboat, and way letters	31,000
Compensation of postmasters	985,000
Wrapping paper	20,000

Office furniture	6,000
Advertising	25,000
Mail bags	40,000
Blanks	36,000
Mail locks, keys and stamps	9,000
Mail depredations and special agents	12,000
Clerks for offices	140,000
Miscellaneous	40,000
	\$4,494,000

The letter and estimates were, on motion of Mr. *Cambreleng*, referred to the committee of ways and means.

The following engrossed bills, viz:

The bill supplementary to the act regulating the mint and fixing the weight of the respective coins;
The bill making appropriations for Indian hostilities;

The bill making an appropriation for revolutionary and other pensioners for the year 1837; were severally read a third time, passed, and sent to the senate for concurrence.

Mr. *Owens* then moved that the rules of the house be suspended for the purpose of calling for resolutions in the order of the states; on which motion a division was called for, when there appeared for the motion 105, against it 82; the rules of the house were accordingly suspended, and resolutions called for in the order of the states, commencing with N. York.

Mr. *Harper* offered the following resolution:

Resolved, That the committee on commerce be, and they are hereby instructed forthwith to report a bill to repeal the provisions of the tenth and twelfth clauses of the second section of the tariff law of the 14th July, 1832.

Some observations were made in various parts of the house upon this resolution; and Mr. *Cambreleng* assured the honorable mover that a bill was already prepared and would come up to-morrow, by which the whole object and aim of the resolution would be attained. In the end Mr. *Harper* consented for the present to withdraw the resolution.

Mr. *Galbraith* moved a resolution proposing an amendment to the constitution of the United States concerning the mode of electing president and vice president of the United States, which was referred to the existing committee on amendments to the constitution.

Mr. *Garland*, of Virginia, moved the following resolution:

Resolved, That the secretary of the treasury communicate to this house, if within his power, the dividends and surpluses which were declared by, and the surpluses and contingent funds remaining in, the several banks in which the public money is deposited, for the years 1833, 1834, 1835 and 1836, severally.

The house having agreed now to consider this resolution, a discussion took place on the question whether the inquiry should also extend to the expenses of the banks as well as to their profits. An amendment to this effect having been offered by Mr. *Gillett*.

Mr. *Waddy Thompson* opposed this amendment. He deemed it of no manner of consequence what the expenses of the banks might have been. The object of the resolution was to ascertain their net profits, and their expenses would of course be first deducted. If an inquiry of this nature should be instituted, Mr. *T.* flattered himself it would bring to light a system of corruption so vast and so extensive, that no country whatever, be its people ever so virtuous and honest, could possibly stand before such a power of corruption. Mr. *T.* proceeded to instance the case of a little bank in Michigan, with a very small capital, which bank had received eight hundred thousand dollars of deposit, though not entitled, according to its capital, to more than a very small proportion of that amount. After a few more observations,

Mr. *Harlan* moved to amend the amendment of Mr. *Gillett* by adding as follows: "and that he state also whether the salary of an agent at the seat of the general government compose a part of the expenses of said banks, the name of the agent, and the several sums paid him by said institutions respectively."

Mr. *Hannegan* moved to lay the resolution on the table.

A motion to adjourn was made by Mr. *Boon*, and decided in the affirmative.

So the house adjourned without passing upon Mr. *Garland's* resolution.

Thursday, Dec. 29. Among the memorials presented on Wednesday was one by Mr. *Galbraith*, from James R. Snowden and twenty-four others, "citizens of Pennsylvania," suggesting to congress the expediency of restricting the states, by an amendment to the constitution, from incorporating banking companies and limiting them in their is-

sues of bank notes; representing, also, that the bank incorporated by the legislature of Pennsylvania by the title of the bank of the United States is reissuing the notes of the old bank of the United States, and inquiring of congress whether the fact be as reported, and, if so, whether there be any means in the power of congress to prevent it.

This memorial Mr. *Galbraith* yesterday moved to refer to a select committee; and, debate arising on this proposition, it lay over till this day; and, as soon as the sitting was opened, the question was stated on the proposed reference of the memorial.

A debate ensued, in which the whole policy of the monetary system of the country was discussed, and which occupied the exclusive attention of the house until past three o'clock. The house was addressed by Messrs. *Galbraith*, *Lincoln*, *Harper*, *Mann*, *D. J. Pearce*, *Denny*, *Chambers*, of Penn., *Vanderpoel*, and *H. Everett*.

Mr. *Lincoln* moved the commitment of the memorial to the same select committee to which had been referred that portion of the president's message which relates to amendments of the constitution, and all other propositions of a similar character.

Mr. *D. J. Pearce* moved the commitment to the committee of ways and means.

Mr. *Everett* having concluded his remarks, Mr. *Hannegan* called for the previous question, which the house seconded—yeas, 86, nays 75.

Mr. *Williams*, of N. C. called for the yeas and nays on the question of taking the main question; which were ordered, and were—yeas 108, nays 84. So the main question was ordered to be now put.

Mr. *Everett* asked that the question might be taken first on that portion of the memorial which related to the proposed amendment to the constitution; and, secondly, on that portion relative to the issue by the bank of Pennsylvania of the old notes of the United States bank; and the division was ordered.

And the main question being on the commitment of the first portion of the memorial to the committee of ways and means, was taken, and decided in the negative.

And the second portion of the main question being on the commitment of the second part of the memorial to the committee of ways and means, was then taken, and decided in the negative.

So the house refused to commit the memorial to the committee of ways and means.

The question then recurred on committing the first portion of the memorial to a select committee, as moved by Mr. *Galbraith*; which motion prevailed.

And the question was then taken on committing the second portion of the memorial to the said select committee; and was decided in the affirmative.

So the memorial was referred to a select committee, to consist of nine members.

The speaker laid before the house a communication from the secretary of the navy, transmitting the report of the naval commission who have been recently engaged in the examination of the navy yard at Pensacola, and the report of com. Stewart on the same subject.

The speaker laid before the house a communication from the secretary of the treasury, in obedience to the resolution of the 26th instant, transmitting a statement made by the collector of New York, under date of the 19th instant, viz:

Amount of bonds under the provisions of the act for the relief of the sufferers by fire in the city of New York, approved March 19, 1836.

Amount renewed under the first section of the act	\$911,020 50
Do. do. second section	136,142 01

	\$1,047,162 51
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Amount yet to be renewed under the first section	12,233 70
Do. second section	3,600 36
	15,834 06

	\$1,062,996 57
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Amount of bonds renewed under the second section, paid	59,468 33
Interest paid on the same	1,664 37
	\$61,132 70

District of N. Y. collector's office, Dec. 19, 1836.

SAM. SWARTWOUT, collector.

Mr. *Lowe*, of New York, moved to reconsider the vote by which was rejected the resolution presented yesterday by Mr. *Hard*, proposing an inquiry into the expediency of granting bounty lands to the officers of the United States army who served in the late war with Great Britain.

Mr. *L.* moved to postpone the consideration of his motion to reconsider until Wednesday next; which motion prevailed; and, on motion of Mr. *Seymour*, the house adjourned.

EXECUTIVE DEPARTMENTS.

MR. WISE'S SPEECH.

In the house of representatives on Tuesday the 13th ult. Mr. Wise arose and offered the following resolution:

Resolved, That so much of the president's message as relates to the condition of the various executive departments, the ability and integrity with which they have been conducted, the vigilant and faithful discharge of the public business in all of them, and the causes of complaint from any quarter, at the manner in which they have fulfilled the objects of their creation, be referred to a select committee, to consist of nine members, with power to send for persons and papers, and with instructions to inquire into the condition of the various executive departments, the ability and integrity with which they have been conducted, into the manner in which the public business has been discharged in all of them, and into all causes of complaint, from any quarter, at the manner in which said departments, or agents of every description whatever, directly or indirectly connected with them in any manner, officially or unofficially, in duties pertaining to the public interest, have fulfilled, or failed to accomplish, the objects of their creation, or have violated their duties, or have injured or impaired the public service and interest. And that said committee, in its inquiries, may refer to such periods of time as to them may seem expedient and proper.

Mr. Wise then addressed the house as follows:

Mr. Chairman: In submitting the resolution of reference which I have sent to the chair, I deem it my duty to offer some reflections to the house and to the country.

Sir, this paper is the last annual message of Andrew Jackson. The contemplation of it as such is deeply affecting to the sincere lover of him, and solemnly mournful to the honest lover of his country.

What should the last annual message of Andrew Jackson have been? Who is he, what has he been? The answer to this question ought to determine what this last act of its kind of his should have been.

A man of humble but respectable origin, he was born in the times of his country's travail for independence. His precocious spirit of resistance to oppression marked his infant body with the scars of the revolution. After the times which tried men's souls had passed away; after the blessings of freedom had been secured by all the monuments of the institutions of our fathers, the fruits of peace, and virtue, and wisdom, and jealous patriotism; after varied and chequered scenes of private and public life, under a destiny adverse only so far as it was full of dangers, in games not Olympic, in contests not heroic, we find him in the midst of his country's second troubles, a citizen soldier, a major general of the army of the republic.

He "was ambitious of fame; and as long as mankind shall continue to bestow more liberal applause on their destroyers than on their benefactors, the thirst of military glory will ever be the vice of the most exalted characters." A bold, energetic, and dauntless commander, he carried conquest, in spite of all dangers and difficulties, into the wilderness of the savage tribes of the southern frontier; was the daring but successful and justified invader of a neutral territory, and finally "filled the measure of his country's glory" in defence of Orleans, where he assumed to be the arbiter of martial law, the judge advocate of men's allegiance—where he conquered the conquerors of Napoleon—where he professed and practised submission to the civil authority, and where he acquired the title of hero. And there was created, I will not say "a dear-bought debt of gratitude" from his country.

"Hail, second saviour!" was shouted from the lips of every grateful heart, and echoed from every hill and valley; his name was emblazoned high on the rolls of imperishable military fame, and peace was quick to hallow his victory. With peace his warlike occupations were gone, but civil honors were showered and thickened around him. From the camp he rose to a seat in the senate chamber—for then the senate chamber was higher than the camp. He bore, or seemed to bear, his honors patiently; but all that had been done, or could be done, it seemed, was not enough for him in the estimation of a generous people. He was nominated for the first place on earth—the presidency of these united, sovereign and independent states of America; for then these states were united, sovereign and independent. Civilians and statesmen, of proudest names and stations, were his competitors, but he was the people's candidate against men in office, against the powers that were, against their intrigues, their patronage, and their caucuses; and in consideration thereof, and of his just appellation of hero, he was most popular and strongest in the plurality of votes. He was defeated—defeated here in this

hall, in the house of representatives, by men such as we are—and what we, the representatives of the people are, I will not name—by means I will not describe.

It is sufficient to say that the manner of his defeat was not only enough to ensure his subsequent triumph, but to rivet him immovably, right or wrong, in the hearts of his countrymen forever. He became the champion of popular rights and the elective franchise, against officeholders and office-seekers—the favorite pet of the people, who was to scourge bribery and corruption, whose name was to be a terror to all evil-doers, whose policy was to be retrenchment and reform, by whom the independence of congress, of executive patronage, was to be maintained, by whom that patronage was to be curtailed to harmlessness, and in whom "the line of safe precedents" was to be broken and destroyed. He was swept and rushed along on the roaring tide of an overwhelming popularity high up into office, on the second flood, and that popularity has never deserted him—no fickleness in it, it has never retired for a moment; notwithstanding strong winds which have blown from every point of the compass, and opposing currents in every direction, it has continued to swell and swell, until it has become a flood—I will not say, which threatens the dry land. He came into power professing and proclaiming the most severe, ay, stoical democratic principles; the people confided in him, were bound to him the closer, and have never wavered yet in their confidence—I will not say, though he has tried it to the uttermost. Unfortunately for him, when he was crowned with the rewards for his military services, and was inducted into office, he not only found "competitors to be removed, enemies to be punished," but he was beset by friends from whom he should have put up prayers to be saved. I will not say that he was lacking in those magnanimous qualifications of a truly great man, which alone could rid him and guard him from these misfortunes—for man, poor feeble man, is weak under the most ordinary temptations, and his virtue must be strong who presides in a palace—but misfortunes they were.

So it was, he was buoyed up in the affections of the sovereign people. Has he done wrong? He was popular. Has he done worse than wrong? He was popular, and he was the president who could do no wrong, in whom popularity was joined with power and patronage. Has ruthless proscription for opinion's sake turned faithful public servants out of their employments, and snatched from the mouths of their families their bread? We are told the president ordered the removals, and the people had sanctioned proscription! Has favoritism filled the vacancies which proscription has made, with the servile tools of party to do the bidding of power? We are told that the president had need of his own friends, and that the people have sanctioned the maxim, "that to the victors belong the spoils!"—Have the highest and richest offices, worth more than half of a million, been bestowed as rewards upon members of congress, and has "corruption become the order of the day?" We are told that the president was the best judge of the selection of high functionaries, and that the people have sanctioned the "order of the day!" As "till the reign of Severus, the virtue and even the good sense of the emperors had been distinguished by their zeal or affected reverence for the Roman senate, and by a tender regard to the nice frame of civil policy instituted by Augustus," so had the virtue and even the good sense of preceding presidents, till the reign of Andrew Jackson, been distinguished by their zeal and reverence for the American senate, and by a tender regard for the nice frame of civil policy instituted by the fathers of our republic! Had "his youth," like that of Severus, "been trained in the implicit obedience of camps, and his riper years spent in the despotism of military command, could not his haughty and inflexible spirit discover, or would he not acknowledge, the advantage of preserving an intermediate power, however imaginary, between the emperor and the army?"

As in the reign of Severus was "the senate filled with polished and eloquent slaves from the eastern (and I may add southern) provinces, who justified personal flattery by speculative principles of servitude!" Have the lawyers of his reign, whom I will not call Papinians or Pauluses, or Ulpian, "concurred in teaching that the imperial authority was held not by the delegated commission, but by the irrevocable resignation of the senate? and that the emperor might destroy vested rights and the incorporations of law by his sic volo?" We are told that the aristocratic senate had dared to offend the majesty of the president, and that the people have sanctioned the word "expunge!" Has the independence of congress been totally destroyed by corrupt bribes and the power of appointing members to office?

We are told that the representatives of the people are selected to do the will of the president, and that the people have sanctioned the creed that these can be no treason to the country so long as there is fidelity to "the party." Has the president "assumed the responsibility," seized the custody and the control of the public money in defiance of all law and precedent, and placed them in the hands of a traitor, and a perjured knave? We are told that the monster bank was his enemy, and that the people have sanctioned the "union of the purse and the sword." Has he assumed to himself judicial powers and the prerogative to administer the laws and the constitution according to his own interpretation and his own irresponsible will? We are told that the president's conscience alone is concerned in their execution, and that the people have sanctioned in him the power of imperial magistrate. As imperial magistrate has he "assumed the conduct and style of a sovereign and conqueror, and exercised, without disguise, the whole legislative as well as executive power?" We are told that the president is "the government," and that the people have sanctioned the pretension that all offices and their powers are his! Have the expenditures of his administration increased and grown enormously beyond all example, to 88 millions from 15 millions, without a cent of public debt to be paid? We are told that the president is the best judge of the wants of the country, and that the people have sanctioned wasteful and profligate extravagance! Have thousands and hundreds of thousands been expended on east rooms, and gravel walks, and all the regalia of a palace in fact, for a republican officer in form? We are told that the president's court should be as splendid as any king's, and that the people have sanctioned royalty! Has the patronage of the federal government been tremendously increased and exerted in conflict with the freedom of elections? We are told that the reign of the president should be perpetuated, and that the people have sanctioned the interference of officeholders with the elective franchise! Has the currency of the country been totally deranged, and is there danger of a universal crash in trade and finance? We are told that the president's golden experiment must be fully tested to our hearts' content, and that the people have sanctioned the "inverted pyramid" of local bank paper rags, which threatens to totter over our heads! Has "the fine theory of a republic insensibly vanished, and made way for the more natural and substantial feelings of a monarchy? We are told that the president may be a king by the will of the people, and that the people have already consented to the change! Has the president been "freed from the restraint of civil laws, can he command by his arbitrary will the lives and fortunes of his subjects, and," finally, "has he disposed of the empire as of his private patrimony" by nominating and electing his successor? We are told that the president was entitled to his right of election as well as other men, and that the people have sanctioned and submitted to his dictation!

Sir, let me not be misunderstood. Let no one infer that I am indulging in any tirade against the president, or that I am venting any spleen whatever. No, sir; no. Far, far be it from me now, now when it is too late, if ever it was right and proper to indulge in stronger invective against a chief magistrate than truth and patriotism required. He of whom I speak is, I deeply regret, now lying on the couch of human suffering, the last, I fear, from what I am told, of his suffering in this world of sorrow. I too have served him with more than half the zeal I ever served a more omnipotent master.—He will, if he lives, soon retire from the palace of power and resign all the pomp and circumstance of state and station into other hands, which are to reign after him. God grant, sir, that his retirement may be that peaceful and calm and blessed retirement from the harassing cares of office which belongs to wisdom, virtue, and the consciousness of being a public benefactor—such as was illustrated in the examples of a Washington and a Madison. My prayer fervently is, that he may yet live long at his beloved Hermitage, in the holy retreat of his own private sanctuary, and spend the decline of his days in solemn reflections upon the scenes and events of a long life, most actively spent in deeds big with the fate of a country he has defended, and of its institutions "hallowed by the wisdom of sages, and consecrated by the blood of heroes." May he live long to witness the effects of his errors, if errors he has committed, to acknowledge and repent of them; and in like manner to enjoy the blessings of his administration, if of any blessings it has been fruitful. No, sir; my meaning is not now to condemn the president, but to defend the people. This is the sole object of the questions I have put. I do not mean to accuse the president of all these enormities against civil liberty, of which I have asked

—Is he guilty? Nor do I admit, if he is guilty of them, that the people have sanctioned all or any which I have enumerated. But, sir, I merely state the fact, that the party who claim to hold him in keeping, and to hold on to his power after him, claim and tell us that the people have yielded every thing worth preserving, and have sanctioned all these enormities, and more and worse. What their object may be in admitting these encroachments, and in claiming that the people have sanctioned and approved them, I know not, unless they mean hereafter to rely upon most "unsafe precedents!" The fact is alarmingly so, that these claims are now set up, going so far as to asperse the people whom they affect so much to reverence with approving and sanctioning proscription, corruption, arbitrary power, the destruction of the checks and balances of the government, profligate extravagance in its administration, executive dictation, royalty itself, and a caucus succession in an elective monarchy! In advance, I warn them that I now deny the fact that the people have sanctioned or approved of any such unpardonable sins against them or their only bulwarks of safety. If this people have yielded already what "the party" claim, they would have yielded all for which their fathers fought; and those fathers would rise, if the mighty dead could rise, from their very graves to reproach their debased degeneracy, and their cruel injustice alike to them and all posterity.

I have done no wrong to Jackson, then, as all candid minds will bear me witness; I have given him credit for "every captive he has brought to Rome." At the same time, I do not mean to say he has not committed many grievous errors. For many of them I can well account, though I cannot pardon. We are taught in history that "suspicious princes often promote the last of mankind from vain persuasion, that those who have no dependence, except on their favor, will have no attachment, except to the person of their benefactor." Thus were the Perennises and Cleanders promoted by a Commodus, and such ministers were well qualified to drive from the esteem of such a prince the "faithful councillors to whom a Marcus had recommended his son." The one "a servile and ambitious minister, who had obtained his post by the murder of his predecessor, but who possessed a considerable share of vigor and ability;" the other "was a Phrygian by birth, of a nation over whose stubborn but servile temper blows only could prevail. He had been sent from his native country to Rome in the capacity of a slave. As a slave he entered the imperial palace, rendered himself useful to his masters' passions, and rapidly ascended to the most exalted station which a subject could enjoy. His influence over the mind of Commodus was much greater than that of his predecessor. Avarice was the reigning passion of his soul, and the great principle of his administration. The rank of consul, of patrician, of senator was exposed to public sale. In the lucrative provincial employments the minister shared with the governor the spoils of the people. The execution of the laws was venal and arbitrary."

Is it astonishing that, with ministers like those of Commodus, tempted as they were by the public money in deposit, and by the vast public domain of this nation, stretching over rivers and lakes, and prairies of unbounded extent and inexhaustible fertility, Jackson was duped, and the public deposits were removed within reach of Perennis and Cleander? Again, sir, an incident in the history of this same emperor, very similar to the one in the history of our own president accounts for his hostility to the Roman senate. "One evening, as the emperor was returning to the palace through a dark and narrow portico, in the amphitheatre, an assassin, who waited his passage, rushed upon him, with a drawn sword, loudly exclaiming, 'The senate sends you this.' The conspiracy was proved to have been formed not in the senate, but within the walls of the palace." But "the words of the assassin sunk deep in the mind of Commodus, and left an indelible impression of fear and hatred against the whole body of the senate. The *Delatores*, a race of men discouraged, and almost extinguished under the former reigns, again became formidable as soon as they discovered that the emperor was desirous of finding disaffection and treason in the senate." Sir, we all know that in the snapping of a percussion cap the president heard distinctly the words, "The senate sends you this"—that that detestable race of men called Delators were ready to swear that the conspiracy was formed in the senate; and, if there was not a better reason, perhaps to the act of a madman now confined in prison might be ascribed the president's past hostility to the senate. But there is a better reason. "By declaring themselves the protectors of the people, Marius and Cæsar subverted the constitution of their country." And per-

haps, in the histories of Marius and Cæsar, our modern Cleanders learned that an "humble and disarmed" senate is always "found a tractable and useful instrument of dominion."

In a certain event, if the election of president had failed in this house, an "humbled and disarmed senate" might have been found—a "tractable and useful instrument," indeed, to elect an Eglabulus, under whom another Hierocles might have enjoyed the honor of being "empress, husband;" and under whom a "dancer might have been made prefect of the city, a charioteer prefect of the watch, a barber prefect of the provisions," and all "recommended as fit officers—*enormitate membrorum!*" Sir, I might enumerate numberless such excuses for numberless such errors of the president, or rather of the president's ministers. But enough has been said, and I mean not to condemn or accuse him, I repeat, but defend the people whom "the party" accuse and condemn.

If it be true, as we are told, and I do not say it is not true, that the president has made and unmade men in office, has proscribed the faithful, has corrupted the pure, has humbled and disarmed the senate, has made the house of representatives servile and dependent, has seized and squandered the public money, has deranged the currency and endangered every man's estate, has controlled elections, has assumed royal prerogatives, made himself a king and a king his successor; and if it be also true, which I utterly deny, that the people have sanctioned all this exercise of absolute power, I ask gentlemen of all parties, those even who claim to be the exclusive keepers of the king's conscience, if this does not prove one virtue—the virtue of constancy, at least, in the people? Have they not been constant and confiding beyond measure in their attachment to him? Has their fault not been in too much confidence and constancy?

If what they say be true, and it is a main argument with them, that "the voice of the people is the voice of God;" that whatever Jackson has done they have sanctioned; that he spake and they will do it; that he vetoed, and they voted with him; that he dictated, and they obeyed, is this not proof positive that their affections and their voices have ever sustained, have ever animated, have ever indulged, have ever justified and excused him? Such unexampled confidence, such unexampled constancy, such unexampled attachment and affection were never witnessed before in any people towards any ruler; and I put it to the candor and sense of justice of all men to say whether what the people have yielded to their favorite has not been more, trebly more, than reward enough for all his services and sacrifices, however great? Admitting the debt of their gratitude to him to have been ever so great, I ask if the debt has not been more than paid? Whether the president does not now owe more than he can ever pay to a generous people, who have confidingly, to a criminal degree, entrusted him with their all—their honors, their rights, their liberties, their sovereign power? Sir, what can one aged man, fast hurrying to the grave, pay to a people in consideration of what all the treasures of earth, and all the blood of them and their children, may not buy? Nothing! Nothing! Yes, yes, there is one boon, one sacred legacy, of inestimable value, which, in parting from them and the world, he might have left them. He might have left them the legacy of a patriot's advice. He might have left them the truth, and solemnly imprinted it upon their minds and memories forever, that "they had trusted him too much," and his advice to them, "never, never in their history, to trust another man as they had trusted him," and he might have returned to them their trust, and have restored them to their senses. This, and this only, would have repaid them. It would have restored to them what has been taken from them, which alone can compensate for itself.

The last message of such a president to such a people should have been the "farewell" of a father to his children. It should have been deep in wisdom, profound in its philosophy, hallowed in its lessons of virtue, calm in its tone and temper of reason, eloquent in its appeals, sublime in its moral, and passionate only in its fervent affection. It should have been the legacy of Augustus to his successors, the "farewell" address of Washington to his countrymen!

But this is the last annual message of Andrew Jackson! I would, for him and his country, that it was any thing but what it is. And why is it what it is? Gentlemen will pardon me—I mean nothing disrespectful to the president—when I say they know it is due to candor and truth to say—it is what it is, because it is *not the message at all of Andrew Jackson!* They know that, immediately upon the adjournment of the last session of congress, the president and his prime ministers were

dispersed from their duties at the seat of government, and from the cares of public business, on their respective missions to the states of this union. He of state bore despatches to Georgia, and "the old chief himself" was lugged along through Western Virginia, over

"Ruts and ridges,
"And bridges
"Made of planks
"In open ranks"

to Tennessee and Alabama. It is a pity, sir, that more of the people had not witnessed the executive electioneering tour, for then, perhaps, more of the states would have followed the example of Georgia and Tennessee, neither of which could be seduced or intimidated into the support of "the man"—a Tennessee toast said, "the dog"—as well as "the master." I am told that they carried him about like a lion for show, and made him roar like a lion. They had catechisms prepared for him, and the negotiations of the mission were conducted by preconcerted questions and answers. A crowd would collect—on the highway or in the bar-rooms, no matter which—and some "village politician" of "the party" would inquire—"What think you, general, of such a man?" In a loud tone, much too stentorian for those lungs which are now lacerated, the answer rung—"He is a traitor, sir." "There, there!" repeated the demagogues to the crowd, "did you not hear that?" "What think you of another, general?" "He is a liar, sir!" "What of another?" "He is a black cockade federalist!" Of another. "He made a speech for which he paid some stenographer five dollars!" And another was—"Of no account—no account, sir, and ought to be sent home to have his place supplied by a more efficient man;" and another was—"Upon the fence, sir—upon the fence!" "But, general, what think you of Mr. (the first time Reuben was ever called *Mister!*) Reuben M. Whitney?" "There is no just cause of complaint against Mr. Whitney, sir; he is as true a patriot as ever was; they are all liars who accuse him of aught wrong, and the official documents prove them to be so!" All the while these responses were repeated by the deacons of the service, and the people were called to give heed to them. Those who saw the farce and the frauds did heed them, sir—did heed them.

My friend (Mr. P.) told them that they would kill him: that there was too much travel and fatigue; too much standing and talking; too much bustle and excitement for a weak and infirm old man to bear. But still, they showed him about, in the heat of summer, and still they made him roar, until he frightened the people, who at last began to apprehend he was a lion come to devour their freedom of elections, and all else they valued as dear. Defeated in his mission, he at length became disgusted himself, chagrined and mortified. He returned to Washington through Ohio, and, by the Guyandotte route, through Virginia again, and has been sick and disabled ever since. The loss of Tennessee, particularly the Hermitage, excited him still more, and this renewed excitement may have caused that hemorrhage at the lungs, which has been pouring out the current of his life. At no moment since his return has he been able to write or dictate a message. There he has been lying, as it were, a dead lion, who could not even "shake the dew drop from his mane," and his couch of infirmity has been haunted by the Perennises and Cleanders of his palace as by vampires. In their hands has he fallen, and it is because this "last annual message" comes to us and the country reeking with the fumes of the kitchen cabinet, that it is what it is!

What is it? The worst as well as the last annual message which Andrew Jackson ever wrote—I had like to have said, ever sent to both houses of congress. Its vanity and egotism—its profane hypocrisy and solemn mockery of the good man's supplications to the Supreme Ruler of the universe—its sophistical nonsense, showing its duplicity to a foreign power, and concealing its real policy from ourselves—its low, ad captandum arguments, addressed to all the prejudices of ignorance and passion, to justify the most shameless attacks upon the currency for the vile purposes of licensed depredators on the public lands—its glaring falsehoods as to the most important facts of trade, currency, banks of deposit and finance—its electioneering, continually harping upon an institution dead in fact, and thrice wounded since dead—its oft-repeated homily against one good bank, and its unblushing recommendation, in the same breath, of nearly half one hundred bad and irresponsible banks—its disingenuous attempts to reconcile glaring inconsistencies of the president on the deposit and distribution measures—its pitiful apologies for the disgrace of our arms by Oseola—its bold recommendation of an increase of the standing army—its unjust

attempt to cast censure, due to the errors and blunders of the administration itself, upon the shoulders of an innocent state officer, and then calling for an appropriation to repair these same errors, which it says are not those of this government—its false claim of a national policy, founded in *humanity* toward the Indians—its reiterated jesuitical recommendation of an amendment of the constitution as to the election of president, which was never meant to be carried into effect by "the party," or to be any thing more than a topic with which to prejudice the people's minds against an election by the house—its impudent boast of the intelligence and patriotism of the *successor*, whom executive patronage and dictation have succeeded in electing—its shallow political economy—its demagoguism—its arts of vile deception and humbuggery—its rankling venom of party spirit—its miserable rhetoric, sinking below criticism—its grovelling moral sentiment—its total want of all sage counsel or advice, and of all pathos and feeling—are all equalled only by its false *certificate in chief* to "the prosperous condition of all the various executive departments," to "the *ability and integrity*" with which they have been conducted, and to the fact of the president's belief, "that there is no just cause of complaint from any quarter, at the manner in which they have fulfilled the objects of their creation!"

Now, sir, complaints have been loudly made from various quarters, by this house and in the press, by responsible persons, as to the condition of most of the executive departments, and as to the want of *ability and integrity* with which they have been conducted; and *investigations* by us of the truth or falsehood, justice or injustice, of these complaints, have, heretofore, been doggedly and repeatedly *refused*. "The party" were content with the mere affirmation by the president to the crowd, of their innocence and purity, when he knew no more about their guilt than he knew of the facts of a certain event in this capitol last winter, of which you and I, Mr. Chairman, knew all, and more than we wanted to know; about which, if the Tennessee papers are to be believed, the president has given another certificate, though he was more than a mile off, and there were at least seven fathoms of bricks and mortar and stone between him and the place of the occurrence.—They have made him a witness in both cases where it was impossible for him to be a witness, and in giving his testimony he has been compelled to resort to his "imagination for his facts." I cared nothing about the certificates of the president so long as they abided in the ephemeral form of heated partisan declarations along the public roads, or so long as they were read from the stump merely a thousand miles off. But, sir, this "*certificate in chief*" is no longer a mere tavern *ipse dixit* on the highway, but it is to be filed in the archives of this government as part and parcel of the "*last annual message*" of the greatest and best!! Perennis and Cleander have certified to their own good behavior, innocence and purity, have incorporated their certificate in the "*last annual message*," and have affixed to it the official manual of Andrew Jackson!

Is this certificate true? I put it to gentlemen if it be not true, whether injustice has not been done to Andrew Jackson, to those who have uttered just complaints, and to the public service, by this audacious forged self-acquittal!

Is it true or false, that the various executive departments have been conducted with ability and integrity, and that they are in a prosperous condition? That is the issue. How is it to be tried? Will gentlemen tell me that the president has tried the issue already, and that they are content with his certificate in form? Sir, I begin this session as I ended the last session, by asking the opportunity and power, and by claiming the right of an investigation by a committee, an efficient, able and fair committee, with full power to eviscerate the truth. The *truth* is all I desire. I make no accusations, no complaints, except of the denial of investigation.

If all have been conducted with ability and integrity, the departments have nothing to fear, and investigation may do great good. If it does not find and expose past fraud and corruption, it may prevent much evil hereafter, by the fear of scrutiny. I do sincerely, from the best of motives, earnestly desire to see the doors of the treasury department, of the land offices, of the Indian bureau, and of other departments and offices, thrown open to full and fair investigation. We then can have the facts of which to judge for ourselves, and on which to make up our own verdict. It is the duty of the grand inquest to find or *ignore* a bill for itself, and of the venire to try the issue and find a verdict for itself. No judge, much more no party, shall find a bill, true or false, or render a verdict for them. Cleanse the Augean stables, say I, and I say more. The Nu-

midian king, when he was carried a captive to Rome, and saw the corruptions of her citizens, returned from the city with contempt, and said—"give me wealth, and I will buy up the whole republic." Fanny Wright, I believe, uttered a truth, that whenever you see two men talking together, there are ten chances to one they are talking on one of three subjects—"trade, politics or religion." The three subjects have, since she wrote the remarks, entirely amalgamated into two. *Trade and politics* have now become one. Some of the priests, I am told, are offering to join the union, and mammon is the god of this day's worship. Trade, sir, trade swallows up every thing!

Tell me not this is the short session. Investigation was refused, last winter, when the session was long. I know, sir, that this is an inauspicious period, perhaps, to expect gentlemen to look back at the past, or to pause a moment on the present. I know that every eye is turned, and every mind of gentlemen is bent towards the future. "Coming events, which cast their shadows before," are much more dazzling to their hopes and fancies, than painful truths of the past or the present are to their memories or their wills. They know, sir, that some of the swarm of "*conservatives*" which are now fat and full of the blood of the treasury, must be driven off for some of the lank and hungry "*loco foco*" flies, who are voraciously eager to light upon this poor body politic of ours. All things may not become new, but there must be some changes; and for every change there will be some impatient expectant. I know that general Jackson has been made to say in this "*last annual message*"—"He that cometh after me is mightier than I" but he has not been made to add—"Whose fan is in his hand," and "he will thoroughly purge his floor." Sir, lest he may not purge his floor I wish it to be swept clean for him before he comes in, so that Jackson may not be blamed after he is gone.

Certain it is I cannot anticipate; time must develop the course and the policy of the coming administration. And let no one accuse me of commencing an attack upon it in advance. No, sir; so far from it though I hold Mr. Van Buren responsible for most of the mischief that has been done, and most that is now doing; though he has been the *caucus* candidate for the presidency, and was the nominated successor; though he is elected by executive patronage, corruption and dictation; though he succeeds at the expense of the elective franchise; though he is a minority president, and has promised to follow generally in the footsteps of this kitchen cabinet administration; yet, if he bravely dares to falsify that promise, "more honored in the breach than in the observance;" if he will kick away the base ladders by which he has climbed to the height of his ambition; if he will now leave Falstaff where he found him, and array around him the wisdom, intelligence, and virtue of the country, and base his administration on a sound, elevated and enlightened policy, free from corruption, and purely patriotic, uncontaminated by party, I will pledge my humble support to his measures, though I never can support the man, or pardon the past examples he has set. And why cannot I support the man whilst I approve his measures? For the very reason that he has not "*entered in at the straight gate*." I shall always eschew the example which has been set in 1836, as I did that of 1825, in the election of president of these United States. The one example has been rebuked with a vengeance—the other will not be forgiven by me.

Sir, in this contest one great battle only has been fought between power and the people. The result is known. The conflict was not decisive, and must, as long as there is an honest heart to hope for freedom—shall go on, until constitutional liberty, law, the independence of the people, and their representatives, honesty, truth and justice, are triumphant, or all are fettered in a despot's chains. Defeated, but not conquered; checked by the Prætorian bands of patronage, but not arrested in their onward march; the patriot army is not discouraged or dismayed; smitten, but not struck down, the flag of the country is still flying! Defeat may drive some, the craven or the cormorant of spoils, from the standard of the true and the brave, but to the firm and proud spirits of the patriot band I would say "Who shall separate us from the love of country?" Shall defeat? Another such defeat will be a glorious victory! In this "we are more than conquerors," for I am persuaded that neither office, nor bribe, nor principalities, nor powers, nor things present, nor things to come, shall be able to separate us from the love of our country its laws, and its liberties! God only knows in whose name this victory shall be achieved; it matters not; but this I know, be he who he may, his cause will be consecrated by the toils, the prayers, the sacrifices, and the hopes of the unsubdued and untimid freeman. No, sir; let no man despair of the repub-

lic. The fight is not yet ended. The people are not yet vanquished. Their hosts are withdrawn only for the moment to recruit their forces, and to repair their broken weapons. The weapons of our warfare are the weapons of truth. It shall be my duty to assist in pointing anew its spears and its lances.

The question on the resolution was then taken without further debate, and carried: ayes 96, noes 78.

REPORT OF THE COMMISSIONER OF THE GENERAL LAND OFFICE.

General land office, Dec. 1, 1836.

Sir: I have the honor herewith to present statements exhibiting the operations of the several land offices for the year 1836, and the first, second and third quarters of the year 1836, indicating the quantity of land sold; the amount of cash and scrip received in payment therefor; the amount of the incidental expenses, and the amount of moneys paid into the treasury by the receivers of public money, during the said period. See tables marked A and B.

Transmitted herewith, are also copies of the estimates of appropriation required by this branch of the public service during the ensuing year, viz:

For the general land office, see paper marked C.

The act of 4th of July, 1836, entitled "an act to reorganize the general land office," having omitted to make provision for the payment of the salaries of the officers and clerks whom it authorized to be employed, the paper marked C also indicates the amount required to be appropriated to meet payment for those salaries to 31st December, 1836.

For the office of the surveyors general, see paper marked D.

For surveying the public lands, see paper marked E.

Document marked F is composed of a circular letter addressed to the surveyors general, on the first September, 1836, together with their replies thereto, in relation to their estimates for the ensuing year, and the progress and present condition of the public surveys. P No. 2 is a compilation of those estimates.

In the surveying district composed of the states of Ohio, Indiana and Michigan, the amount of land surveyed, and of lands yet to be offered for sale, remain the same as represented in the last annual report of the late commissioner. The new surveys in these districts, to be effected under instructions recently issued, embrace all the former small Indian reservations ceded under treaties made this year with the Pottawatamie, Chippewa and Wyandot Indians, and all that portion of Michigan not heretofore surveyed, which borders upon Lake Michigan, south of Thunder Bay river, and north of Grand river, estimated at about two hundred and seventy-five townships.

In Wisconsin territory, formerly designated Michigan, west of Lake Michigan. In addition to the returns of the sixty-five townships in the Green Bay district, alluded to in the report of last year, and which have since been received, the office has been advised of the completion of the balance of the surveys in this district, amounting to one hundred and nineteen townships and fractional townships making in the aggregate about one hundred and eighty four townships and fractional townships surveyed, and yet to be offered for sale; being all the lands in the Wisconsin territory east of the Mississippi river, to which the Indian title has been extinguished. The necessary instructions have been issued for the survey of the Sac and Fox cession west of the Mississippi river, and binding on the river, which was ceded by treaty on the 21st of September, 1832, and estimated to contain two hundred and fifty townships, and also for laying off the towns named in the act of the last session of congress, approved on the second day of July, which are situated on this tract.

In Missouri and Illinois. Since the report of the late surveyor general, (30th January, 1836), was submitted to congress, (now forming document No. 215, H. R. 1st session, 24th congress), no returns of surveys have been made to this office, with the exception of the two townships on Rock river, Illinois, which were surveyed for the Polish exiles.—The communication from the present surveyor general, dated 3d November, 1836, and the accompanying papers marked A, B and C, afford all the information received respecting the present situation of the field and office work of the surveying district composed of those two states. The present surveyor general having only recently entered upon the duties of his office, cannot be expected yet to have had time and opportunity of entering fully into the state of the arrears. He remarks in his communication above referred to, "that the only work now going on in the field is as follows:

"By Joseph Montgomery, who is completing the surveys under his contract of 1834.

"By D. A. Spaulding, who is finishing his contract of the 9th June, 1835.

"And by Jesse Applegate, under his contract of the 25th day of May of the present year."

It being doubtful from the foregoing report, whether the field work of the three contracts it enumerates constitutes all the field work to be completed of the outstanding contracts, or simply the amount of field work at present prosecuting, the surveyor general has been again written to for more precise information.

On referring to pages 10 and 11 of the surveyor general's report of January 30, 1836, it appears that the returns of 36 townships in Missouri, and of 134 townships in Illinois, from the field notes of which the plats had been constructed, were at that date in his office. This is all the certain information now in possession of this office, in relation to the returns of the field work of the contracts exhibited in the lists.

In Arkansas nearly all the lands that have been surveyed and returned to this office have been offered for sale. The outstanding contracts for surveying at the commencement of the present year embraced the exteriors of 69 townships, and the subdivision of 60 townships, as will appear by the last annual report of the surveyor general then in office which accompanied the report of the commissioner, of December 5, 1835, (see document H. R. 1st session 24th congress), to which, in the absence of the expected report of the present incumbent, I beg leave to refer. The surveys recommended in the surveyor general's report, just referred, constitute the new surveys which have been ordered this year, amounted in all to 110 townships and fractional townships, selected in different parts of the state, with a view to the public accommodation; of these, 60 townships are to be subdivided for market.

In Louisiana. There are in this state, prepared for market, but not yet offered for sale, 250 townships and fractional townships, situated chiefly in the south eastern district, and in the north end of the Opelousas (south western) district, near the great raft of Red river, and 110 townships known to be surveyed, the returns of which have not yet been received. In addition to the survey of private claims, &c. already in progress, the surveyor general has been instructed respecting the survey of the tract recently ceded by the Caddo Indians, on the great raft of Red river, which, it is said, may be estimated at one million of acres.

In Mississippi. With the exception of about 40 townships, situated chiefly in the Choctaw district, and upon the south boundary of the Chickasaw cession, all the lands, in this state, north of the 31st degree of latitude have been surveyed, and, except 8 townships recently returned have been brought into market. The expected report of the newly appointed surveyor general for this state, on the condition of the surveys in his district and the details of his office, has not been received; but, as soon after its arrival as practicable, the instructions alluded to in the commissioner's report of last year, relative to the examination of their errors in locating and surveying the confirmed private claims south of the 31st degree of latitude, will be renewed.

The expectations expressed in the commissioner's report of last year, in regard to the progress of the surveys in the Chickasaw cession of 1832, have been fulfilled. The plats of 307 townships and fractional townships (including the portion of the cession in Alabama) have been returned to this office; and 249 of them having been proclaimed for sale, 58 townships and fractional townships remain to be offered; the survey of the remainder of the cession, estimated to be about equal to 30, is nearly completed, and will be finished it is expected, in a short time after the running of the line separating this cession of 1830, now in progress, is completed.—These townships are situated near that line, and in the south western part of the cession, near the Mississippi.

In Alabama. With the exception of the Cherokee lands recently ceded, and a few islands in the Tennessee river, and fractions of townships, situated chiefly upon the unsettled eastern boundary of the state, and those south of 31 degree of latitude, and all the lands have been surveyed and offered for sale. The eastern boundary line of the state not having been yet determined, so far as this office is informed, the instructions have been withheld for closing the public surveys upon that line, for which a special appropriation of \$1,000 was made at the last session of congress; which, therefore, has not been expended. As these surveys must remain unfinished, to the serious injury of a large number of settlers on the lands, and in their immediate vicini-

ty, until the line in question is recognized by the proper authorities, it is hoped that early steps now taken for its final adjustment, either by recognizing the line said to have been already run and marked under the authority of the state of Georgia, or by causing a new line to be run.

In Florida. In consequence of continual Indian hostilities, the surveying operations in this district have been suspended, and will have to remain so until the removal of the Seminole Indians shall be effected. There are at present 211 townships and fractional townships prepared for market, but not offered for sale, all of which are situated east of the Suwannee river, and north of the Wythlacoochee river. The surveys in the western portion of the territory have, for the most part, been completed, and the lands brought into market.

Interspersed throughout the different surveying districts there are a number of tracts, portions of townships, islands and swamps, susceptible of being reclaimed, &c. which, from various causes, were not surveyed at the time of the survey of the contiguous lands. The present enhanced value of most of those tracts appears to render them matters of public interest, which is increasing every year; and it is regretted that the frequent attempts to effect the survey of them have hitherto failed, by reason of the inadequacy of the present maximum of compensation.

The frequent inquiries and great interest manifested in relation to lands of this description, induced this office, in the circular letter of 1st September last, to call the attention of the surveyors general to the subject, and to require them to estimate specifically for the cost of all such work. In pursuance of such instruction, it will be perceived, from the accompanying documents, that the surveyor general of Ohio, Indiana and Michigan and the surveyor general of Florida, have both estimated for surveying unfinished portions of townships, islands, lakes, &c. at an average of five dollars per mile; and the surveyors general of Alabama and Louisiana have both estimated, for a similar description of work, at a price not exceeding eight dollars per mile. And it will be perceived that those specific estimates are taken into view, in the estimate of surveying expenses for the next year, submitted by this office.

The paper G, herewith transmitted, is a statement shewing the amount of forfeited land stock, issued and surrendered at the United States land offices, to the 30th September, 1836; also, the amount of military land scrip surrendered to the same period.

The paper H, is an exhibit of the periods to which the monthly accounts of the registers and receivers of the public land offices have been rendered, and showing the balance of cash in the receivers' hands at the date of the last monthly accounts current, and the periods to which the receivers' quarterly accounts have been rendered.

Land scrip and Virginia military surveys.

Since the last annual report from this office, the second section of the act entitled "an act making appropriation for the civil and diplomatic expenses of government for the year 1835," has been complied with, by issuing of scrip, in satisfaction of all the Virginia military warrants surrendered to the first day of September of that year, with the exception of about thirty-eight thousand acres on warrants suspended by reason of defects in the title papers, but which, it is expected, will be speedily completed. Considerable progress has also been made during the same period, in the issuing of patents on surveys founded on Virginia military warrants; and the office indulges the hope that all the remaining cases will be disposed of prior to the date of the next annual report.

The issuing of the patents for lands sold—pre-emption claims.

The pre-emption claims under the act of June 19, 1834, and those under the different acts of 1814, 1816, 1830, 1832 and 1833, have had a tendency to delay the issuing of the patents for lands sold, in nearly all the United States land offices. The late law granted to the settlers the term of *two years* from the date of its passage, at any time during which they might establish their claim, and make payment therefor. But in case the lands were proclaimed for public sale during the continuance of the pre-emption term, the pre-emption was required to be established before the commencement of such public sale.

The ordinary private entries being permitted to proceed during the whole term of operation of the pre-emption law, it has resulted that numerous instances exist where the land to which pre-emption claims have been satisfactorily established are discovered to have been previously entered at ordinary private sale. The consequence has been, that no patents for lands sold in any land districts during the pre-

emption term, (from 19th June, 1834, to 19th June 1836,) could with safety be issued until after the receipt of the June returns for 1836 affording evidence of the entire amount of pre-emption claims admitted under the law. In addition to this cause of delay in the issuing of patents, it has been made the duty of this office to review the whole of the evidences on which pre-emption claims were admitted in order to ascertain that the provisions of the law had been fairly complied with in each case—a labor which has occupied a large share of attention, and which has so far progressed as to admit of the release of the certificates of purchase, for the purpose of patenting, in the Helena and Fayetteville districts, in Arkansas; in all the districts of Ohio, Indiana, Michigan, and Missouri; the districts of Cahaba and Demopolis, in Alabama; the Green Bay district in Wisconsin; and the Mount Salus (now Jackson) district, in Mississippi, so that with some few exceptions, the patents for lands sold in the enumerated districts will be no longer delayed by pre-emption claims.

The number of certificates of purchase issued at the land officers during the year ending on the 30th of September last is found to be 184,949.

The present aggregate number of certificates of purchase remaining in this office, on which patents are to be issued is ascertained to be 263,017. Of these it may be remarked that a large portion includes several tracts, instances being numerous where they require the issuing of from ten to twenty separate patents.

Recorder's office.

Since the commencement of operations in the office of the recorder of the general land office, in August last, with a much smaller force than is intended to be permanently allotted to the duties of that bureau, (of writing, recording and transmitting patents), there have been written therein 21,724 patents, and 21,661 have been recorded. In addition to which there have been otherwise prepared, since the act of reorganization, 4,680 patents all of which bear date subsequent to that act.

Much interruption of the regular course of business in that bureau resulted from the unavoidable necessity connected with general official convenience, of frequently detaching from it, at different periods, many of the persons there employed, for the purpose of assigning them to duty on other branches of the office. From this cause it may be said the bureau has but recently been operating with an unchanged regular force, and that if no necessity for the interruption alluded to had existed, a heavier amount of work would have been accomplished during the same period.

Since the date of the last annual report, the number of patents actually transmitted, together with those now in immediate course of transmission, to the district land offices, is 80,940, bearing date prior to the act of reorganization.

The absence of the solicitor, provided for this office by the act of reorganization, has no doubt, prevented as rapid a progress in deciding cases of conflicting pre-emption claims as might have resulted under the complete organization of the pre-emption bureau. I am happy, however, in being enabled to state that, since the adjournment of congress, a very considerable number of cases of contested pre-emption claims have been settled, or placed in proper train for final decision, many of which are peculiarly complicated.

The registry of the sales of public lands (a labor independently necessary in order to impose a test to the accuracy of the operations of the land offices), has progressed with unexampled rapidity, since the increased means of executing the duties of this office have been placed at its disposal.

The impediments of the issuing of patents for sales of public lands in the Louisiana districts, hitherto existing, are in rapid process of being removed, so far as operations in this office are concerned; and this subject will receive that degree of special attention which its importance imperatively demands.

In conclusion, I have to state that, under the provisions of the Chickasaw treaties, of the 20th of October, 1832, and 24th of May, 1834, the sales of the lands ceded thereby commenced in Ponitoc, Mississippi, on the first Monday in January last; and by the returns made to this office, it appears that, up to the 30th of September last, they amounted to the sum of \$1,080,118 61. The operations of that office are not included in any of the statements herewith furnished as the net proceeds of the sales constitute a fund for the benefit of that tribe, and are available to the treasury for the general purposes of the government.

All of which is most respectfully submitted.
JOHN M. MOORE, *acting*
commissioner of the general land office.
Hon. Levi Woodbury, *secretary of the treasury.*

FOREIGN CHRONICLE.

How to astonish a custom house officer. A French paper states that an amusing adventure lately occurred at Boulogne. A lady stepped out of a packet boat which had just arrived at the wharf, with a small box under her arm. Some appearance of fur, which appeared through a crevice in the box, attracted the notice of a vigilant custom house officer, who immediately suspected that some smuggling trick was about being played. He stopped the lady, and rudely insisted on examining the box. It was delivered to him with apparent reluctance. But he had no sooner put his hand on the cover, than it sprang off, and a hideous figure about 8 feet high, arrayed in the most uncouth costume, started out of the box! It was one of those children's toys called magicians, manufactured for the amusement of children, when by the means of an elastic wire, an object is made to start from the box, on removing the cover. This unfortunately for the officer, happened to be of an unusual size—and he was so terrified at the unexpected and horrid spectacle, that uttering one shriek, he dropped the object of his fears, and fled in dismay from the quay!

Hay. An English paper of a late date mentions that a vessel was about to sail from Aberdeen for the United States, with 62 tons of hay, and another larger cargo was to follow from the Clyde.

The latest Paris letters mention the occurrence of three heavy failures of houses in that city. There had also been three extensive failures in Antwerp. It is added that neither of them has any connection with the United States.

A late Smyrna paper states that a literary and scientific society has just been formed at Cairo under the title of the *Egyptian society*, whose principal object is to collect in an immense library all the works ancient and modern, relating to Egypt, and to allow travellers who, being introduced by a member, have the privilege of visiting the establishment gratis, all the information they may desire relative to their travels through the country profitably and economically.

Rio Grande, October 14. Information was received a few days since, of the entire defeat of the revolutionary forces near Port Alegre, and of their commander and most of his officers having been made prisoners. This, it is generally supposed, will put an end to the war in a short time.

We regret to learn, by a letter from Edinburgh, that sir Robert Liston died at his country seat near that city, about the close of October. He lived to a most venerable age, since he must have been upwards of ninety years old when he died. He will be remembered by many of our citizens as an ambassador from the court of St. James to this republic, before its political capital had been removed to Washington. [*Phil. Gaz.*]

The winter in the British provinces appears to have been unusually mild. The *St. Andrews Standard* of the 15th instant says: "The unusual mildness and salubrity of the weather, which we have experienced for some time back, are the theme of common congratulation." The *St. John, (N. B.) Courier* of the 10th, says: "The weather for some time past has been truly delightful; this morning it is more like May than December."

Shipwrecks. A report to the British house of commons on shipwrecks, states that the whole loss of British shipping at sea amounts to nearly £3,000,000 per annum, and the loss of lives to 1,000 each year.

Public roads in England. The English expend one million pounds annually in the repair and maintenance of their public roads; they are about 20,000 miles in length.

Mr. Cass, appointed United States minister to France, arrived at Portsmouth, England, November 2d, in the *Quebec*, 22 days from New York.

During the past year there were destroyed in the different provinces in Sweden the following number of animals of prey: 144 bears, 536 wolves, 316 lynxes, 7,892 foxes, 2,505 eagles, and other ravenous birds. This was exclusive of the slaughter by private hunting parties.

Horrible! A Nova Scotia paper informs us that a house was lately burnt in Western Bay, Newfoundland, and melancholy to relate, six children, the only inmates at the time, were burnt to cinders! The parents were absent in another part of the island.

Great fall of snow throughout France. There had been much snow, more especially in the south of France. This happening before the close of October is deemed a rare occurrence. At Toulon and Marseilles the mountains were covered, and there were severe gales on the coast. The roads were

so choked up with the snow, Oct. 29, at Marseilles, that the diligence was detained some time. The olives are not injured, and no serious injury to the vintage is apprehended, as experience proves that the light frosts usual at the beginning of November gives a desirable flavor to the grapes of Saint Cyr, Les Coteaux and Breze, which are rarely gathered till after All Saints Day. At Caen in the north of France the snow was a foot deep.

Joseph Bonaparte is expected to leave London early in the spring, on his return to the United States, his residence at Bordentown, in the state of New Jersey, being ordered to be prepared for his arrival.

Mr. Day, the celebrated blacking manufacturer, who died lately in London, has by his will, bearing date immediately after the marriage of his daughter with Mr. H. Clagget left to her a life interest in £4,000 a year, payable to her receipt alone, and £2,000 a year to Mrs. Day. These sums to go in equal divisions, after their respective deaths, to his nephews and nieces, whom he has appointed residuary legatees to his estate, amounting to £450,000; the business in Holborn is ordered to be sold.

Southey, the English poet Laureate, has sent a poetical contribution to the Knickerbocker—being his first appearance as a contributor to an American periodical.

The honors of war. In the hotel des invalids, at Paris, there were 3,200 old soldiers and 300 officers—the blind, withered and lame of the grand armies of France. Many of these old braves are fond reading, and an interesting spectacle is often witnessed in the library-room connected with the institution. There is one old soldier who can read very well; but having lost both his arms, he is unable to hold a book. There is another who has both his hands, but has lost his eyes. They were often seen together, the blind man holding a book, which the other reads aloud for the benefit of both.

The old heavy French diligences, which go along at the jog trot of some seven miles the hour—always safe by their solidity, and always behind hand by their ponderosity—are about to be exploded.—Lord H. Seymour, under the patronage of the French government, is about to introduce that perfection of travelling by horse flesh, a line of English stage coaches, and relays of English horses, between the French coast and Paris. Rail roads will soon supersede them all.

DOMESTIC CHRONICLE.

A coach made of the wood of the Constitution.—A beautiful coach has been built entirely of the wood of the old frigate Constitution, at Amherst, in Massachusetts. It is intended, as we are informed, for a new year's present to general Jackson, and was paid for by the contributions of several gentlemen of this city. It is now at Washington, packed in a large box from which it will be taken on new year's morning. [*N. Y. Post.*]

The Virginia house of delegates has before it a case of contempt. One of its members, Mr. Scott, of Powhattan, being, as he thought, insulted by a witness named Hopkins, who was testifying before a committee of the house, struck him—a struggle ensued, which the members present soon put an end to. Subsequently it was renewed at the door of the house, and thereupon both parties were taken into custody by the sergeant-at-arms. Mr. Hopkins is contesting the seat of Mr. Scott.

New banking institution. The New York Express of yesterday informs us that it is in contemplation by a number of wealthy individuals, of that city, to apply to the legislature for the privilege of banking: that they design to issue no notes, or if any, not of a less denomination than fifty or a hundred dollars, to be responsible in their private fortunes. Their business will be confined to receiving deposits and discounting notes after the English plan. This mode, adds the Express, will be generally acceptable to all parties.

The court of inquiry at Frederick, have adjourned, in order to give time for the arrival of witnesses and the arranging of documents, to 4th proximo.

The suit instituted against the Boston and Providence rail road company, by the United States seamen who were injured by two locomotives coming in contact some months ago, was to be tried on Monday at Dedham, before the court of common pleas. The passed midshipman, has laid his damages at \$10,000.

Flogging to death at sea. The Boston Post states that captain Otis Taylor, of the brig Martha Theresa, has been held to bail in that city, for flogging John Wilson, one of his crew, so that he died.—Wilson, it seems, deserted during the voyage and

was recaptured a fortnight afterwards, and seized up in the main rigging, and two dozen lashes were inflicted on his back by captain T. He was then put in irons; next morning he was again flogged, receiving a dozen each, from the 1st and 2d mate. He was again put in irons for a fortnight, and kept on bread and water. He became sick and died in about three weeks after the floggings. A heavy twelve tailed cat was used, he had his shirt on when punished. Captain T. obtained his bail, and was liberated from custody. [*N. Y. Transcript.*]

New article of furniture. A New York Yankee has invented an improved bee hive, which is said to have the appearance of and to be, in fact, a mahogany side-board, with drawers above, and a closet below, with glass doors, to be placed in the chamber of a house, and to be connected with the open air by a tube passing through the wall. The operations of the bees are clearly seen through the glass doors, and the honey is deposited in the drawers.

A Utica paper of Dec. 20, says—"Cox, the porter of the Oneida bank, who has been imprisoned for some time past, on suspicion of having robbed the bank, was called up before the grand jury last week, and after a full investigation was acquitted, the jury as we have been informed, giving him a certificate that there was no evidence against him."

The president of the United States has recognized Carlos Dudley Head, esq. as vice consul of the Oriental republic of Uruguay, for the port of New Orleans.

A resolution has passed the senate of South Carolina, authorizing a subscription of one million of dollars to the stock of the Charleston and Cincinnati rail road company.

The news of gen. Santa Ana, president of the United States of Mexico, being on his way to Washington, city is confirmed. He was at Plaquemine, on the Mississippi, on the 12th instant, and was to ascend the river the same day on his way thither.

We learn by the Indiana Journal, that a joint resolution has been introduced in the legislature of that state, opposed to the annexation of Texas to the United States. It has passed a second reading, and is expected to produce an interesting discussion when taken up for its final passage.

Dr. Bird, author of the *Gladiator*, &c. has been elected a member of the Dramatic Authors' society of London.

A United States frigate was seen on the 24th, sixty miles south of the capes of Virginia. The Potomac from the Mediterranean, and Brandywine from the Pacific are both daily expected.

The Bowery theatre in New York, lately destroyed by fire, has been rebuilt, and is to be reopened on Monday night next.

The brig *Monrovia*, captain Kelly, from Philadelphia, arrived at the port of Lagaira, on the 23d November, a distance direct of about 1,900 miles, in the remarkable passage of nine days.

The brig *Boxota*, captain Clear, which arrived at New York on Monday from St. Croix, performed her voyage in the remarkably short space of twenty-seven days! She made her passage out in 9, and home in 12 days.

The foot race in Augusta. From a gentleman, passenger on the rail road, we were informed that the foot race on the Augusta race course, for \$3,000 aside, distance 50 yards, between Perret, a Georgian, and Day, a Kentuckian, took place on Saturday last, and resulted in favor of the former—beating Day by near six feet. The time, as near as our informant could recollect, 4 seconds. The course was crowded, and much betting on the result.

Chief clerk in the state department. Aaron Ogden Dayton has been appointed to this office, in the place of Mr. Dickens, chosen secretary of the senate.

The Tradesmen's bank of New York has declared a dividend of seven per cent. for the last six months, and the bank of America a dividend of five per cent.

The Harrisburgh Telegraph of Friday says: One track of the Harrisburgh and Lancaster rail road is now completed, with the exception of a short distance at the tunnel, and locomotives are expected to commence running on it to-day. This road makes the distance between this place and Lancaster three miles less than the turnpike, and will be one of the finest as well as the straightest roads in the union. Hereafter passengers will be able to travel to and from Harrisburgh to Philadelphia by rail road and by daylight. The tunnel will be completed early next summer.

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[Vol. LI.—Whole No. 1,319.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED, BY WILLIAM OGDEN NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

THE EXECUTIVE DEPARTMENTS. In the present sheet we have published the speeches of Messrs. *Peyton* and *Ripley* on Mr. *Wise's* resolution relative to an inquiry into the administration of the executive departments: and will hereafter publish at least two more speeches on the same subject, one on each side, that a full and impartial record may be preserved.

MR. EWING OF OHIO. We regret to learn from the "Intelligencer" of yesterday, that this gentleman left Washington on Wednesday evening last in consequence of afflictive intelligence received from home.

MAJ. GATES. We also learn from the "Intelligencer" that among the business transacted in the executive session of the senate of yesterday, was the confirmation of major *GATES* to a re-appointment to his rank in the army, from which he had been stricken by the president of the United States, and subsequently nominated for restoration for the purpose of affording him the privilege of trial by a court martial.

ELECTORS OF PRESIDENT. It appears that several states have elected electors who are disqualified for that office in consequence of holding offices under the United States. Several are specified among the electors of New York, one among those of Massachusetts, and of those of New Hampshire, two or three, out of her seven electors, are said to be illegally chosen. The present is a most propitious period rigidly to enforce the constitutional provision, and we hope both parties will unite in doing so. Such a "purging of the polls" will not vary the result; and even if it would, it is due to ourselves and those who come after us to show our respect for the express declarations of the constitution, or we may establish a precedent of a most dangerous character.

The following is the provision of the constitution on the subject:

Article 2, sec. 1, ¶ 2. Each state shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of senators and representatives, to which the state may be entitled in the congress. *But no senator or representative, or person holding any office of trust or profit under the United States, shall be appointed an elector.*

GEN. SANTA ANA arrived at Lexington, Ky. on the 29th ult. in bad health and will remain there until he is able to travel to Washington. At Louisville "some vandal threw a brick bat at him." This act is of the same character as the decisions of judge Lynch and equally worthy of the severest reprehension; for monster as he is, we have no right thus to punish him for crimes inflicted upon Texans, which their own government has pardoned; even if we were not restrained by the obligations of hospitality. His visit to Washington has caused considerable speculation, and will no doubt develop some interesting particulars in relation to the contending parties.

THE INDIANS. A letter from Fort Gibson, states that that post is completely encircled by Indians,—Creeks, Cherokees, Choctaws, Osages, &c. and that 12,000 more Creeks were expected from the south in a few weeks. To overawe this vast body of Indians there were only 260 men at Fort Gibson, and not all these fit for duty. All, however, was peaceful; but it manifests criminal negligence to leave that frontier thus exposed. Three regiments at least are required there instead of the mere handful of men in charge of the gallant commander of the fortress.

A correspondent of the Arkansas Advocate states that the emigrating Creeks are scattered along the roads in little predatory bands, killing hogs and stealing as they go. One company of Creeks, which numbered 3,200 when it started, had only about 2,000, the rest having fallen off into straggling parties.

MARYLAND. On Monday last *Thomas W. Veazey*, esq. was re-elected governor of Maryland for the ensuing year. The whole number of votes cast

was eighty-one, of which Mr. *Veazey* received seventy.

On Tuesday last, *Robert M. Tidball*, esq. of Washington county, and *Joseph S. Collman*, esq. of Somerset county, were elected state senators to supply the vacancies occasioned by the resignation of *William Price* and *Thomas King Carroll*, esqrs. and on Wednesday *Samuel Jones*, jr. esq. of Baltimore, was elected a senator in place of *John V. L. McMahon*, esq. who had also resigned.

On Wednesday last the legislature, on joint ballot, re-elected the following gentlemen council to the governor by the votes attached to their names: *Gwinn Harris* 73 votes; *Wm. F. Johnson* 68; *John McKenney* 67; *Nathaniel Williams* 66; and *William L. Jones* 64. Mr. *Harris* having received the largest number of votes is president of the council.

DEPOSITE BANKS. By reference to our abstract of the proceedings of congress, it will be seen that the house of representatives has appointed a select committee to inquire whether the deposite banks have employed an agent at the seat of government to transact their business with the treasury department, &c. The committee consists of Messrs. *GARLAND*, *PIERCE*, of New Hampshire, *FAIRFIELD*, *WISE*, *GILLET*, *JOHNSON*, of Louisiana, *HAMER*, *MARTIN*, and *PEYTON*.

THE AGENT OF THE DEPOSITE BANKS. In the debate which took place in the house of representatives on Tuesday last, on Mr. *Garland's* resolution, with the amendments of Messrs. *Harlan* and *Vanderpoel*, relative to the deposite banks, their agent, &c. (see page 296) Mr. *Peyton* is reported, in the "Globe," to have said:

"That in consequence of the character of the agent alluded to, Mr. *Taney*, the former secretary of the treasury, would not recommend him as an agent of the deposite banks; but when the present secretary came into office, this individual was taken into the treasury department, and every facility granted him. Now he had fortified himself, and gentlemen were afraid to institute an investigation into his conduct. Mr. *P.* spoke at considerable length, and adverted with great severity to the course of the secretary in relation to *Whitney's* connection with the treasury department."

In consequence of the above remarks, Mr. *Whitney* published the following "CARD" in the *Globe* of Thursday last.

A CARD.

During the last session of congress, it became necessary for me to expose H. A. *Wise* of having stated, in the hall of the house, a BASE FALSEHOOD in relation to myself.

In the *Globe* of this morning it is reported, that *Baylie Peyton*, the *Siamese* companion of *Wise* for twelve months past in uttering falsehood and slander, said that, "in consequence of the character of the agent alluded to, Mr. *Taney*, the former secretary of the treasury, would not recommend him as an agent of the deposite banks." No one can mistake that it is myself alluded to by Mr. *P.*

I challenge Mr. *Peyton* to adduce a single particle of proof to sustain the above assertion; and for having made it without proof, I pronounce him A CALUMNIATOR, AND GUILTY OF UTTERING A BASE FALSEHOOD; this too, like *Wise*, while shielded by his constitutional privilege.

If any one who does not know me wishes to ascertain my character, I refer them to citizens of those places in which I have passed many years of my life.

R. M. WHITNEY.

Wednesday, 4th January, 1837.

FROM FLORIDA. The latest intelligence from the seat of hostilities is contained in the following extracts of letters from Gen. *Jesup*, which we find in the "Globe" of this morning.

Extracts from letters from general Jesup, dated

"HEAD QUARTERS, ARMY OF THE SOUTH,
Camp Dade, Dec. 17, 1836.

"The army under my command, consisting of the Tennessee brigade and Alabama battalion, with about three hundred regular troops, and five hundred Indian warriors, arrived in this vicinity last night. To-day I have had the *Wahoo* Swamp completely examined; not an Indian is to be found, and the friendly warriors are of opinion that they have all gone south. From the appearance of their trails

they are supposed to have retreated soon after their last battle with the troops under the command of governor Call."

"HEAD QUARTERS, ARMY OF THE SOUTH,
Camp Dade, Florida, Dec. 18, 1836.

"Since I wrote to you yesterday, I have resolved, from a careful consideration of all the circumstances of the country, and the army, to place a depot at this place, leave a garrison of one hundred and fifty men to defend it, and with the remainder of the force under my command, to proceed down the *Wythlacoochee*, scouring the country on both banks to its mouth.

"By the movement proposed, I shall be able to drive out all the Indians who may remain on or near the river, to cover the frontiers, and ascertain the practicability of pushing steamers or other boats up to the forks.

"If boats can be brought up to that point, or within a day's march of it, the Indians must forever abandon their settlements in the cove and the swamps of the river.

"The Tennessee volunteers will continue with me until this movement be performed, though the term of service of many of them has expired, and that of all will probably have expired before it be accomplished.

"The prisoners whom I have taken, inform me that it is the purpose of *Micanopy*, *Jumper* and *Abraham*, to fly before the army, and avoid a battle; they will hide themselves in the dense hammocks and swamps of the everglades. *Oseola* has declared his intention to maintain himself as long as possible on the *Wythlacoochee*, and then fly to the south; but the prisoners say he will never surrender."

THE MONEY PRESSURE IN NEW YORK. The following is from the New York "Journal of Commerce" of Monday last, and exhibits a singular condition of things in the pecuniary transactions of the great metropolis. The restriction of the banks must have acted with great severity, but the manner in which it was overcome speaks volumes in favor of the resources and unity of the New York merchants. No one should say after such a trial that "they ought to break."

On Saturday several of the banks refused to receive merchant's checks on other banks in deposite. Immense sums therefore which are usually liquidated by entries on the books of the banks, had to be drawn out in bills. The consequence was, that some of the banks were exhausted of bills, although a special effort was made to keep up a supply by signing them as fast as possible. After all, in a good many cases, the teller was compelled to give *due bills*, for checks, which *due bills*, for the occasion, were of necessity passed as money, and deposited at other banks. The incident is of no consequence except, as illustrating the importance of that department of the currency called checks. They save the use of a vast amount of bank notes, and lessen immensely the dangers of bank transactions. The refusal to take checks in deposite as is usual, put the last strain upon the mercantile strength of the city, as it prevented all fiction in payments, and compelled every man to furnish real cash. We are happy to say that so far as we know, every man furnished the cash, and every engagement was fulfilled. The merchants have now been proved in all sorts of ways, and by quadruple powers, and stood the test. We hope they may soon be relieved from farther testing of their strength.

MARYLAND SENATOR. The vacancy in the senate of the United States, occasioned by the death of *Robert H. Goldsborough*, esq. has been filled by the election of *Dr. John S. Spence*, of Worcester county, who will serve until the 4th of March next, when Mr. *Goldsborough's* term would have expired.

SURPLUS REVENUE. According to the report of the secretary of the treasury to both houses of congress, (see page 297,) the balance in the treasury on the 1st inst. for distribution among the states is \$37,469,859 97, being equal, Michigan included, to \$127,445 10 for each electoral vote. Twelve states only have communicated their acceptance of the terms of the act, and to these transfer drafts are now

issuing for the first quarterly deposit. The portion awarded to Michigan will not be paid until congress shall decide to admit her into the union—a bill for which passed the senate on Thursday last by a vote of 25 yeas to 10 nays.

DREADFUL SHIPWRECK. We learn from the N. York Commercial Advertiser of Wednesday last, that the barque Mexico, from Liverpool for New York, with one hundred and sixty-six passengers on board, went ashore on Hempstead bar on Tuesday last; and the wreck master, who had arrived in New York from the vessel, reports that only eight persons had reached the shore when he departed—the remainder, he thinks, must have perished!! The survivors are so severely injured by the frost as to be unable to give any intelligible account of the disaster. It is said the barque had no pilot on board—and that she had a signal of distress flying for several days!

DEATH OF MRS. DONELSON. With melancholy feelings we record the death of Mrs. Donelson, the beautiful and amiable wife of Andrew Jackson Donelson, late private secretary of the president. This most estimable lady went to Tennessee during the summer, and expected to return with her uncle on the 1st of October. For the most part, since the beginning of this administration, Mrs. Donelson has presided at the president's mansion; and all who have visited it know with what amenity of manners, with what engaging and unpretending kindness, she welcomed the guests to its hospitalities. She was destined not to share the affectionate farewell greetings with which the country is prepared to salute the close of the president's residence at Washington; with which, in all its private and social relations, she was identified. Mrs. Donelson was seized with a hemorrhage of the lungs at her home in Tennessee, shortly before the period fixed for her return. She rallied for a time, and hopes were entertained of her recovery; but a relapse, in the early part of December, hurried her to the grave on the 19th of the month. [Globe.]

IMPORTANT—if true! The New Orleans Bee of Dec. 26, says—

It was rumored on Saturday and Sunday on the authority of letters, we know not whence or by whom received, that the royal party of Mexico had declared the infant of Spain, Don Francisco de Paula, king of that fine country, that France and England had declared in his favor, and had furnished him with resources to work his way to the throne thus offered him, that four French ships of 74 guns are now off Pensacola, and were about to sail for the neighborhood of Vera Cruz, where another 74 had already arrived, and that these forces were to support the party about to declare in favor of the infant.

It is impossible for us to decide on the degree of credit that ought to be attached to this rumor.

MARYLAND AND THE SURPLUS. The following is the bill which passed the legislature of Maryland authorising the reception of that state's portion of the surplus revenue.

An act to authorise the treasurer for the Western Shore, to receive such sum or sums of money as shall be awarded to the state of Maryland, under the provisions of the act of congress, therein mentioned.

Section 1. *Be it enacted by the general assembly of Maryland,* That the treasurer for the Western Shore be, and he is hereby authorised to receive from the secretary of the treasury of the United States, such sums of money as shall or may be awarded to the state of Maryland, as and for its proportion of the public revenue of the United States, which is to be distributed under the provisions of the act of congress, entitled, an act to regulate the deposits of the public money.

Sec. 2. *And be it enacted,* That the treasurer of the Western Shore shall be, and hereby is authorised to deliver to the secretary of the treasury of the United States, certificates of deposit for the sum or sums of money to be received by him for this state as aforesaid, which certificates shall be signed by the said treasurer, and in such form as may be prescribed by the secretary of the treasury aforesaid, shall express the usual and legal obligations and pledge the faith of this state for the safe keeping and payment thereof; and shall pledge the faith of this state to pay the said moneys, and every part thereof, from time to time, whenever the same shall be required by the secretary of the treasury for the purposes, and in the manner and proportions set forth and described in the aforesaid act of congress.

Sec. 3. *And be it enacted,* That if the said treasurer shall receive payment of the sum or sums of

money to be awarded as aforesaid to this state, in checks or drafts on the Union bank of Maryland and Franklin bank of Baltimore, or either of them, he shall be and is hereby authorised to demand payment thereof. And whenever any sum or sums of money aforesaid shall be paid to the treasurer, it shall be his duty to deposit the same in the Union bank of Maryland, Franklin bank of Baltimore, and Farmer's bank of Maryland, in the following proportions—not less than one quarter nor more than two-fifth parts thereof in the Farmer's bank of Maryland, and the residue in the Union bank of Maryland and Franklin bank of Baltimore in such proportions as to the treasurer may seem proper, the whole to be held by said banks subject to the control of the general assembly.

APPOINTMENTS BY THE PRESIDENT—By and with the advice and consent of the senate.

Charles E. Anderson, of New York, to be secretary of the legation of the United States to the court of his majesty the king of the French.

Theodore S. Fay, of New York, to be secretary of the legation of the United States near his Britannic majesty.

James A. Bayard, of Delaware, to be attorney of the United States for the district of Delaware.

Samuel S. Hall, of Arkansas, to be attorney of the United States for the district of Arkansas.

Jesse Miller, of Pennsylvania, to be first auditor of the treasury department.

James Whitcomb, of Indiana, to be commissioner of the general land office.

Edwin R. Wallace to be attorney of the United States for the northern district of Alabama.

Martin Gordon to be superintendent of the branch mint at New Orleans.

Joseph J. Singleton to be superintendent of the branch mint at Dahlhogne, in the state of Georgia.

James M. Strode to be register of the land office at Chicago, Illinois.

Gordon D. Boyd to be receiver of public moneys at Columbus, Mississippi.

Theodore J. Wilkinson to be receiver of public moneys at St. Stephens, Alabama.

Richard M. Carter to be receiver of public moneys at New Orleans.

James McKissack to be register of the land office at Fayetteville, Arkansas.

Matthew Richard, of Ohio, to be solicitor of the general land office.

DESTROYING THE CHEROKEES BY WHISKEY.

Governor Schley, Dec. 8, made an important communication to the Georgia legislature enclosing recent despatches sent express from gov. Wool, touching the alarming state of things produced among the Cherokees, by the shameful practice pursued by the whites of selling to them intoxicating liquors, particularly whiskey. This abuse is carried on to great extent at New Echota and its vicinity, and among the despatches is a remonstrance from the principal chiefs, petitioning the legislature to prevent the practice. Any person, by the small fee to the clerk, may obtain a license: gov. Schley urges the passage of a law totally prohibiting such licenses. Gen. Wool implores the governor to use his exertions to procure such a law, otherwise he fears the worst of consequences from the approaching assemblage of 1,000 Indians at New Echota, to meet the commissioners. The chiefs say their people are by the frequent potations of whiskey, becoming degraded to brutes.

STATISTICS OF CUBA. The annual table of exports from the ports of Havana and Matanzas exhibits the curious fact that in the last three years the quantity of coffee shipped to the United States exceeded the whole quantity shipped to Europe, by 4,666,000 pounds. The export to United States, during those three years, was 40,490,000 lbs. To all Europe, 35,824,000 lbs.

The improvements which have been effected in the affairs of the Island of Cuba under the wise and efficient management of governor Tacon may be seen by the facts exhibited in the following article: [Ball. American.]

Don Ramon de la Sadra in a late work on the political history and resources of Cuba, gives the following estimates of the population, &c. of that island: White males, 168,653; white females, 142,398; free males of color, 54,533; male slaves, 183,290; female slaves, 103,652. Total, 704,489. To this number may be added, 26,076 for the floating population possessing a transient residence on the island, making in all a population of 730,565 souls.

The reforms introduced into the island since 1825, have contributed greatly to its internal pro-

perity and to its foreign trade. The direct national importations which, in 1826 amounted only to the value of 2,046,765 francs, were increased in 1830 to more than twenty-five millions. The scale of duties established in the colony have tended greatly to promote its commercial advancement. On the produce of the country exported beyond the sea, they are only two per cent. and the extraordinary duty on coffee has been suppressed. In 1825, the deficit in the revenues necessary to the support of the government amounted to 7,500,000 francs; in two years afterwards, owing to the financial reforms adopted, there was an increase in the sum of the revenue amounting to 22,565,750 francs, while in 1830, the revenues of the island amounted to forty-five millions of francs, near twenty-five millions of which were consumed by the army and navy. 900,000 francs were remitted to the peninsula in 1831; in 1832, 1,700,000 francs; and in 1833, upwards of four millions, besides establishing a bank with a capital of 6,200,000 francs. The general receipts of the island are made up of 67½ per cent. duties on maritime commerce, 24½ interior contributions, 2½ retained on personal salaries, 1½ retained on ecclesiastical rents, 3½ in different variable items. The capital employed in the various agricultural and other pursuits of the island, may be estimated at about 2,250 francs for every individual inhabitant, or 8,800 francs for every individual of the free population. In England it is about 1,135 francs for each individual, and in France, 1,250 francs. The net revenue of the island is seven per cent. on the whole amount of capital, and the net produce is considered to be about one-half of the gross produce. The average general tax upon each inhabitant is 45 francs, or near 75 francs for each free inhabitant, while the local tax is 20 francs for the same class. The 700,000 inhabitants of Cuba pay to the state an annual tax of forty-five millions, and the population of Spain, if assessed at the same rate, would pay 700,000,000 francs; and the thirty two millions of France, would pay more than twice the sum they now do. Great improvements have been made in the police regulations of most of the towns and cities of the island, and Havana, formerly so noted for its robberies and frequent assassinations, has become one of the most peaceable and orderly cities of modern times.

THE WAR IN SPAIN. The following article, published in a London paper, has been compiled from the various official reports of the two contending parties in Spain. The reader will see at a glance, how small a portion of truth abounds in the bulletins on either side:

Madrid statements.

Number of Carlists killed in battle to the 1st of April, 1836, according to the Gazette of Madrid	280,535
Ditto from the 1st of April to the 8th of October	33,927
Prisoners in the former epoch	54,403
Ditto in the latter epoch	11,760
Total killed and prisoners	380,716

Guns taken in both periods	113,221
Battles gained	597
In which the enemy was entirely routed	270
Partially	227

Onante statements.

In 189 bulletins from September, 1834, to this day—Queenites killed	189,688
Prisoners	43,811
Passed over to the Carlists	42,536

Total killed, prisoners and deserters	276,453
Battles gained	95
Cannons taken	107
Decisive and complete victories	87
So much for Spanish generals, armies, victories and official statements!	

PROTECTION OF THE BANK OF ENGLAND AGAINST FIRE. The recent fire in the printing department within the bank of England, and the vast importance of there being a full assurance of safety for the enormous amount of securities and moneys deposited in this national establishment, may render the following account of the means of protection against any accident from fire, which the bank possesses within itself, interesting to the public generally. In the first place, the entire building is erected in manner cautiously designed to prevent the spread of fire. In every department are strong rooms for the nightly lodging of books, moneys, and securities, and closets within these rooms, which together with the rooms themselves, are deemed to be perfectly fire-proof. There is a nightly guard of 32 soldiers sent from the Tower, who have each his post within the building. There are besides, a number of

the porters, of the principal clerks, and of other officers of the establishment, constantly resident within the walls of the building. A nightly watch of the confidential officers of the bank, who take turns in rotation, is rigidly required. A general survey of every department and office of the building is made by those gentlemen, who are on duty thrice in the course of every night—namely, at ten o'clock, at midnight, and at four o'clock in the morning. Occasional surveys of the more important apartments are made in the intervals between these stated times, of more or less extent, according to circumstances, and the degree of vigilance of the gentleman whose turn it is to keep watch. It was to this wise precaution that the timely discovery of the recent fire is to be attributed. There are seven very excellent fire engines kept within the bank, which are monthly inspected by the maker, and there is in every department a good supply of fire buckets. In each of the yards of the bank are capacious tanks, judiciously placed, and kept constantly filled with water. The only deficiencies seem to be, the not having two or three resident porters practically acquainted with the management of engines and the want of pickaxes, saws and crowbars, to tear up timbers, floorings, or partitions, which might catch fire.

Of the cause of the late fire, upon a careful resurvey, no doubt could exist. The aperture cut through the flooring by the workmen and which was supposed by the clerk of the works to have caused the fire, by the fall of some accidental sparks, was found to be wholly untouched by fire, so that no doubt can exist but the iron hearth had for many days past been allowed, by the accumulation of burning cinders, to become thoroughly "saturated with heat," and iron being a powerful retainer and conductor of heat, the strong beam that passed under the hearth and the ends of the girders which rested thereon, were gradually undergoing a process of decay from the constant action of heat, till at last they burst into a state of combustion. The property within the bank is wholly uninsured.

SETTLEMENT OF THE "RESERVE"—OHIO.

From the Western Reserve Chronicle.

Cantfield, October 25th, 1836.

DEAR SIR: I have been extremely anxious to obtain all the information in the possession of the first settlers, relative to the early history and settlement of the Reserve. Judge Atwater has written to me, at my request, and I know of no better method of perpetuating the facts he mentions, than to have the letter published. Very sincerely, yours,

E. WHITTLESEY.

Geo. Hapgood, esq.

Mantua, June 19, 1835.

Elisha Whittlesey, esq.

SIR: Agreeably to your request, I send you as much of an answer to your inquiries as my means of knowledge will at present permit.

The first surveying company came up the Mohawk river, from Schenectady, where it was said, one of the boatmen was drowned in ascending the river. I believe they had four boats, one of which was wrecked and lost on lake Ontario, the night when the boats ran by Fort Oswego, (then in possession of the British, and a few days before it was given up, by what is called "Jay's treaty").

A considerable portion of the men were hired in Ontario county, N. Y. and were not with the boats at that time. I was one of the latter, who came by land and drove cattle and pack horses. About a week was spent at Buffalo, to hold a council with the Indians. The principal chiefs of the Six Nations, and many others, were assembled. After many fine speeches had been made and interpreted, some presents given and accepted, the pipe of peace smoked, specimens of Indian dancing given, &c. the council broke up, and each one went his own way, or on their own business. The surveying party proceeded on, some in the boats and some by land; and all assembled on the peninsula of Presque Isle, on the morning of July 4th, 1796.

The day was fair and pleasant: the lake still and calm: the beach of the lake tolerably good for travelling; and the boats and land party arrived at the mouth of Conneaut creek a little before sunset. Having all arrived safe, and in good health and high spirits, it might be supposed all felt ready and willing to celebrate the 20th anniversary of our independence, in the best manner the circumstances would admit. Although late in the day, a suitable number of toasts were drank, salutes of small guns fired, and the day closed with general rejoicing and hilarity.

The party then consisted of forty-five men, two women and one child, perhaps three or four years old, a son of Mr. Gunn; and a negro man, Joseph Hodge, commonly called black Joe, who had been

employed to come from Buffalo or Cataragus as an Indian interpreter. He stayed but a few days.

The names of the men, and the capacities in which they acted, were as follows: namely—Moses Cleaveland, agent; Augustus Porter, principal surveyor; Moses Warren, Seth Pease, Milton Holley, Amos Spafford, Richard M. Stoddard, surveyors; Joshua Stow, commissary; Theodore Shepard, physician; Joseph Tinker, principal boatman. Those who were employed and acted as common assistants were—Sam'l Agnew, Amzi Atwater, Elisha Ayers, Amos Barber, David Beard, Stephen Benton, John Briant, Shadrach Benham, Michael Coffin, Nathaniel Doan, Timothy Dunham, Samuel Devenport, Samuel Forbes, George Gooden, Francis Grey, Elijah Gunn, (with his wife and child), James Hacket, James Hamilton, Luke Hanchett, Thomas Harris, Samuel Hungerford, William B. Hall, Joseph Landon, John Lock, Asa Mason, Joseph McIntire, Ezekiel Morley, Titus V. Munson, Charles Parker, George Proudft, Olney F. Rice, Wareham Shepard, Amos Sottel, Job P. Stiles, (with his wife), Norman Wittcock.

A short council was held with the Missasagua Indians, then residing near that place, in which were explained the motives and intentions of the company. A large but rather uncouth storehouse was built on the wide sand beach, on the east side of the mouth of the creek, which was then covered with standing timber.

In a few days a party of surveyors, with their assistants, with pack horses, went and measured the Pennsylvania line from the lake to near where it was supposed the south line of the Reserve would be. Others followed on, a few days after. This point was ascertained by Mr. Seth Pease, who had conveyed a quadrant there for that purpose. It was done on the high lands south of the Mahoning, about half or three-fourths of a mile north of the present corner of the Reserve. That distance was accurately measured, and a large post set, which was supposed to be at 41 degrees of north latitude; the correctness of which, I believe, has never been disputed, and probably never will be. From that post, a line was run west, as accurately as could well be done with a common compass. This line was run, that season, twenty miles; and the four first meridians run to the lake. Mr. Holley ran the first, Messrs. Spafford and Stoddard the second, Moses Warren the third, and Messrs. Potter and Pease the fourth.

In this expedition we suffered some for want of provisions, and much by fatigue. The weather was generally dry, and in some instances water very scarce. I was with Warren's party: we were three times on short allowance of provision. It being my first campaign on that business, I thought it rather hard; but something new was every day to be seen, and our minds buoyed up with hopes of relief: and on the whole I never regretted my going; and was ready and willing to go on another when called for.

The parallels, or east and west lines, were nearly all run this season, north of No. 6, and some south of that, on the 9th, 10th and 11th ranges, to the lake or Cuyahoga river; and the north part of the meridians west of the 8th range, and east of the Cuyahoga river, were run to the lake—the lake shore traversed to where it was supposed the west line of the Reserve would be, near Sandusky bay—the Cuyahoga river traversed up a considerable distance—the village of Cleveland laid out, and a considerable part of the 100 acre lots in Cleveland and Newburg were run; and some division lines were run in Mentor.

The last of the surveying party left the Reserve on or about the 22d of October, leaving Mr. Gunn and family, and James Kingsbury's family (who had come there in August), at Conneaut. These families suffered for the want of provision and other necessities of life, as I believe, very severely. Mr. Job P. Stiles and wife were left at Cleveland.—Capt. Paine, now of Chardon, came there after we left, and staid with them through the winter.

The surveying party were very healthy, and no serious accident befel any one. We left the Reserve in as high spirits as when we arrived.

Of all this party, I was for several years the only one living on the Reserve. Mr. Ezekiel Morley came and settled in Chester two or three years ago. The most of them, I believe, are dead.

The survey into townships and some townships lotted, together with the equalization tracts, was completed in 1797: but this must be the subject of another communication, if done at all. I have hastily written the foregoing, and you will perceive it is not very correct as to style, language, &c.: but I believe it contains nothing but a simple narrative of facts. I am sensible that I have written many unimportant things, but such as they are, I cheerfully present them. I am yours, very respectfully,

AMZI ATWATER.

The surveying party were much in a habit of giving names to places and things. In some instances these names have been retained. Meander creek, and Musketoe creek, both emptying into the Mahoning in Weatherfield, were named by Moses Warren, esq. the former on account of its meandering course, on the third meridian which he run, and the latter on account of the numerous swarms of those little troublesome insects which in those days were the great affliction of woodmen. Tinker's creek, which empties into the Cuyahoga in Independence, was named after Joseph Tinker, the boatman, who claimed the honor, in imitation of great navigators, by right of discovery.

The small species of rattlesnakes, which were very numerous, and to us unknown, were called Missasagwas, after the resident Indians, which name I believe they have generally been known by to the present time.

A. A.

MESSAGE OF THE GOVERNOR OF MARYLAND.

Executive department, Annapolis, Dec. 28th 1836.

Gentlemen of the senate,

and of the house of delegates:

In discharging, on the present occasion, the customary duty of submitting to you, at the commencement of your session, such matters of public concern as may seem to demand the consideration of the general assembly, we cannot refrain, in the outset of this communication, from congratulating you, and the people of the state at large, upon the restoration of peace and quiet within our borders; upon the harmony which prevails among our citizens; and upon the praiseworthy desire, manifested in every quarter, of uniting zealously and in the best spirit, for the advancement of the true glory and welfare of the state.

There is, in our opinion, no truth more obvious, or scarcely more important to be known and recognized in every well regulated government, than that the undue prevalence and excitement of the spirit of party are calculated to disturb the peace of society, and create serious and permanent evils in the body politic. This salutary lesson is exemplified in the history of all governments, but it is more particularly striking in those whose foundations are based upon republican principles. If it were necessary to travel beyond the limits of our own observation and experience to establish the truth of these remarks, we might show, that in the anarchy and consequent destruction of most, if not all the free governments of both ancient and modern times, an inflamed party spirit has been a most prominent and efficient agent. But it is not necessary to do so. In our own times—here—in our own state, and before our own eyes—have we witnessed the extreme to which the undue indulgence of the spirit of party leads. But, happily, in our case, the patriotism of the community was aroused to the dangers with which we were threatened, and the issue of the recent occurrences furnishes a practical illustration of the stability of free institutions, when supported by a patriotic and intelligent people.

In this connexion we would respectfully invite your attention to the proclamation and message which we had the honor to submit to the house of delegates, on the 25th ultimo, copies of which we herewith transmit to the senate. These documents exhibit the action of the executive, and the views entertained by us of the further measures necessary and proper to be adopted in relation to the extraordinary occurrences of which they treat. The more we reflect on this subject, the more thoroughly are we persuaded that your action concerning it, is a duty of the most weighty and responsible character, and we, therefore, earnestly hope that you will take into your serious consideration, without any unnecessary delay, our election and criminal laws, with the view to prevent the recurrence of any similar conduct in all future time.

Among the first acts which it will be necessary for you to perform, is the passage of such a law, as will entitle this state to the reception of her portion of the surplus revenue of the United States, under the deposit law of the last session of the national congress. It is probable that the sum which Maryland will be entitled to receive under that act, will not fall far short of a million and a half of dollars. The application of this large fund, will, therefore necessarily constitute a prominent subject for deliberation at your present session, as the whole amount of it will fall due before the next annual session of the general assembly.

The internal improvement law of the extra session in May last, having amply provided for work of this character, by authorising the negotiation of a loan of eight millions of dollars—the whole of which sum is appropriated to this most important object—(and which we think should not be diverted

ed to any other), we beg leave most respectfully to recommend that the amount which may be received by this state, as her portion of the surplus revenue referred to, be invested either in the eight million loan, the stock of the Chesapeake and Ohio canal company, and the Baltimore and Ohio rail road company, lately subscribed for under the internal improvement act, or, in some other permanent and profitable stock; and that the interest or dividends to be annually received therefrom, be applied to the general purposes of the state, until the treasury shall be relieved from the balance which has appeared against it for several past years, and be in condition to meet, from other sources, all demands against it; and that, thereafter, the said interest on dividends be appropriated to the advancement of education.

It is believed that the appropriation of the accruing interest upon said fund, for about three or four years, to the general purposes of the treasury, and the completion of the great works of internal improvement, in which the state has large investments—which may and ought to be effected in the same time—will relieve the state treasury from all difficulty, and leave it, thereafter, with ample resources, independent of said fund, to meet all the ordinary and necessary expenses of the government, and demands against it. And it will probably require about the same length of time, to mature and to get into operation, a general system of education commensurate with the increased means of sustaining it.

Of the importance of education, it is not necessary for us to speak in lengthened terms. That is a subject upon which we all harmonize in opinion. Confessedly the greatest blessing, and most secure palladium of a free people—their firmest reliance for the perpetuity of their freedom, and for the discomfiture and overthrow of those who would invade it—it must ever claim from their true representatives, and their real friends, the most efficient encouragement, whenever the means in their power shall enable them to extend it. We regard the present as the most auspicious crisis for the establishment of a general system of education throughout the state, which we think may, and should be so modelled, as that no one need forego its beneficial influences. It is not probable that any considerable portion of the surplus fund allotted to the states, will be wanted for many years to come, and we do not regard it at all certain, that it will ever be required by the general government, unless, perhaps, some extraordinary event, such as a foreign war, shall render the demand of a pressing and indispensable character. Unless some such contingency should happen, we are firmly persuaded, that its recall to the coffers of the United States' treasury, should be resisted by the representatives of the people of the states; and we have no doubt this will be done. Under these circumstances, any system of education, based upon the perpetuity of this fund, will be most likely to continue through a protracted series of years; and, in this light, it becomes a matter demanding the most serious consideration, and judicious arrangement. But, although the permanent continuance of this fund among the states, is a proposition which, in our opinion, may be relied upon with much confidence, yet it will be necessary that it should be so invested, that whenever its repayment shall be called for, it may be met with that promptness of execution, which should characterize the engagements of a sovereign state, and which is so indispensable to her character and credit. It was with a view to the attainment of this most desirable object, that we suggested the propriety of making provision for the annual outlay of the interest only; not deeming the expenditure of any portion of the principal, under the existing laws of congress, as proper or expedient.

Reform in the constitution of the state will constitute another prominent topic for your consideration; and permit us to express the opinion, founded upon mature reflection on the subject, that it is of the highest importance, that your present session should not be brought to a close, without the adoption of at least some leading measures bearing upon this difficult and exciting question. We had the honor of submitting some suggestions on this subject, in the message to the house of delegates before mentioned, to which we beg leave at this time respectfully to call your attention.

It has become our painful duty to announce to you the death of the honorable Robert H. Goldsborough, late a representative of this state, in the senate of the United States. This melancholy event occurred in October last, at his residence on the Eastern Shore. The distinguished character of the deceased; his many valuable public services; his singular urbanity and kindness in all the relations of private life; his superior intellectual endowments and high moral worth, had acquired for him a name

among his fellow countrymen which will cause him to be classed and remembered with the purest and proudest which adorn the long catalogue of Maryland's distinguished sons.

It will be incumbent upon you to supply the vacancy, created by this mournful dispensation of Divine Providence, at as early a day as convenient, since the importance of a full representation from this state in the senate of the United States, during the residue of the present session of congress, when many deeply interesting questions are likely to be decided, is so obviously apparent. We forbore to exercise the power of making a temporary appointment of a successor, with which we were clothed by the constitution, because it was not probable, that a full representation in the senate of the United States, would be of much importance before your annual meeting, and because, without strong necessity, we were unwilling, by such appointment, to interfere with your unbiased choice in making a more permanent selection.

In compliance with the resolution of the last general assembly, No. 15, we appointed "one commissioner from each of the counties of the Eastern Shore of this state, to make a reconnoissance and survey, and an estimate of the cost of a rail road from some point or points in Cecil county, in connexion with one or more of the improvements in said county, and thence extending by a line, as straight as may be, nearly contiguous to and parallel with the western limits of the state of Delaware, to the southern extreme of Somerset county, with a divergent route through Worcester county, to the northern line of the state of Virginia, &c." We have not received any official report of the completion or extent of progress made in the survey of the route for said rail road, or of the estimate of its cost; but we have unofficially understood, that the survey of a route for the main line, and also an estimate of its cost have been completed, and will be reported as soon as the chief engineer, employed in making them can prepare his report, and the necessary maps and documents to accompany it.

On application to the president of the United States, as required by the charter of the Annapolis and Potomac canal company, we procured the services of Geo. W. Hughes, esq. one of the United States' corps of engineers, in making the necessary surveys for the route of said canal.

Mr. Hughes, in a communication to us, dated the 8th ult. states, "that the surveys and location of the canal are drawing to a close, and with favorable weather will be entirely completed by the last of next week." We have not since received any further communication from Mr. Hughes, but presume that his final report of the surveys, &c. will be made without unnecessary delay. In connection with this subject, we lay before you a copy of a communication from Mr. Hughes, and of the extracts of proceedings of the commissioners, and of the president and directors of the Maryland canal company, enclosed and mentioned in his communication, marked No. 3.

In pursuance of the authority conferred on us by the 8th section of the act, passed at the extra session in May last, entitled, "an act for the promotion of internal improvement," we appointed Chas. B. Fisk, esq. of the United States' corps of engineers, to survey the several routes of the Maryland canal company, by the valleys of the Monocacy and Patapsco, or by a route diverging from the Chesapeake and Ohio canal, at the mouth of the Seneca river exclusively within the limits of this state, and to perform the other duties prescribed by the said act." And the Maryland canal company, also, in pursuance of the authority conferred by the act aforesaid, appointed George W. Hughes, esq. another of the engineers of the United States' corps, "to act concurrently with the engineers appointed by us," in making said surveys, &c. as appears by a communication from the president of said company, a copy of which is herewith submitted, marked No. 4.

On the 20th day of July last, the aforesaid engineers made to us the report, of which the document herewith sent, marked No. 5, is a copy. Upon consideration whereof, and in pursuance of the requisition of the aforesaid act, we adopted the preamble and resolution, of which the document marked No. 6, is a copy.

The agreement of the Chesapeake and Ohio canal company, and of the Baltimore and Ohio rail road company, in general meetings of said corporations respectively assembled, to the several provisions of the act for the promotion of internal improvements, passed at the extra session of May last, so far as they are applicable to said corporations respectively, were severally communicated, under their respective corporate seals, and the signatures of their presidents, to the governor of this

state within the time required by the said act.—The documents herewith marked Nos. 7 and 8, are copies of the said communications.

In pursuance of the act passed at May session last, entitled, "an act to authorise the governor and council to build a new tobacco inspection warehouse in the city of Baltimore," and of the supplement thereto, we contracted with John N. and William Murphy, building mechanics of the said city, for building a new warehouse on the vacant lot adjoining the state's tobacco inspection warehouse No. 8, upon the plan and of the dimensions referred to in said act, and we contracted for the purchase of the lot of land, adjoining said vacant lot, as required by the act aforesaid. By the communication from the commissioner of loans, of which the document marked No. 9 is a copy, it appears that the loan provided for by the above mentioned acts, to pay for the vacant lot and the erection of the warehouse, could not be obtained upon such terms as would have justified its negotiation, or, as it is evident, was expected by the general assembly.

Under these circumstances—a contract having been made for the erection of the new warehouse—and for the purchase of the vacant lot, as required by law—and no funds of consequence in hand or likely to be procured by the loan provided for as aforesaid—we had resort to the authority contained in the law of December session 1825, entitled, "a supplement to the act entitled, an act to establish state warehouses for the inspection of tobacco in the city of Baltimore," which places under our direction and control the net revenue arising from the inspection of tobacco as a fund for building warehouses. Under this last mentioned act, we have paid towards the erection of the new warehouse and for the said lot \$4,070 21, all the net revenue arising from the inspection of tobacco in the treasury, up to 1st instant, and issued certificates of debt, chargeable upon the future receipts of said revenue, for \$7,433 56 payable in six months, and for \$2,500 payable in twelve months, bearing interest at the rate of six per centum per annum, in payment for the balance of the purchase money of the said lot, and towards the erection of the warehouse. And it will be necessary, from time to time, as the work progresses, to issue further certificates of debt, at such dates of payment as the inspection revenue will probably meet. The certificates which have been issued were cashed by the Union bank, as we presume that such as may hereafter issue, will be by that institution or otherwise, without difficulty.

The failure to obtain the small loan provided for to be applied to the erection of a new tobacco warehouse and purchase of an adjoining lot, and various other indications of an unfavorable state of the money market, as well in Europe as in this country, induced us to postpone the appointment of commissioners, which we were authorised to make, to negotiate a loan of eight millions of dollars, under the act of May last, for the promotion of internal improvement. Recent information induces us to believe that a favorable change has commenced, and that well grounded hopes may be entertained that the condition of the money market will soon be such that the eight millions loan may be obtained on terms within the limits of the said act. We have therefore recently appointed commissioners to negotiate it.

As required by resolution No. 55 of the general assembly, passed in May last, we appointed three citizens of Worcester county, commissioners "to make a reconnoissance and survey, and to estimate the cost of a rail road within the limits of Worcester county, from some point on the south line of the state of Delaware, through the towns of Beria, Newark, and Snow Hill, to some suitable point on Pocomoke river; and also to extend the reconnoissance and survey from the assumed point of Delaware, in as straight a line as may be, to the northern line of the state of Virginia, bounding Worcester county, with a divergent route to any one or more of the places therein mentioned, or to connect the said route with any other works of improvement authorised by this state, or the states of Delaware and Virginia, &c." And the said commissioners having, as authorised by the resolution in September last, made a requisition on the governor for the services of the state's engineer in making the reconnoissance survey, &c. we apprized the engineer of the requisition, and directed him to correspond with the commissioners on the subject. We received from the engineer an acknowledgment of our communication, stating that he would comply with our directions, and shortly be in readiness to attend to that duty. We have not received any report from either the commissioners or the engineer in relation to said survey.

We transmit herewith a copy of a communication from the president of the Baltimore and Susquehanna rail road company, with a printed copy of the

ninth annual report of the president and directors thereof, which affords a gratifying view of the progress and prospects of that company in the highly important work of internal improvement in which they are engaged.

We have not received any official report from the Chesapeake and Ohio canal company, or the Baltimore and Ohio rail road company of the progress of those companies the present year, in executing those great works, so vitally important to the commercial, financial and general interests and prosperity of the state; but we presume, of course, that such reports will be submitted to your consideration at your present session.

Such are the character and magnitude of those works, the immensity of the trade they are intended, and cannot when completed fail to attract to our commercial metropolis, and the deep financial interest of the state connected with them, that their speedy completion is a matter of such high and pressing importance as to demand from all concerned the most vigorous and energetic efforts to accomplish it.

In conformity to the 44th resolution of the last general assembly, directing the procurement of full length portraits of the late William Paca, Samuel Chase, and Thomas Stone, three of the signers of the Declaration of Independence from this state, we succeeded in procuring the services of John B. Bordley, a young and eminent native artist, who has executed the paintings in a highly creditable manner. These portraits may now be seen appropriately arranged in the senate chamber, by the side of that of the distinguished Carroll, and altogether present to the eye of the beholder a most interesting and impressive spectacle.

In compliance with the resolution of the last general assembly, in relation to the manuscript history of Maryland, by John Leeds Bozman, presented to the state by John Leeds Kerr, esq. we contracted with Messrs. Lucas & Deaver, of the city of Baltimore, for printing at least one thousand copies of that work; five hundred copies of which we reserved to the state, to be delivered by the said Lucas & Deaver within eighteen months, well bound in sheep, at \$4 per copy.

The repairs of the public grounds around the state house have not yet been entirely completed. The new stone wall and iron railing appear to be executed in a substantial and workmanlike manner; and with the exception of the gates to be placed at the three entrances to the circle, this portion of the work may be said to be completed. There are some trifling improvements which remain to be done on the interior of the circle, such as removing rubbish and grading the ground, to which objects we think a small additional appropriation should be directed. After these repairs and improvements shall have been thoroughly consummated, it will be with you to decide upon the expediency of appointing a suitable person, with a small salary, to take care of the public grounds and other state property, and to keep them in suitable order.

Under the resolution No. 66, of the last annual session, we have caused to be transcribed the original journal of proceedings of the council of safety, for the years 1774 and 1776, and the original journal of the convention of 1774, and the correspondence and other papers connected with those interesting bodies, and periods of our history. By an inspection of this transcript, the reader will find that numerous highly valuable and interesting papers, have been thus preserved from oblivion. We have not been able to give but a cursory examination to the numerous other papers, recently brought to light. It will remain for the executive hereafter to determine upon a fuller examination of them, what portion, if any, ought to be transcribed, to carry out the views of the legislature, as expressed in the resolution on that subject.

The various other resolutions passed at the last session of the general assembly, and which we were directed to carry into effect, have received a due portion of our attention, and the most of them, we are pleased to announce, have been satisfactorily executed.

A communication from Robert Lemmon, esq. one of the auctioneers within the city of Baltimore, under the authority of the state, was received by us on the 23d day of July last, stating that a suit had been instituted against him, by the mayor and city council of Baltimore, for the recovery of a fine of \$500, for not complying with their ordinance, then recently passed, for the regulation of sales by auction; and calling on us, (as the measure was an attack both on the law and revenue of the state), to direct our law officer to resist it at the state's cost. This request appearing to us reasonable and proper, we directed the clerk of the council to apprise Mr. Lemmon that it would be complied with, and by our direction the letter of which document marked No.

11, is a copy, was addressed to the attorney general.

We have not received an official copy of the ordinance of the mayor and city council of Baltimore, regulating sales by auction, referred to in the letter of Mr. Lemmon, nor any other evidence of their proceedings under it. But we have reason to believe that, in addition to the prosecution of auctioneers, for selling under the authority of the state, that the mayor and city council have licensed auctioneers, who are selling under their authority, in violation of the law of the state.

We have deemed it our duty, to submit this subject to your consideration, with the view to such further legislation as you may deem necessary for preserving the revenue arising from this source, and for maintaining and enforcing the state law.

We transmit herewith some claims for militia services in Cecil county, which, not having authority, under existing laws, to settle, we submit for your consideration.

Since the last session of the general assembly, we have received from the governors of the states of New York and Maine, copies of sundry resolutions passed by the legislatures of those states, in relation to slavery and abolitionism, which in conformity with the requests accompanying said resolutions, we herewith transmit for your consideration.

The indications from various quarters of a disposition to press upon the public attention the subject of slavery, with a view to its abolition, which have been occasionally manifested for many years past, have, within the last few years, assumed an aspect and importance vitally affecting the people of the states, in which a slave population exists to any considerable extent.

Whatever opinions may be entertained by others, or by us, of slavery, "in the abstract," the circumstances under which it exists in the states of this union, are such as to forbid a general emancipation, even if the desire to accomplish it were universal, whilst the present ameliorated condition and general treatment of slaves are such, as to leave the friends and advocates of emancipation no hope of bettering their condition generally, by the success of their exertions. It is believed that most erroneous notions on this subject, (particularly as relates to the condition and treatment of slaves), are generally entertained in the non-slaveholding sections of the country, and that it is the superficial and imperfect view taken of the matter, by such of the citizens of non-slaveholding states, as are actuated by good and humane intentions, that has caused the misguided zeal and efforts which have become so threatening in their consequences. They have looked principally to evils, (as they supposed them), to be remedied, without due consideration, or being, (from their local situations), qualified to form just conceptions of the many and various difficulties to be encountered, and dangers to be apprehended, in carrying into effect their wishes and views. We have no doubt, but that a large portion of our fellow citizens who have engaged in, and are zealously pursuing measures to effect a general emancipation of slaves are actuated by the best motives, and conscientiously believe themselves to be performing a sacred duty of humanity; but we are equally confident, that many of the most intemperate and noisy declaimers upon the subject, are influenced by very different motives.

We cannot permit ourselves to believe that it is the *deliberate* purpose of any respectable portion of the people of the United States, much less of the constituted authorities of the general or any state government, to infringe the rights of the states, where slavery exists, or of the citizens holding slaves; yet it cannot be denied, and ought not to be concealed, that opinions have been expressed as well in congress, as in, if not by several state legislatures, which look to the adoption of some measure by the *general government* upon this subject, which cannot be effected, but in violation of the rights and privileges of both: for it is a matter with which that government has nothing to do, and with which it can, in no manner interfere, without overstepping the bounds of its authority, and trespassing upon rights, and assuming powers never conceded to it.

We have deemed it our duty, at this time, to invite your particular attention to this exciting subject, and to express frankly, our views of its most vital importance, and earnestly recommend that it be distinctly made known, that we cannot recognize in any of our sister states, or their citizens, any right to interfere with our slaves; and that we unequivocally deny any authority in the general government to legislate upon the subject of their emancipation, or to disturb our rights of property in them, in any manner whatsoever.

It is confidently hoped and believed, that a temperate, yet firm and determined expression of the

unanimous resolution of the slaveholding states, to adhere to and vindicate their rights on this subject, against all extraneous interference would have a salutary effect in awakening all calm, thinking and well intentioned abolitionists, (and without their countenance and aid, the evil intentioned would be impotent and soon cease their efforts), to such a deliberate reconsideration and thorough examination of the whole subject, in all its aspects and tendencies, as would induce them to cease their labors—fruitless of any good; but tending to much mischief, and to produce restlessness, dissatisfaction, inquietude and consequent insubordination of slaves, and vexation, alarm and increased rigor on the part of masters.

We are encouraged to entertain this hope, with much confidence, by the fact which we have understood, and believe to be true, that almost every intelligent gentleman, from any of the non-slaveholding states, who has left home friendly to the abolition cause, and travelled extensively in the south, has had his mind changed, and withdrawn his countenance and support from that cause. Such has been nearly the uniform result of becoming acquainted fully, in any way, with the true state, and general condition of slaves in the United States, and the various circumstances which render general emancipation impracticable, and the movements, and proceedings with that view irritating to masters, prejudicial to slaves, and altogether impolitic and unwarrantable.

Having thus, in a cursory manner, alluded to the various subjects, to which we considered it proper to direct your attention, we cannot conclude this communication, without the expression of our earnest hope that all your deliberations may be characterized by wisdom, moderation and firmness; and that they may redound to the interest, the prosperity and glory of the state. Maryland, at this moment, occupies a most conspicuous stand among her sisters of the union. She has witnessed the rapid strides to wealth and power, in most of the states, which have distinguished the last few years, and has nobly determined to enter the lists of competition. We need not dwell, at length, upon the advantages of her geographical position. They are such as must force themselves upon the attention of every individual, who bestows the smallest reflection on the subject. It is, therefore, the clearest dictate of a wise policy, and no less the duty of a prudent legislature, that these advantages, with which the God of nature had blessed us, should be made instrumental in advancing the power and welfare of the state. To effect these great and paramount objects, the internal improvement law of last May session was passed; and we cannot refrain from expressing it as our deliberate conviction, that the designs of that most liberal and beneficent act, will be successfully achieved, before the lapse of many years, should nothing occur to blight the animating prospects which we now enjoy. Upon the completion of the great works of improvement designed to connect the Chesapeake with the waters of the Ohio, a new era will commence in our state; an era of increasing population, and of agricultural, manufacturing and commercial prosperity, such as we have never yet known. Under these circumstances, we hope that no measures will be taken which might retard this auspicious event, but, on the contrary, that all will unite to hasten its approach, as all are deeply interested in its consummation.

We have only to add, gentlemen, that we shall be found ever ready to co-operate with you in any measures likely to advance the interests and welfare of the people of the state; and to communicate to you such information as may be required, on subjects pertaining to this department of the government.

With the highest consideration, we have the honor to be your obedient servants,

THO. W. VEAZEY.

TWENTY-FOURTH CONGRESS, SECOND SESSION—SENATE.

January 2. Mr. Preston of S. C. appeared in his seat.

After the presentation of resolutions and memorials, Mr. Walker to whom it was referred, reported Mr. Clay's land bill, with an amendment, striking out the whole bill save the enacting clause, and substituting another which restricts the sales of the public lands to actual settlers, and to them in small quantities, accompanied with many guards against its being evaded by speculators.

Mr. Hendricks, from the committee on roads and canals, reported a bill to continue the Cumberland and Ohio rail road through the states of Ohio, Indiana and Illinois, for which object it appropriates \$500,000, viz: \$200,000 for Ohio, and \$150,000 for each of the other two states.

Mr. H. also reported a bill to authorise the Ohio rail road company to locate a road through the public lands.

Also, a bill to complete the improvement of certain rivers and roads in Florida. [It appropriates \$60,000.]

Also, a bill making appropriations to complete certain military roads in Arkansas. [It appropriates \$75,000.]

Mr. Wright, from the committee on finance, reported a bill to remit the duties on goods destroyed by the great fire in New York.

Mr. Sevier reported a bill to ratify certain acts of gov. Pope in the location of lands in Arkansas.

Mr. King, of Georgia, reported a bill to carry into effect the 8th article of the treaty with Spain. All which bills received their first reading.

The senate, on motion of Mr. Grundy, postponed the intervening orders, and proceeded to the consideration of the bill declaring the admission into the union of the state of Michigan.

This bill, reported on Thursday last, from the committee on the judiciary, is in the following terms: A bill to admit the state of Michigan into the union upon an equal footing with the original states.

Whereas, in pursuance of the act of congress of June the fifteenth, eighteen hundred and thirty-six, entitled "an act to establish the northern boundary of the state of Ohio, and to provide for the admission of the state of Michigan into the union, upon the conditions therein expressed," a convention of delegates, elected by the people of the said state of Michigan, for the sole purpose of giving their assent to the boundaries of the said state of Michigan as described, declared and established, in and by the said act, did, on the fifteenth of December, eighteen hundred and thirty-six, assent to the provisions of said act: therefore—

Be it enacted, &c. That the state of Michigan shall be one, and is hereby declared to be one, of the United States of America, and admitted into the union on an equal footing with the original states, in all respects whatever.

Sec. 2. And be it further enacted, That the secretary of the treasury, in carrying into effect the thirteenth and fourteenth sections of the act of the twenty-third of June, eighteen hundred and thirty-six, entitled "an act to regulate the deposits of the public money," shall consider the state of Michigan as being one of the United States.

After some remarks from Messrs. Calhoun and Grundy, Mr. Morris moved to recommit the bill to the committee on the judiciary, with instructions to strike out the preamble, which refers to the assent given by the late convention in Michigan to the boundaries prescribed in the act of congress.

A debate now arose which continued until the usual hour of adjournment; when, on motion of Mr. Ewing, of Ohio, the senate adjourned.

[We will publish an abstract of this debate hereafter. For a notice of the debate which ensued on the introduction of the bill see page 298.]

January 3. Amongst the petitions presented today was one, by Mr. Kent, from the corporation of Alexandria, praying congress to assume its amount of stock in the Alexandria canal, or to make an advance to the corporation in money to enable it to complete the payment of its subscription thereto;

Also, a petition, by Mr. King, of Alabama, from sundry citizens of Georgetown, praying the establishment of a new bank, with enlarged banking capital, for the District of Columbia, to be placed in Washington, with branches in the other cities of the District.

Mr. Crittenden, from the committee on claims, reported against a petition of the hon. John Forsyth, for compensation for injuries committed on his property by troops of the United States in Florida.

Agreeably to notice, Mr. King, of Alabama, having obtained leave, introduced a bill to encourage the employment of boys in the vessels of the United States.

On motion of Mr. Wright, the senate took up the bill regulating, in certain cases, the disposition of the proceeds of lands ceded to the United States by certain Indian tribes; which was read a second and third time, and, after a brief explanation by Mr. Wright, was passed.

A bill appropriating two millions of dollars for the expenses of the Indian war was also read the third time and passed.

The resolutions of inquiry heretofore submitted by Messrs. Hubbard, Morris, Wall, Hendricks, Walker, Linn, Rives, Davis and Ruggles, and heretofore published, were severally taken up and agreed to.

The senate then resumed the consideration of the bill for the admission of the state of Michigan into the union.

The debate on this subject was renewed, with great earnestness, and the senate was addressed at much length by Messrs. Ewing, of Ohio, Buchanan, Benton, Preston, Strange and Morris. In the course of the debate, and after candles were lighted, one or two unsuccessful motions to adjourn were made. Finally, a little before 7 o'clock, Mr. Ewing, of Ohio, renewed the motion to adjourn; and the yeas and nays having been demanded by Mr. Benton, the vote was taken, and resulted as follows:

YEAS—Messrs. Bayard, Brown, Calhoun, Clay, Crittenden, Davis, Ewing, of Ohio, Kent, King, of Alabama, Knight, Linn, Moore, Morris, Nicholas, Niles, Preston, Southard, Strange, Swift, Wall, White—21.

NAYS—Messrs. Benton, Buchanan, Dana, Fulton, Grundy, Hendricks, Hubbard, King, of Geo. Page, Rives, Robinson, Ruggles, Sevier, Tallmadge, Tipton, Walker, Wright—17.

And the senate adjourned.

January 4. The chair presented a communication from the secretary of the navy, with sixty copies of the Naval Register for 1837, for the use of the senate.

Also, a communication from the treasury department, informing the senate of the design entertained, and the measures adopted by that department, in relation to the surplus money in the treasury, with a statement of the amount of that surplus on the 1st of January, 1837.

[For the statement see proceedings of the house.]

Mr. Kent, from the committee on the District of Columbia, reported a bill "for the erection of a hospital in the city of Washington." Read, and ordered to a second reading.

Mr. Sevier, from the committee on private land claims, reported, without amendment, the bill for the relief of the heirs of Baron Bastrop and others, and the report was ordered to be printed.

Mr. Davis, on leave, introduced a bill to provide for the final settlement of the claims of the several states on the U. States, to interest on payments or advances made by such states during the last war.

Mr. Rives, on leave, introduced a bill authorising the secretary of the treasury to make certain advances to the secretary of the navy on account of the navy pension fund. Read twice, and referred.

Mr. Prentiss offered the following resolution, which was considered and adopted:

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of constituting a board of commissioners, to be denominated commissioners of claims, whose duty it shall be to hear and examine all claims against the United States which may require the special legislation of congress, and report the facts proved, with their opinion thereon, to congress.

Mr. Hubbard offered the following, which was also adopted:

Resolved, That the committee on pensions be instructed to inquire into the expediency of providing by law for extending the provisions of the act of the last session, giving pensions to widows in certain cases, so as to embrace the widows now living of all soldiers and officers of the revolution who would have been entitled to pensions under the act of June 7, 1832.

The senate proceeded to the consideration of the unfavorable report of the committee of claims on the petition of hon. John Forsyth.

Mr. King, of Georgia, remarked, that this report embraced a very important question, as a great many claims of this kind were likely to come before the senate. He therefore moved that for the present the report be laid on the table; which was done accordingly.

The joint resolution introduced by Mr. Wall, authorising the library committee to procure the laws, votes, journals, &c. of the several states, for the use of congress, was taken up, and considered as in committee of the whole. It was then amended, on motion of Mr. Robbins, so as to take the sum necessary from the ordinary fund for the increase of the law library of congress—and then, on motion of Mr. Preston, it was referred to the committee on the library.

Mr. King, of Georgia, presented certain documents translated from the Spanish, having, as he stated, an important bearing on the subject of carrying into effect the 8th article of the treaty of 1819 with Spain. Ordered to be printed.

The senate proceeded to the further consideration of the bill for the admission of Michigan into the union; the question being on the motion of Mr. Morris to amend the bill.

After Mr. Morris had made a few supplementary and explanatory remarks, Mr. Bayard addressed, at large, the senate on the subject of the bill, and in opposition to the principle involved in the preamble. The question was further debated by Messrs. Brown, Niles and Crittenden, when the question

was put on Mr. Morris' amendment to the preamble of the bill, and decided in the negative by yeas and nays, as follows—yeas 18, nays 23. So the amendment to the preamble was rejected. Mr. Southard then moved to strike out the preamble; but this motion was negatived by yeas and nays—yeas 16, nays 25. The bill was thereupon reported to the senate, when Mr. Calhoun moved to amend it by striking out the preamble, and inserting, as a first section, a clause repealing so much of the former bill passed for the admission of Michigan as required her assent to certain boundaries, and admitting her at once into the union. He expressed a wish to address the senate in support of the amendment, and thereupon moved an adjournment. Mr. Walker demanded the yeas and nays; which being taken, the senate refused to adjourn—yeas 13, nays 24. Mr. Calhoun thereupon, with some warmth, declined speaking to the amendment, but demanded the yeas and nays upon it; which were accordingly ordered, and, being taken, stood—yeas 12, nays 25. So Mr. Calhoun's amendment was rejected.

The question then recurring on ordering the bill to its engrossment for a third reading, Mr. White addressed the senate, explaining the grounds on which, though he had voted against the preamble, he should nevertheless vote for the bill. The question was at length (about 5 o'clock) taken on the engrossment of the bill, (in the shape of which it was originally reported), and carried by yeas and nays; yeas 27, nays 4, (a number of members having retired before the vote), as follows:

YEAS—Messrs. Benton, Brown, Buchanan, Dana, Fulton, Grundy, Hendricks, Hubbard, King, of Ala. King, of Geo. Knight, Linn, Nicholas, Niles, Page, Parker, Rives, Robinson, Ruggles, Sevier, Strange, Tallmadge, Tipton, Walker, Wall, White, Wright—27.

NAYS—Messrs. Bayard, Calhoun, Davis, Prentiss—4.

So the bill was ordered to be engrossed for a third reading, and the senate adjourned.

January 5. The chair presented the letter of resignation of the hon. Alexander Porter, of Louisiana, which was read.

After the reception of petitions and reports, which will be noticed when before the senate for a final decision upon them, and several resolutions of local interests Mr. King, of Ala. offered the following:

Resolved, That the committee on finance be instructed to inquire into the propriety of authorising the secretary of the treasury to pay equitable commissions to the attorneys of persons the sums awarded to whom, under the treaty with France, were taken by debts due by them to the United States.

The chair presented a communication from the navy department, with statements in relation to clerks employed in that department.

Also, a communication from the same department, with a copy of a letter from the navy commissioners, relating to an examination of the waters of Narragansett bay, in accordance with a resolution of the senate at the last session.

The engrossed bill to admit Michigan into the union having been read a third time, and the question pending being upon its passage,

Mr. Calhoun spoke in opposition to the bill, characterizing it as eminently irregular in its principles, and revolutionary in its tendency.

Mr. Strange replied, chiefly in vindication of his own opinions in relation to this bill, and of the Baltimore convention.

Messrs. Buchanan, Davis and King, of Geo. also spoke on the subject of the bill.

The bill passed by yeas and nays, as follows:

YEAS—Messrs. Benton, Brown, Buchanan, Dana, Fulton, Grundy, Hendricks, Hubbard, King, of Alabama, King, of Georgia, Linn, Nicholas, Niles, Page, Parker, Rives, Robinson, Sevier, Strange, Tallmadge, Tipton, Walker, Wall, White, Wright—25.

NAYS—Messrs. Bayard, Calhoun, Clay, Crittenden, Davis, Kent, Moore, Prentiss, Southard, Swift—10.

The senate then adjourned.

HOUSE OF REPRESENTATIVES.

[Mr. Speight, of North Carolina, appeared and took his seat on Thursday.]

Friday, Dec. 30. The speaker laid before the house a message from the president of the United States, transmitting a report from the secretary of state in obedience to the resolution of the 23d inst. calling for all information which may have been received in relation to the bequest of James Smithson, late of London, deceased, to found an institution at Washington for the diffusion of knowledge. [The report merely encloses letters from Richard Rush, esq. the agent, announcing his arrival in London, &c.]

A large number of memorials and petitions were presented and referred—after which the reports of committees were received. They chiefly related to private claims, and will be sufficiently noticed hereafter.

The speaker laid before the house a message from the president of the United States, transmitting a communication from the secretary of war *ad interim*, with certain accompanying papers from the engineer department, required to complete the annual report from that department. The message was laid on the table.

Mr. Williams, of North Carolina, moved to suspend the rules to enable him to offer the following resolution:

Resolved, That the committee on public lands inquire into the expediency of prohibiting by law the purchase of lands, at auction, with a view to forfeit them, and afterwards to obtain them at the government price of one dollar and twenty-five cents per acre.

Mr. W. called for the yeas and nays on the motion to suspend the rules for this purpose, which were ordered; and, being taken, were, yeas 154, nays 38. So the house suspended the rules.

Mr. Lane, of Indiana, moved to amend the resolution by striking out the words "committee on public lands," and inserting the words, "a select committee;" and also by adding at the end of the resolution the following words: "and also to inquire into the expediency of confining all sales of the public lands to actual settlers."

Mr. Lane said that, in offering the amendment, he had been actuated by a desire to bring this proposition directly before the house. No question had ever arisen which was of greater importance to the various interests of the country. It was important as regarded the manufacturing interest; it was important with reference to the surplus revenue; it was important in its reference to the currency and to mercantile transactions; and it was important as regarded the settlement of the whole western country. Any gentleman who had ever attended the sales of the public lands at auction, must see the necessity of putting a stop to the practice which had prevailed for a few years. Mr. L. here alluded to the practice of the agents of speculating companies who attended these sales bidding a little higher than the laboring man who had traversed the wilderness and settled down on these lands could afford, and thus depriving him of his purchase. By this process, the government made only a few cents more, and the hard earnings of the laboring man were thus rendered useless to him.—He had to buy lands at second entry, whilst the speculator, who had purchased the numbers which the actual settler intended to purchase, was residing in a distant part of the country. By adopting the course proposed by the amendment, Mr. L. said the proceeds of the sales of the public lands might be brought back to three millions per annum, being the amount sold in former years. He had great confidence in the committee on public lands. This subject had received the notice of the president in his last annual message, and had been referred to that committee; but he (Mr. L.) had understood that they were not able to agree on any definite proposition. For this reason, and in order that the final action of the house might be had during the present session, he had moved the change of reference from the committee on public lands to a select committee.

Mr. Boom, of Indiana, said he was not going to make a speech, but he rose to express his astonishment at the proposition of the gentleman from Indiana. He considered the amendment as a direct and unqualified reflection on the committee on public lands; and he repelled the reflection with indignation. The question of confining the sales of the public lands to actual settlers was made the subject of a part of the annual message of the president, which part had been referred to the committee on public lands. They had this very proposition under consideration; but whether they would be able to agree on a bill, he did not know. He was glad, however, that the proposition had been enlarged by the gentleman from North Carolina (Mr. Williams). If subject-matters of investigation properly belonging to the standing committees of the house were thus to be wrested out of their hands, he hoped the committee on public lands would be stricken from the list altogether.

Mr. Lane assured the gentleman from Indiana and the chairman of the committee on public lands that he intended no reflection by his motion; and said that if the chairman of the committee on public lands would give him an assurance that he would bring this subject forward in a definite shape he would withdraw his amendment. After some remarks from Mr. Dunlap in opposition to the amendment, Mr. Lane said he had just understood

that a bill would be agreed upon by a committee of the senate embracing his views, and he, therefore, withdrew his amendment. The original resolution was thereupon adopted.

Mr. Vanderpoel moved a suspension of the rule, to enable him to offer a resolution that when the house adjourn, it adjourn to meet on Monday next. The motion was rejected—ayes 95, noes 65, (not two-thirds). So the house refused to suspend the rule.

Mr. Harlan moved to suspend the rule, to enable him to submit a resolution that when the house adjourns to-morrow, it adjourn to meet on Tuesday next; which motion prevailed—ayes 127, noes 36.

And the question on the adoption of the resolution was then taken, and decided in the affirmative. So the motion to adjourn over from Saturday to Tuesday, was agreed to.

The house next went into the consideration of private bills in committee of the whole—after which the committee rose, reported progress, and had leave to sit again.

The speaker communicated to the house from the secretary of the navy, a plan for the improvement of the navy yard at Pensacola, accidentally omitted in his communication yesterday, which, on motion of Mr. Jarvis, of Maine, was laid on the table, and ordered to be printed; after which, The house adjourned.

Saturday, Dec. 31. After the usual morning business, the house proceeded to the consideration of the following resolution heretofore offered by Mr. Garland, of Va.

Resolved, That the secretary of the treasury communicate to this house, if within his power, the dividends and surpluses which were declared by, and the surpluses and contingent funds remaining in, the several banks in which the public money is deposited, for the years 1833, 1834, 1835 and 1836, severally.

To which resolution the following amendment had been heretofore offered by Mr. Harlan:

"And that he state also, whether the salary or compensation of an agent at the seat of the general government composes a part of the expenses of the said banks; the name of the said agent, and the several sums paid to him by the said institutions respectively."

The pending question was on the motion submitted by Mr. Hannegan, when the subject was last under consideration, to lay the amendments and resolutions on the table; on which motion the yeas and nays had heretofore been ordered, and, having been now taken, were, yeas 28, nays 141.

So the house refused to lay the subject on the table.

Mr. Gillet thereupon withdrew his amendment; and the question recurring on the proposed amendment of Mr. Harlan—

Mr. Cushman called for the previous question: which the house refused to second: ayes 71, noes 90. So the previous question was not seconded.

The question on the adoption of the amendment again recurring, Mr. Granger called for the yeas and nays, which were ordered.

Mr. Harlan hoped that the house would not oppose the adoption of his amendment. It had been stated again and again, both in and out of the house, that a certain person residing in this city occupied a room in the treasury department, the rent of which was paid by that department; that he communicated with these deposit banks, and that through him, under the frank of the secretary of the treasury, the correspondence of the banks was carried on. If there was such an agent, the people had a right to know it.

He (Mr. H.) did not pretend to assert whether there was such an agent or not; but he did say that the statements which had gone forth to that effect through the public press and other channels, was sufficient ground on which to institute an inquiry, and to call for a distinct answer from the secretary of the treasury.

The deposit banks, it was said, had realized large sums by means of the public money. Two or three years before the charter of the United States bank expired, these deposits were taken from that institution, the place pointed out by law for their safe keeping. What amount the government might have lost, he could not tell. But it was necessary the people should know what was done with their money, and whether any confidential agent existed, who, under the sanction of the secretary of the treasury, had the control of these institutions.

Mr. Garland, of Virginia, said that his only object in offering the resolution had been to ascertain what profits had been realized by these banks out of moneys deposited there, for which the government had no use. As regarded the amendment proposed by the gentleman from Kentucky, it would be remembered that when the gentleman from Vir-

ginia, (Mr. Wise), at a former period, offered a resolution in a more extended form, asking for an inquiry into alleged abuses in the treasury department, he (Mr. G.) had voted for that inquiry, and he would do so again. But he could not regard the amendment now proposed as pertinent to the resolution. Still, he would vote for it. He would ask, however, were these deposit banks chartered by the government of the United States, or did they owe any responsibility to the government, except so far as they had entered into contracts? They did not; and if the banks thought proper to expend their money in the employment of an agent at Washington, or elsewhere, they had a right to do so, so long as they did not expend a dollar of the public money. If it could be shown that there was any improper connexion between R. M. Whitney, the individual so often referred to, or any other person, and the treasury department and deposit banks, he (Mr. G.) was willing to know the truth, and to convert the evil, if it existed. It had been charged that the friends of the administration wished to conceal hidden fraud and corruption. Let them meet the charges coming from a gentleman politically opposed to them; let him have as full an inquiry as possible; and although he (Mr. G.) could not consider the amendment as intimately connected with the resolution, still he would never close his eyes upon any fraud, corruption or mismanagement, come from what quarter it would; and he would never deny any inquiry which might lead to its detection. He did not believe that fraud or corruption could be discovered, but he was desirous to give the opportunity.

Mr. Thompson, of South Carolina, expressed the gratification which he had felt in listening to the sentiments expressed by the gentleman from Virginia, (Mr. Garland). Without reflecting on the motives of others, he (Mr. T.) thanked that gentleman for the manly and honorable course he had taken in this matter.

The subject of Reuben M. Whitney's connexion with the treasury was one of deep excitement in every part of the union. He (Mr. T.) had forbore to make any charges or insinuations, until he had evidence before him. Now, he desired that the evidence sought by the amendment should be procured, for it had a most important bearing on the whole subject. And he must be permitted to say that, if he did not raise the cry of democracy so loudly and so constantly as some men, he was yet democrat enough to have confidence that the people of this country would do what was right, when they understood what was right; and any opposition to this investigation would come with an ill grace from those who professed themselves to be the friends of the people. He wished to know what was the nature of R. M. Whitney's connexion with these banks, and what compensation he received. Let the suspicions which were abroad be either put down or confirmed. Whatever this individual's connexion might turn out to be with the banks, he (Mr. T.) believed it to be an absolute autocracy; he believed that the "sic volo, sic jubeo" of R. M. Whitney placed money in the banks and took money out of them. He believed such to be the fact, though he did not know it; and if R. M. Whitney had this power, was it not all-important that the people should know it? He (Mr. T.) had nothing to say about his character; but he desired to know whether R. M. Whitney was not influenced by donors from these banks; whether it was true that he received fifty thousand dollars a year, as had been stated. A bank which had a million of the public money on deposit, which was yielding \$60,000 per annum, could readily afford to pay a part of the compensation named. He (Mr. T.) thought his suspicions that such a sum was paid would be confirmed. In any event, he desired to submit the case to the American people, with a full knowledge of all the circumstances. He hoped the gentlemen opposed to him would meet him fully in this instance. If all was fair as it should be, and as he trusted it might prove to be, let the friends of the administration have all the benefit which would result from the refutation of the charges.

Mr. D. J. Pearce said he had voted to lay the resolution and amendment on the table, because he was opposed both to the one and the other.

He was in favor of any resolution directing inquiry into any department of the government where, in the nature of things, it was proper the inquiry should be made. He considered the whole proposition as a work of supererogation. He would vote for the resolution if any gentleman who viewed the subject in a different light to himself, would put it in a proper shape. If the gentleman from Kentucky (Mr. Harlan) wanted a committee appointed on the part of the house, to ascertain whether the secretary of the treasury had assumed banking privileges; whether R. M. Whitney was stationed here as the agent of the deposit banks, with a

view of giving him privileges above other individuals, and of receiving from the secretary of the treasury a protection which the secretary could not correctly confer upon another man, nor legally upon him, (R. M. W.) if, in short, the question was to resolve itself into one of malfeasance or malversation in office, he (Mr. P.) was willing, for one, that the committee should be raised, that the gentleman from Kentucky should be at the head of it, and that he should fully investigate all charges, so far as they can be made against the secretary of the treasury.

But suppose that Reuben M. Whitney was the agent of the deposit banks. He was not an agent under any act of congress, or under any power which the secretary of the treasury could exercise. He was the agent by virtue of a contract between him and the deposit banks. What right had the house or the secretary or the treasury to ask these banks if they had an agent, or what compensation was given to him? They might answer the question if they thought proper; and, if they did not think proper to answer it, the house would be no wiser by adopting this resolution.

It had been said that R. M. Whitney was seen in this city, sometimes in his office, sometimes reading newspapers, and, because he was so seen, the house was to adopt a resolution making these formal inquiries from the secretary of the treasury. So far as any thing could be brought to bear on the secretary of the treasury, shewing an improper connexion between him and Reuben M. Whitney, or any other individual, he (Mr. P.) was willing to go for an inquiry; but as to these roving investigations, these inquiries, he had expressed his opinion against them; he believed that no benefit was to be derived from them by the American people, and that their only effect would be to agitate the public mind. So much (said Mr. P.) for Reuben M. Whitney, who (Mr. P. apprehended) was one day to become a great man, on the ground that those who were great were indebted for their elevation more to their enemies than their friends; and who, but for the fictitious consequence which he had gathered from the thousand rumors which had been circulated against him, might have glided on to his grave with the contemptible insensibility of an oyster, so far as congress would have had any thing to do with him.

But as to the resolution itself. When did the bill by which these deposits were regulated become a law? At the last session of congress, he believed. These banks, would, no doubt, do what they had contracted to do under the deposit bill of the last session. They were under contracts with the secretary of the treasury—contracts entered into subsequent to the passage of that bill, and to the requirements of which they had conformed. But the resolution of the gentlemen from Virginia (Mr. Garland) goes back to the years 1835 and 1836.—What right had the secretary of the treasury to call for this information? What control could he exercise over the banks, independent of what was contained in the contract under the deposit bill? Would the banks condescend to comply with such requirements? And, if not, of what avail was the resolution, or what benefit could result from its adoption?

He saw no reason why the secretary of the treasury should make inquiries into these banks, rather than into any other banks, in order to know their surplus on hand. There was evil to be apprehended from the surplus on hand in all the banks, but this was the result of the banking system. If the object of the resolution really was to confer benefit on the public, then let the inquiry be extended to all similar institutions in the country. If congress was to legislate at all, let them not legislate for the few, but for the whole. Let them legislate for the people, for the hewers of wood and the drawers of water, for those men who suffer, and are made to suffer, in consequence of these institutions.

Mr. Trucey said he could see no objection to the resolution, nor any substantial objection to the amendment. Could any gentlemen object to a simple call for facts in possession of the department, where it was deemed important by every member that they should be in possession of congress? The gentleman from Rhode Island (Mr. Pearce) had inquired, why not as well call for this information in relation to all the banks? He (Mr. T.) would answer. By a law passed at the last session of congress, and, by the course of the department under that law, contracts had been entered into with these deposit banks; and, as a preliminary to the formation of these contracts, the banks were required to put the department in possession of certain information in relation to their condition and business.—For this reason he (Mr. T.) would limit the inquiry to these banks. With other banks congress had nothing to do. He would, therefore, vote in favor of the resolution and also of the amendment. A certain agent in the treasury department had been

alleged to be in this city performing certain acts.—The house had already received a communication from the treasury department stating that that individual had no connexion with that department. He had a connexion, for aught Mr. T. knew, with the deposit banks, and, so far as he was aware, there was no impropriety in their employing such an agent. But if these banks had communicated facts to the treasury department in relation to that agent, which it was important for the house to know, let him communicate them.

The house did not ask for any information which these banks were not required to give by virtue of their contracts. They asked for information, so far as it was in the possession of the department. He was for light; for fair investigation and inquiry; and so far as it could properly be done, he would examine and sift the departments to the bottom. It was not for the house, nor for the legislature, to refuse inquiry into any department. This was not an inquiry; it was a proper and legal inquiry into a public department, not necessarily involving the supposition that any thing was wrong. He hoped the inquiry would be allowed, and he appealed to the house to adopt the resolution, and thus throw open the door to discovery, if any thing there was to discover.

Mr. Vanderpoel submitted the following amendment to the amendment of Mr. Harlan:

"And whether the treasury department has any agent or attorney to correspond or communicate with said deposit banks, in relation to the public deposits; if so, who is such agent or correspondent; what compensation is allowed to him, and by whom is such allowance made or paid."

Pending which, the hour having elapsed, the house, on motion of Mr. E. Whittlesey, passed to the orders of the day, being the consideration of bills on the calendar of private business.

The house suspended the rule to enable Mr. Thomson, of Ohio, to offer the following resolution, which was agreed to:

Resolved, That the use of this hall be allowed for an exhibition of the pupils of the New England institution for the education of the blind, under the direction of Doct. S. G. Howe, on Tuesday next, at half past 10 o'clock A. M. for the space of one hour.

The remainder of the session was spent in the consideration of bills for the relief of individuals; among them was the bill for the relief of the heirs of Louis Durett, which was read a third time, but a final decision postponed until Friday next.

[This bill proposes to release to the heirs of Durett, sixty arpens of land in the city of Mobile of great value.]

Tuesday, Jan. 3. After the presentation of petitions, Mr. Ingersoll, from the committee of ways and means, reported a bill to provide for the support of the military academy of the United States for the year 1837; which was twice read, and committed to the committee of the whole house on the state of the union.

Mr. Yell, from the committee on public lands, made a report, in pursuance of the resolution of the house of the 20th December last, accompanied by a bill to revive, in part, the provisions of an act entitled "an act to grant pre-emption rights to settlers on the public lands;" approved June 19, 1834; which bill was committed to the committee of the whole house on the state of the union.

On motion of Mr. J. Q. Adams,

Resolved, That the committee on revolutionary pensions be instructed to inquire into the expediency of restoring to the list of pensioners, for services in the revolutionary war, the names of all persons who were entitled to and obtained pensions under the act of 18th March, 1818, but whose names were afterwards stricken from the list, and have not since been restored, for the single reason that they were not in indigent poverty.

Mr. Harlan presented the joint preamble and resolution of the legislature of Kentucky, for the passage of a law compensating the troops called into the service of the United States, in virtue of an order from gen. Gaines to the governor of Kentucky, which troops were destined for Camp Sabine, but disbanded by the order of the president of the United States.

The resolutions offered by Mr. Gillet on the 30th of Dec. relative to the obstructions to the navigation of the Passaic river, and for the improvement of the mouth of Black river, were taken up and agreed to.

The speaker laid before the house a communication from the secretary of the navy, in accordance with the act of congress of May, 1836, transmitting a statement of the expenditures made from the contingent appropriations for the navy from the 1st day of October, 1835, to the 30th day of September, 1836.

The speaker also laid before the house a communication from the secretary of the treasury, transmitting the following statement:

Statement of the payments made to the states of Ohio, Indiana, Alabama, Missouri, Illinois, Mississippi, Louisiana and Arkansas, out of the five per cent. of the net proceeds of the sales of land within their respective limits; prepared in pursuance of a resolution of the house of representatives of the 26th December, 1836.

States.	Proportion of 5 per ct. pd.	Am't paid.
Ohio	3 per cent.	\$464,366 51
Indiana	"	388,102 61
Alabama	"	801,809 63
Missouri	"	146,929 20
Illinois	"	260,328 96
Mississippi	"	338,808 02
Louisiana	5 per cent.	106,535 19
Arkansas	3 per cent.	4,790 00

\$2,011,670 12

Treasury department, register's office, Dec. 26, 1836, T. L. SMITH, register.

The unfinished business of the morning hour was the following resolution heretofore offered by Mr. Garland, of Virginia:

Resolved, That the secretary of the treasury communicate to this house, if within his power, a statement of the dividends and surpluses which were declared by, and surpluses and contingent funds remaining in, the several banks in which the public money is deposited for the years, 1833, '34, '35, '36, severally.

To which Mr. Harlan had offered the following amendment:

"And that he state also, whether the salary or compensation of an agent at the seat of the general government composes a part of the expenses of the said banks; the name of the said agent, and the several sums paid to him by the said institutions respectively."

To which amendment, Mr. Vanderpoel heretofore offered the following amendment:

"And whether the treasury department has any agent or attorney to correspond or communicate with said deposit banks, in relation to the public deposits; if so, who is such agent or correspondent; what compensation is allowed to him, and by whom is such allowances made or paid."

The house was addressed at length by Mr. Peyton; after which, Mr. Garland proposed to modify his resolution by adding thereto the following:

Resolved, That a committee of nine members be appointed whose duty it shall be to inquire whether the several banks employed for the deposit of the public moneys have all or any of them, by joint or several contract, employed an agent to reside at the seat of government to transact their business with the treasury department; what is the character of the business which he is so employed to transact; what compensation he receives; whether said agent, if there be one, has been employed at the request or through the procurement of the treasury department; whether the business of the treasury department with said banks is conducted through said agent; and whether in the transaction of any business confided to said agent he receives any compensation from the treasury department, and that said committee have power to send for persons and papers.

Thereupon Mr. Harlan withdrew his amendment, (which carried with it also the amendment to the amendment, offered by Mr. Vanderpoel).

Mr. McKay offered the following additional resolution to the first resolution of Mr. Garland, which Mr. G. accepted:

Resolved, further, That the secretary of the treasury report the actual amount of public moneys each of said banks has held on deposit on the first day of each quarter in the aforesaid years respectively, together with any other information which will show what proportion of said dividends and surpluses has been derived by the said banks from the use of the public moneys. Also, as far as can be ascertained, what have been the dividends and surpluses of an equal number of other banks than those that have the public moneys for the last two years.

And the question on the original resolution of Mr. Garland was taken and carried. And the question on the modified resolution proposed by Mr. McKay, was taken, and also carried.

The question then recurring on the additional resolution of Mr. Garland in relation to the existence of the agent for the deposit banks, &c.

Mr. Chambers called for the yeas and nays, which were ordered, and being taken, were, yeas 199, nays none.

So all three resolutions were adopted by a unanimous vote.

The house proceeded to the special order of the day, being the consideration of the resolution heretofore offered by Mr. Wise, providing for the appointment of a select committee to inquire into the administration of the executive departments, &c.

A debate followed, in which Messrs. Pickens, Dunlap and Peyton participated, and a report of which will appear hereafter.

And, on motion of Mr. Robertson, without taking the question, the house adjourned.

Before announcing the adjournment, the speaker laid before the house a communication from the secretary of the treasury, in the words following, to wit:

Treasury department, Jan. 3, 1837.

SIR: I seize the earliest occasion to inform congress of the measures adopted by this department since the 1st instant, in compliance with the 13th section of the act regulating "the deposits of the public money."

The balance in the treasury on that day, which was subject to be apportioned among the different states, has, on the principles of the act, as construed by the attorney general, and explained in my last annual report, been ascertained to be \$37,468,859 97.

The division of this sum, in detail, among the several states, may be seen in the document annexed, (A) and, including Michigan, equals \$127,445 10 to each electoral vote.

In consequence of the proceedings of the last convention in Michigan, and the views expressed concerning them by the president of the United States, is his recent message communicating those proceedings to congress, together with the provisions of the bill now pending in one house on this question, the department has supposed her situation so far changed since November as to justify the assignment to her of a share of the public deposits, subject, however, entirely to the future decision of congress upon the propriety of this step.

The payment of the share assigned to Michigan will, therefore, be postponed till some expression of opinion shall be given by congress, which may either sanction its being made to her in the same manner as to the other states, or require its division among the other states in addition to the sums which have already been appropriated to them.

Twelve of the states have communicated their acceptance of the terms of the act, and accordingly transfers, equal in amount to the first quarterly deposit required under the law, are now issuing in favor of their respective agents.

Which is respectively submitted,

LEVI WOODBURY, sec. of the treasury.

Apportionment among the several states of the public money remaining in the treasury on the 1st January, 1837, excepting five millions of dollars.

States.	No. electoral votes.	Amount to be deposited during the year 1837.
Maine	10	\$1,274,451 02
New Hampshire	7	892,115 71
Massachusetts	14	1,784,331 43
Rhode Island	4	509,780 41
Vermont	7	892,115 71
Connecticut	8	1,019,560 81
New York	42	5,352,694 28
New Jersey	8	1,019,560 81
Pennsylvania	30	3,823,353 06
Delaware	3	382,335 31
Maryland	10	1,274,451 02
Virginia	23	2,931,237 34
North Carolina	15	1,911,676 53
South Carolina	11	1,401,896 12
Georgia	11	1,401,896 12
Alabama	7	892,115 71
Mississippi	4	509,780 41
Louisiana	5	637,225 51
Missouri	4	509,780 41
Kentucky	15	1,911,676 53
Tennessee	15	1,911,676 53
Ohio	21	2,676,347 14
Indiana	9	1,147,005 92
Illinois	5	637,225 51
Arkansas	3	382,335 31
Michigan	3	382,335 31

\$37,468,859 97

Wednesday, Jan. 4. On motion of Mr. McKay, Resolved, That the committee on military affairs be instructed to inquire into the expediency of prohibiting or regulating by law the practice of officers of the army being employed in the service of individuals or incorporated companies, and receiving compensation from them during the time they hold their commissions.

On motion of Mr. Holsey,

Resolved, That the committee on Indian affairs be instructed to inquire into the expediency of provid-

ing by law for the granting of patents to assignees or holders of contracts of purchase of creek reservations, which have been certified by the agent, and approved by the president under the third article of the treaty with the Creek tribe of Indians, concluded at Washington, on the 24th day of March, 1832.

On motion of Mr. Johnson, of Kentucky, Resolved, That the committee on public lands be instructed to inquire into the propriety and justice of making an additional appropriation of land to satisfy the warrants in scrip which have been issued, and which may hereafter issue, in virtue of the laws and ordinances of the United States and of the state of Virginia, for services in the army of the revolution; and that the committee further inquire into the propriety of authorising the secretary of the treasury, in cases where scrip may have been and shall be issued, and all the heirs and others interested therein shall not appear or join in receiving the same, to issue to those who shall appear or join, or their attorney or attorneys, their proper portion, reserving in the treasury the portion due to those who do not appear or join as aforesaid.

The following resolution, offered by Mr. Owens, lies one day under the rule, viz:

Resolved, That the secretary of war be directed to furnish this house with a detailed statement of the number and names of the officers in the regular army of the United States who have resigned their commissions within the last twelve months, and the dates of said resignations; the number and names of the officers who have applied for and obtained furloughs within the same period of time, the date of said furloughs, and the reasons for granting the same; and the number and names of the officers who have refused to comply with the last general order of the president of the United States, requiring the officers of the army to join their regiments, and the reasons for such non-compliance; and any other matter connected with this subject that he may deem important to the public interests.

The following resolution, presented by Mr. Montgomery, lies one day under the rule:

Resolved, That the secretary of the treasury be directed to inform this house what quantity of public lands belongs to the United States in each state and territory, and their aggregate amount; what has been the whole cost attending their purchase and management up to the 1st December, 1836, designating the amount of each of the various heads of expenditure, with the dates at which the lands have been acquired; also, that he inform the house what amount of land has been surveyed and offered for sale in each of the states and territories, the amount which has been sold at public sale, the amount purchased at private sale, the probable amount that has been purchased by speculators, the amount that has probably been taken for actual settlement, the amount that will probably bring the government price or more, what amount will bring less than \$1 25 per acre and over 75 cents per acre, what amount will bring 75 cents and over 50 cents per acre, what amount will bring 50 cents and over 25 cents per acre, what amount will bring 25 cents and under, and what amount will not sell at any price; also, the amount of cash paid into the public treasury, and disbursements made therefrom annually since 1790 inclusive.

Mr. Howard, from the committee on commerce, reported the following resolution, which was agreed to:

Resolved, That the committee on foreign affairs be instructed to inquire into the expediency of revising the acts of congress relative to foreign missions.

The speaker presented a communication from the secretary of the treasury, transmitting the report of the register and receiver of the land office for the southeastern district of Louisiana, made to that department under the act of congress of February, 1835, "for the final adjustment of claims to lands in the state of Louisiana," together with a communication from the commissioner of the general land office, touching the validity of the claims therein mentioned.

The speaker also laid before the house a communication from the treasury department, submitting a report, in compliance with the resolution of the house of representatives of the 10th July, 1832, directing the secretary of the treasury to lay before this house at the next and each successive session of congress, copies of statements and returns, as far as he is able to do, showing the capital, circulation, discounts, specie deposits, and condition of the different state banks and banking companies.

Mr. C. Allan offered the following preamble and resolution:

Whereas congress has heretofore made donations of the public lands for the purpose of internal improvement and education,

To the state of Ohio,	-	1,737,838 acres.
Indiana,	-	1,012,592
Illinois,	-	1,712,215
Missouri,	-	1,181,948
Mississippi,	-	733,244
Alabama,	-	1,216,450
Louisiana,	-	920,053
Territory of Michigan,	-	599,973
Arkansas,	-	996,338
Florida,	-	947,724

in the aggregate amounting to eleven million fifty-seven thousand six hundred and eighty-five acres:

And whereas each of the United States has an equal right to participate in the benefit of the public lands, the common property of the union;

And every wise and good American having agreed in the opinion that the cause of general education is indissolubly identified with the cause of general liberty:

Therefore, to do equal and exact justice to all the states, to aid in diffusing among the rising generation intelligence enough to comprehend, and spirit enough to defend, their rights, and thus to elevate the national character and insure the perpetuity of our free institutions—

Be it resolved, That a select committee of one member from each state be appointed, whose duty it shall be to inquire into the justice and expediency of making to each of the thirteen original American states, together with each of the states of Vermont, Maine, Kentucky and Tennessee, such grants of the public lands, for the purposes of education, as will correspond in a just proportion with those heretofore made in favor of the first named states and territories, and that said committee have leave to report by bill or otherwise. But, to avoid the objection of one state holding land in another, the committee is directed to insert a clause in the bill which they may report, providing that the grants to be made thereby shall be subject to sale under the laws of the general government now in force, and that the proceeds arising therefrom shall be paid over to the states entitled to the same.

Mr. Hall, of Maine, moved to amend the resolution by striking out the words "select committee to consist of one member from each state," and insert "the committee on public lands," but withdrew his motion after some remarks from Mr. C. Allan in opposition to it.

Mr. Vinton moved to amend the resolution by adding thereto the following:

Resolved, That the said inquiry extend to all the states, and that the said committee be further instructed to inquire into the expediency of inserting a clause in said bill to pay said new states the value of the improvements made by them on the public lands, or to pay to them the amount the public lands would have been assessed for taxes, if they had been private property.

A debate now ensued between Messrs. Vinton, C. Allan, Briggs, Parker, Johnson, of Louisiana, (who moved to amend the resolution by extending its provisions to all the states in the union), Claiborne, Ashley and Mann, during which Mr. Claiborne, of Mississippi, moved to amend the amendment by adding as follows:

"And provided that no such grant shall interfere with, or be located on the claim or improvement of any actual settler on the public lands."

After some remarks from Mr. Ashley, in favor of referring the resolution to the committee on public lands, Mr. Jarvis moved the previous question, but the house refused to second the call. Mr. A. Mann, after contending that this proposition was nothing more than the old proposition for the distribution of the public lands in disguise, expressed his opinion that the preamble to the resolution was intended to deceive, and said, if in order, he would move to strike it out. The speaker said the motion was not now in order. Mr. Mann gave notice that, when in order, he would renew the motion. Mr. Cambreleng said that he thought it would be better to dispose of one resolution at a time, and for this purpose he would move that the house proceed to the orders of the day; which motion prevailed.

The house resumed the consideration of the resolution of Mr. Wise, and the amendment thereto pending, proposing an inquiry into the executive departments.

Mr. Robertson addressed the house until the usual hour for adjournment, when he gave way to a motion to adjourn, and the house adjourned.

Thursday, Jan. 5. After the presentation of petitions and reports

The speaker laid before the house a letter from the secretary of the treasury, containing a statement of the causes which have prevented the execution of the ninth article of the treaty of 1819, with Spain, and the two acts of congress passed in

relation thereto, furnished in compliance with the order of this house of the 26th of December; which letter was referred to the committee on foreign affairs.

The speaker laid before the house a letter from the secretary of the navy, transmitting a list of the names of the persons employed as clerks in the navy department during the year 1836, with the compensation of each. Laid on the table.

On motion of Mr. Hall, of Maine, it was resolved that the committee on engrossed bills be now appointed.

Some business of minor importance was next transacted, when the house resumed the consideration of the resolution offered yesterday by Mr. Chilton Allan relative to the public lands, with the amendments of Messrs. Vinson, Johnson, of Lou. and Claiborne, of Miss. Mr. Harrison, of Mo. addressed the house at length in opposition to the resolution, and with a view to show that the preamble was entirely erroneous in the assumption which it contained, that the grants to the new states were gratuitous for which no consideration had been received. He denied the position; and maintained that the states accepted the land, not as a gratuity, but under a compact entered into under the ordinance of 1787, by which compact the new states, in consideration of the grants, had surrendered one of the greatest attributes of sovereignty—the right to tax the public domain within their limits.

Mr. Hannegan was of opinion that no practical good was to be obtained by the continuance of the discussion, and moved to lay the whole subject on the table. Mr. C. Allan called for the yeas and nays on that motion, which were ordered; and, being taken, were—yeas 95, nays 99. So the motion to lay the subject on the table was rejected.

On motion of Mr. Garland, of Va. the house proceeded to the orders of the day.

The house resumed the consideration of the resolution heretofore offered by Mr. Wise, together with the pending amendment of Mr. D. J. Pearce, providing for the appointment of a select committee to inquire into the administration of the executive departments.

Mr. Robertson concluded his remarks, and the house was addressed by Messrs. Hannegan and Hamer. Mr. H. had not concluded, when he gave way to a motion for adjournment; and on motion of Mr. Anthony, the house adjourned.

DÉBATE ON THE ADMISSION OF MICHIGAN.

In the senate December 30, 1836.

Mr. Grundy, from the committee on the judiciary, reported a bill for the admission of the state of Michigan into the union; which was by consent, read twice. (See page 294.)

Mr. Grundy moved that the bill now receive its third reading; it was but short; the facts of the case were well known; and, if any senator wished further information, he stood ready to give it, so far as it was in possession of the committee.

Mr. Ewing objected to the bill's receiving its third reading at this time. It was far too important in its character to be hurried through the senate in this manner, without time to look at or consider it.

Mr. Calhoun joined in the objection. He had not, he said, looked much at the question involved in the bill, nor was he acquainted with the facts of the case; but, assuming them to be as had been stated in the president's message, this was one of the very gravest questions ever submitted to the senate. It was certainly one which required to be maturely considered, and carefully weighed. He wished more time for reflection; first, that he might more accurately ascertain what the facts were; and, secondly, that he might weigh them in his mind with the care they demanded. He presumed others were of like mind: and, with a view to ascertain the wishes of the senate, he would move that the farther consideration of the bill be postponed, and that it be made the order of the day for that day week.

Mr. Grundy did not object to allowing gentlemen a reasonable time, but thought the day named too distant. There was one good reason why the bill should receive an earlier consideration: the distribution of the deposits was to take place soon after the first day of January next, and it was desirable, if the bill was to pass at all, that it passed early enough to admit the state of Michigan to receive, with her sisters of the confederacy, her due proportion of the public moneys; but if the whole subject was put off, as had been moved, the passage of the bill might be so far delayed as to render this impossible. This, surely, was a strong argument for as early an attention to the subject as possible. As to the facts of the case, they were detailed in the president's message, and in the documents which had been reported with the bill: he was fully aware that they presented a case, in regard to which the judgments of gen-

tlemen might widely differ, but the facts themselves were few, and might soon be told. In June last, congress had passed a bill declaring that, on certain conditions therein set forth, the new state of Michigan should be received into the union: one of which was that certain boundary lines should be assigned to the state; and another that a convention of the people of Michigan, convened for the express purpose, should express their assent to these conditions, and agree to come into the confederacy on the terms prescribed. The act contained no directions as to the manner in which such convention should be called. A convention was ordered by the legislature of Michigan; which met, and concluded to reject the conditions of admission, and communicated such dissent to the president of the United States. On farther reflection, however, without any particular form of legislation, the people themselves had since spontaneously met in their primary assemblies, and called a second convention, by which body it had been agreed to accept the conditions of the law, and thus to enter the confederacy. It was since ascertained that from 5,000 to 6,000 votes for this latter convention had been cast for the same members who had formerly decided to refuse the terms of admission, and from 8,000 to 9,000 in favor of men of a different opinion. This, he believed, was about as correct a statement of the facts of the case as could be obtained by greater delay. The question was certainly open as to the validity of the acts of this latter convention, on which, no doubt, there would be a diversity of opinion; but as to the facts there could be no dispute. It would appear, on examination, that although a majority of the people of Michigan had, at the date of the first convention, been opposed to accepting the terms of admission, yet, at the time the last was held, an overwhelming majority had been in favor of the measure. When these facts should be found and admitted to be as stated, Mr. G. should give his views as to what ought to be the consequence. But he was anxious that the law should be passed in time for Michigan to get her proportion of the public money. The secretary could not make the distribution on the first of the month, as all the returns would not then be in, but he might probably be in circumstances to do so within ten days thereafter.

Mr. Calhoun said that no senator was more anxious that the new state of Michigan should be received into the confederacy than himself, or could be more willing that she should obtain her due proportion of the public money placed in deposit with the several states. He desired to interpose no unnecessary delay, and would vary his motion so as to propose that this bill be made the order for Tuesday next. (Monday, he presumed, would scarce be a business day, and many of the members might be absent.) According, however, to the statement given by the gentleman himself, there was at the bottom of this subject one of the gravest, the very gravest questions which could be agitated; so grave, indeed, that important as he conceived the deposit act to be, he could almost prefer that their respective proportions of the surplus fund should be withheld from all the states, than that a bill like this should rashly be passed. He wished, he repeated it, more time for reflection.

Mr. Morris said that although he was one of the committee who had reported the bill, yet he did not concur in the preamble as reported. He did not, indeed, doubt that Michigan ought to be admitted into the union, and should rejoice at her admission. But, as the chairman had correctly stated, the act of congress providing for her admission, made it conditional, and required her previous assent to the condition, that assent was to be made known to the president of the United States. Now, the assent of the people of Michigan had not yet reached the president at the date of his last communication, and therefore congress did not officially know the fact. The first question was, whether the senate was competent to declare the act of the last convention a valid act. The law required that a convention should be called for the express object of expressing assent or dissent to the conditions of reception. Now the senate had learned from the president's message that the people of Michigan had assembled in a convention called by their own legislature, and had declared their dissent, and had communicated such dissent to the president. But, after this solemn act by a convention legally called, it seemed that there had another convention been gotten up without any authority of law, and on the acts of this body the present bill was founded. It involved questions of the highest magnitude. Mr. M. went on to express his opinion that the doings of the latter convention could be no guide for the legislation of congress, who ought to act just as if no such body had ever met. He was of opinion that the third section of the admission law, which required the previous assent of the people of Michi-

gan to conditions presented by congress, was an imposition upon that people; but the correct mode would now be to repeal that act, and to receive the state at once. The whole law had proceeded on the hypothesis that there was an unsettled boundary line between Michigan and the state south of her; but as one of the senators of that state, he considered the question of boundary as fully settled. He was willing to admit Michigan, but not on grounds which were unfounded in fact. He gave notice that he should, when the bill came up for consideration, move to strike out the preamble; it was intended as a key to the bill; but it was calculated rather to mislead than to guide to the true principle on which the bill was founded. It was possible that, on further reflection, he might change his mind; but such were his present impressions.

Mr. Grundy said that the committee, when draughting the bill, had also taken under consideration that view of the subject presented by the senator from Ohio; and if, on Monday, the senate should concur in that view, no regard would be had in the bill to the late convention accepting the terms of admission, and thus the object of admission would be attained. But it was on this ground that Mr. G. preferred the preamble, that Michigan could then never claim as a state what congress had thus decided against. And, as there was an inveterate controversy between Michigan and Ohio, he thought it the better way to bind Michigan, so that under no pretext could she set up a claim to a section of country belonging to Ohio. If the preamble should be stricken out, the subject would be more open to controversy than if it should be retained. Mr. G. believed that, by the preamble, Michigan would be estopped from coming forward and claiming any thing. It was merely on this ground that he was in favor of retaining the preamble. But, to obviate objections, he was willing that the bill should be postponed, and made the order of the day for Monday next.

Mr. Buchanan said he was aware that the present was not the proper occasion to discuss the merits of the bill which had been reported; nor did he purpose to enter on its discussion; but, as other gentlemen had briefly stated their opinions on the subject, he would in like manner state what was his own view of the matter. He did not consider the subject of the bill as peculiarly grave or difficult, save as it was always a grave question whether a new state should be received into the union. The language of the admission act, which had passed last year, was very plain to him, so much so, indeed, that he had expected the president would have issued his proclamation at once, without referring the question to congress for decision. Mr. B. here quoted the act, and observed that it contained no provision requiring any legislative action on the part of Michigan to authorise a convention of the people. It would have been improper that it should. He insisted it was perfectly competent for the people of that territory to hold a convention spontaneously, without any application to the legislature about the matter; and if they had done so, the only question was whether such convention had decided to accept the conditions of admission which congress had (very properly in his judgment) required. He believed it had; and the case was therefore very plain. He understood there had been more votes, by 2,000 on both sides, given in this latter than in the first convention; and no matter how many unsuccessful attempts had previously been made, if their consent had at last been given, there was an end of the matter; they were clearly entitled to admission. He should not enter on the argument, but merely throw out his opinion, which he should be ready, at the proper time, to enforce with what little power he might command.

Mr. Ewing concurred with his colleague (Mr. Morris) in the opinion that the last convention held in Michigan was altogether illegal and unauthorized. He saw in it nothing which was entitled to be called a convention of the people. He was also opposed to the preamble of the bill. He had not examined the bill itself, and could not say what might be his opinion of it should the preamble be stricken out; but how much soever it might operate as an estoppel to the new state of Michigan from ever hereafter mooting again the vexed question of her boundary line, he was not in favor of having that estoppel effected by what he considered a mere fiction. (Mr. E. quoted the admission act to show the conditions of admissions). Now did any one suppose that it was a fulfilment of this condition for the people to rise up in their primary assemblies, without legal organization or civil authority, and declare their assent to the conditions of admission? Was society thus to be reduced to its elements, and was it to act without social organization? The act of congress had recognised no such principle; it had recognised the principle of

social organization; and to hold the validity of the acts of such an assemblage as had come together under the name of a convention of the people, was, in his judgment, so strange as to amount almost to an absurdity. Interested or not, he thought, in all fairness, the estoppel effected by such an act of assent ought not to be accepted and held binding. It was based upon an act that was wholly void. It was said, indeed, that a majority of the people had voted; but where was the evidence of any regular social organization in the convention? What guaranty did congress possess that it had been convened according to the forms of the constitution? Who voted? Who notified the people at large of the time and place of meeting?—Did the people all consent to such time and such place? It was, at least, not probably they did.—The people of this country were in the habit of looking to some regular and recognised authority in all their proceedings. A, B, and C, in a particular county declaring that they would meet to consider this public question, did not lay the basis of a convention. How had the election of members of the convention been conducted? Who had been the judges of election? had they been sworn? if so, their oath must have been extra-judicial. And who had been permitted to vote? It had been said that there were two thousand more votes given on either side than in the first convention. That that number of votes had been counted he did not doubt; but where was the evidence that they had been given? No warrant, or qualification of voters, had been alluded to. Mr. E. had no objection to the admission of Michigan, but let it be done regularly, and in a proper manner; and let nothing like trick be practised upon the people of the new state, by an estoppel improperly obtained against their claims.

Mr. Morris said he was very thankful for information that would show the ground on which the parties stood in the discussion. He understood the gentleman (Mr. B.) thus: that all which was required of the people of Michigan was that they should choose a convention, and that such a convention should assent to the act of admission. The gentleman even went further; if one convention had failed, the people might choose another, and so go on *ad infinitum*. This doctrine (Mr. M. thought) went directly to dissolve the whole elements of society, and to destroy all the obligations of law. It amounted to this: that if an act of congress should be passed for the punishment of an offence, which act required a judicial investigation, the people might, notwithstanding, rise in an original assembly, and themselves inflict the punishment.

Again, if Michigan had adopted a constitution, it was bound to abide by that constitution. But this proposed act of congress would give the people of Michigan the power to amend and add to that constitution. Mr. M. thought that doctrines of this kind ought not to be tolerated. And if such an original convention was proper, how was it to be created? Was one county to notify another, or one individual another; or how was it to be done? If the people of Michigan might act in this irregular way, then so might the people of any of the states, and all government and law would be thus already dissolved into their original elements, and the whole fabric of our institutions would be reduced to a shadow. And the fault would not be so much in the people of Michigan as in this proposed act of congress. Mr. M. thought much mischief would follow the passage of the bill with such a preamble. It would be establishing by congress the doctrine that we are not to be governed by law, but by popular frenzy. When the legislature of Michigan passed the law authorising a convention, was there any objection made to that law? But why pass the law, if the people might rise in an original convention? It was such a convention that at least accepted the terms of admission—a convention which, as the president had informed us, was got up without law; and the president had therefore not issued his proclamation of admission. It seemed to Mr. M. that all this was a wide departure from the constitution and laws of the country; and he should, therefore, at the proper time, move to strike out the preamble.

Mr. Buchanan regretted that, in expressing a mere general opinion, he had unintentionally given rise to the present discussion. The senator from Ohio, who had just taken his seat, had stated the ground he had taken in such strong terms, that Mr. B. supposed that if an angel from heaven should attempt to convince him of the contrary he would labor in vain. That honorable senator had discovered that Mr. B. was a great latitudinarian, and that, if the principles he had stated should once be admitted, every thing would run to confusion. The people, it seemed, would rise, and not only legislate for themselves, but execute justice also! (He presumed by Lynch law). But he denied the justice of

any such inferences from his doctrine. By what authority had the first convention been held? Not from any power given by the act of congress to the legislature of Michigan to pass a law calling a convention. Why, then, had such an act been passed? Clearly from the necessity of the case. Michigan had been acting as a sovereign state, and congress had been treating with her touching her admission into the union. It had been very proper in the legislature to pass such a law; but the convention assembled under it had proved ineffectual. Congress had acted wisely in not requiring any act of the legislature to give validity to the convention. The sovereign people of the state of Michigan had a right to do, in this matter, just what they should please to do. And even had the legislature refused to pass a law calling a convention, the people would still have possessed the right to meet in their primary assemblies, and make their wishes known to the legislature. He admitted that congress should first be satisfied that the convention had acted in a regular manner, and had actually concurred in the conditions of admission. But, when this was proved, it was no longer a matter of favor to receive the new state. It was her right to come in. He should not go into the argument at this time; when the bill came up he should be happy to meet the two senators from Ohio in its discussion.

Mr. Benton said it was impossible that any question could arise about the admission, on which every gentleman had not already made up his mind. The subject had already been 4 or 5 years before congress. Mr. B. insisted that the question was a mere question of right, a right which existed four years ago, but which had been met at the threshold, and fought inch by inch, till, at the last session of congress, the friends of the admission had determined to sit it out. The admission had been resisted in a manner unknown to the history of the country. And now it was to be put off till Monday, when the senate had rather occasion to sit at night in these short days; and the nights would be necessary for the discussion of this question. If all the questions brought forward should be discussed, they might begin with Adam, who had but one woman to govern, and enter into the history of original conventions. There was no necessity of postponing till Monday. All the time would be little enough for them to get rid of what was pent up within them almost to bursting on this subject. But if postponed, then, when Monday should come, Mr. B. would come and sit down in his chair, and would camp on this ground till Michigan should be admitted.

The discussion ended by making the bill the order of the day for Monday next.

SPEECH OF MR. PEYTON, OF TENN.

Upon the resolution of Mr. Wise proposing a select committee of investigation, and Mr. Pearce's motion to amend the same. December 15.

MR. SPEAKER: I was, at first, somewhat surprised that the gentleman from Rhode Island (Mr. Pearce) should be found in opposition to this investigation. That gentleman was once the zealous advocate of rigid scrutiny into all abuses committed by public functionaries. In an elaborate speech, upon this floor, he once sustained an investigation similar to the one now proposed by my friend from Virginia, (Mr. Wise). I allude to the case of the Wiscasset collector. But, sir, the gentleman announces the fact that he has *changed*. He was then opposed to general Jackson—violently and bitterly opposed to him—and he manifested that opposition in every conceivable way, and upon every subject that arose. But having now become a Jackson man, he has undergone, it seems, a complete political transformation. And what a change! his old principles discarded—his mental vision in total and disastrous eclipse, he has closed his eyes upon fraud, and speculation, and plunder!

But, sir, has it come to this, that the gentleman from Rhode Island is put forward as the champion of Andrew Jackson? Has that distinguished citizen already sunk so low that his fame and reputation are committed to the keeping of *such hands*?—Oh, spectacle, mortifying and humiliating, to the honest friends and original supporters of Andrew Jackson! those who fought with him, and voted for him! who advocated his first election upon principle, and who, unlike the gentleman, yet stand up the dauntless advocates of the same principles?—What must they think, how must they feel, when they are informed that the president's reputation as a statesman has fallen into the custody of that gentleman, who, formerly a violent, loathed and detested assailant, has thrown himself into the current of the president's popularity, strong enough to bear even him along, and is now become his *pretended* fulsome eulogist and defender?

But, sir, to the gentleman's objections, or rather his pretended objections, to the proposed inquiry.

He has given a striking specimen of the cunning and tact of the sect to which he belongs, by the issue which he has made up—a false, hypocritical issue. What is it? Why, forsooth, that it involves the president's veracity! that it will be, does the president speak the truth when he says that all the officers are "honest" as well as capable! and that he, good tender-hearted man, cannot endure to hear any thing which infringes, in the slightest degree, upon the veracity of that high functionary. Under this false and fraudulent issue the gentleman takes shelter, and expects to escape all inquiry, all investigation. Is argument required to expose a position so monstrous? Will not every high-minded man in the nation look upon it with scorn and indignation? Sir, I deny and denounce this as that false issue which has so long been the shield of the party, and behind which they always skulk at the slightest approach of danger. The president says that they are honest, and the gentleman says you are not to prove them to be rogues, because that would be to make out the president a liar. What a position!

Did the president write the paragraph in his message, laudatory of these officers, which the gentleman himself admits is unusual in such a document, and which, I am sure, has no precedent or parallel? No, sir, not one word of it, and he does not know, at this moment, that it is there. What is it, sir, which these gentlemen, so able and so honest, have introduced into the message, and now claim that it is evidence of so high and sacred a nature that it cannot be examined or impeached? Here it is:

"Before concluding this paper, I think it due to the various executive departments to bear testimony to their prosperous condition, and to the ability and integrity with which they have been conducted. It has been my aim to enforce in all of them a vigilant and faithful discharge of the public business; and it is gratifying to me to believe that there is no just cause of complaint, from any quarter, at the manner in which they have fulfilled the objects of their creation."

Did Andrew Jackson write this sweeping certificate of moral character for these gentlemen? No, sir, no. I plead *non est factum*. It is not his deed. They have fraudulently smuggled it into his message, to evade scrutiny into their conduct. Instead of stifling inquiry, it is of itself a cause of suspicion. I say, sir, that the president did not write it; in support of which avowment, I have evidence satisfactory, at least, to my own mind, and such as should be made known to this house, to the country at large, and to posterity. It should thus be made known, in order to shield the name and fame of the president from that imputation which, in all time to come, would attach to them, in consequence of this flagrant abuse of the confidence reposed by him in others. The committee on the part of the senate, which, according to usage, was appointed to wait upon the president at the commencement of the session, and inform him of the readiness of congress to receive the very message in question, found him extended on a sick couch, scarcely able to raise his hand. On the eve of their departure, he urged the senator from Tennessee (Mr. Grundy) to come back soon, and talk with him; that he was lonesome, wanted company, and wished to have his friends about him. The senator (alas, that it should be necessary for him to invoke the attendance of friends, and of *such* friends!) did return, and remained with the president more than an hour, during which time he never alluded to the subject of politics. He spoke of dying, of the Hermitage, of his hope that he might be spared till he could reach it in the spring. His thoughts were with his heart, "and that was far away." dwelling upon other and doubtless holier meditations than writing eulogies upon public functionaries, whose conduct he was in no situation to examine, and who, if they were honest, needed not his testimony to the fact.

But the gentleman from Rhode Island has another objection to the mode of proceeding proposed by my friend from Virginia. He says that it is unnecessary, because, by the standing rules of the house, the investigation into all such matters is enjoined, as a duty, upon the committee of ways and means. The rule alluded to by the gentleman reads as follows: "It shall be the duty of the committee of ways and means to take into consideration all such reports of the treasury department, and all such propositions relative to the revenue, as may be referred to them by the house, &c. &c. to examine into the state of the several public departments, and particularly into the laws making appropriations of moneys, and to report whether the moneys have been disbursed conformably with such laws, and also to report, from time to time, such provisions and arrangements as may be necessary to add to the economy of the departments, and the accountability

of their officers." And yet the gentleman, in a subsequent part of his argument, contended that the exercise, by the house, of such a power as is hereby enjoined upon one of its standing committees, would be a disfranchisement of the heads of departments! An *ex parte* trial and conviction according to the rules of the common law! The rule referred to by the gentleman shows the sense entertained by the house in relation to the necessity of such investigations as the one proposed into the state and condition of the several departments, with a view to the rigid accountability of public officers, and the legal disbursement of the public moneys.

But, sir, is the committee of ways and means the appropriate committee to make such examinations? Look at the past. How long have complaints of malversation in office been ringing in the ears of gentlemen? Look at the formation of that committee. Its chairman (Mr. *Cambreleg*) labors under a political, if not a legal, disability to institute and conduct them with efficiency. Dare he move in such a cause? No, sir; he would seal his fate forever. But, if that committee were forced by the house into the investigation, with what hope of success could we rely upon it? The head of each department would hand over to the chairman of that committee such a statement as he might choose to send here.

Why, sir, it would be like the trial of R. M. Whitney. Reuben has been tried, and, as you will be glad to hear, acquitted, since the last session.—But how tried? Not by a committee of this house? No, sir, he was tried on the other side of the Alleghenies, while the witnesses and the prosecutor were a thousand miles off. He was tried at Jonesborough, Tennessee, before the president of the United States; the prosecutor not my friend from Virginia, (Mr. *Wise*), but one John Kennedy, who prosecuted Reuben so handsomely, that he has since been rewarded by an appointment. Reuben was arraigned before the president in a large crowd, the charges against him so drawn up that they could all be answered in his favor without touching the true issues which involve his guilt or innocence. They, in effect, asked the president—is Reuben a saint, or is he a sinner? "He is a persecuted patriot, sir; persecuted on account of his opposition to the United States bank." "There!" said they, "do you hear that?" and the shout, hurra for Reuben, was loud and long. But, sir, the gentleman chose to wander from the subject before the house, and carry this political war into Tennessee. This is contrary to the policy of his state during the late war with Great Britain. She then had a higher regard for state lines and state sovereignty: her patriotism was only commensurate with her small limits.

He represents the president as going to the Hermitage on private business, and seems to justify all which his party attempted to achieve by the president's visit to Tennessee. A private visit to the Hermitage! They scarcely gave him time to shake hands with the old family servants at the Hermitage. He was hurried from place to place, dragged along through dust and heat to public meetings, at towns and villages, and cross roads, and country stores; carried through Tennessee and Alabama; brought back, and taken through Kentucky, by the way of Cincinnati, to Washington. The friends of Mr. Van Buren resorted to every art to excite and induce him to take an active part in the election; and they now talk of a private visit to the Hermitage! Sir, I was told this morning, as I entered the capitol, that some one of the members from Tennessee denied certain facts which every one there knows to be true. I hope, sir, that no such denial has been made. But, if it has, I stand ready to meet the gentleman, and maintain the truth of those facts any where. The president assailed me for the course which he said I had pursued in relation to the bill which contained the appropriation to carry into effect the Cherokee treaty, before he left the city, which complaint he frequently repeated on his way to the Hermitage. At Knoxville, a gentleman produced the *Globe* newspaper, which showed that I had voted and spoken in support of that measure. But it had no effect, for he continued to speak of it as he had done before. At Sparta, he denounced my friend from Virginia (Mr. *Wise*) as a liar. At the house of Mrs. Sanders, in Sumner county, Tennessee, he stated that my colleague (Mr. *Bell*) "told twenty lies in one speech, and knew them to be lies at the time;" and that Peyton was a greater liar than Bell. In passing through the district of my colleague (Mr. *Forester*), his very able speech at the last session of congress having been mentioned, the president stated "that any man could get as good a speech as that written at Washington for five dollars." When asked how Mr. Huntsman was, in

relation to political parties, "He's on the fence," said the general, "and no one knows which side he will fall." The constituents of another one of my colleagues inquired, "Well, general, what do you think of our representative, Mr. Shields?" "Oh!" said he, "he's of no account, sir, no account; turn him out, and send some one in his place who is of some account." I have repeated these things, sir, not on account of any pleasure they afford me, but because those very gentlemen who were the cause of these exhibitions are now denying them. Let any man deny this statement who dare.

But the gentleman from Rhode Island calls upon us to take "the bull by the horns," "to move an impeachment against the president at once"—says that "he is accountable for the acts of his ministers, and any attack upon them is in effect an impeachment of him." This is strange doctrine to me, sir. We wish to rope these calves, and drag them bleating as they go from the treasury, for they have been sucking too long already; and the gentleman says no, "take the bull by the horns." Move an impeachment against the president, indeed! He accountable, *criminally* accountable for the want of integrity on the part of his ministers! Was there ever any thing more impudent than this? Because general Jackson is a patriot, does it follow that Reuben M. Whitney is any thing but what the world knows him to be? Because general Jackson is an honest man, does it follow that Amos Kendall, and all the other "hirelings," as he calls them, are honest too? This, sir, is the doctrine of the party—the doctrine of men into whose hands the government of the country has fallen. But, sir, the gentleman, in thus shuffling himself under the protecting mantle of the president, but displays the usual tact of the party to which he belongs. They are all patriots, if the president be a patriot. They are all honest men, if the president be an honest man. Sir, let me put a case in common life to illustrate this doctrine; one which every farmer will understand. Take any man of seventy years of age, put him on a farm with sixty hands to control, give him a full crop, corn, tobacco and small grain; can he manage them so that no part of the crop will suffer? Suppose his foremen are faithless and roguish, that they are detected marauding the country of nights, taken with their pigs and turkeys, their chickens and potatoes, upon them, could they plead the virtues of their master as a justification of their crimes? Could you not Lynch them without meaning to inflict blows upon the good old man whose confidence they had abused? There is no man amongst them who can stand one moment upon his own merits. No, sir, they have crowded and huddled together under the mantle of general Jackson, until that is not broad enough to cover them; they have worn it threadbare, stretched and torn it into tatters. You may occasionally get a glimpse of Van's bald pate popped out here, Amos's sharp face there, Felix's red eyes yonder, Blair's shank at one place, and Reuben's pockets filled with treasury receipts at another; and now, sir, we have the gentleman from Rhode Island squealing around like an odd pig, for whom there is no teat, hunting a place to crawl in at. Now, sir, what I wish is, to strip the Jackson mantle off these gentlemen, and let them stand up for themselves.—Every one knows that no gentleman upon this floor has any motive, any wish to make an issue with general Jackson; that he cannot be the object of this resolution. His course is run, his day is past, his power is in other hands, and we wish to hold those gentlemen accountable for the manner in which they exercise it. There has been no investigation into the departments, which we propose to examine, for the last eight years. We wish to see a settlement of their accounts at the bar of the public, and the balance fairly struck between them and the people. They may be honest, very honest; if so, it is due to themselves that they show it. It may be otherwise, and, in that event, it is due to the country that we should have a committee of the house to show that. How is it proposed that they shall come to trial? Upon the certificate contained in the message, and upon that alone. The gentleman himself admits that these sweeping certificates are unusual. I detest the whole system of certifying which pervades every department of the government, and can be traced from Reuben M. Whitney up, (I believe you cannot go from Reuben down). Yes, sir, a coward, who shrinks and runs from an adversary whom he has injured, will get a certificate of his courage to use upon the stump; a traitor will get a certificate of his patriotism; a rogue of his honesty; and a perjured witness of his veracity; and if you attempt to fix upon either of these his true character, he will ensconce himself behind his certificate. We ask permission to go into the various departments, and see what their true condition is.

But, says the gentleman, that is equivalent to an impeachment of the president, for here is his statement that all is well; "that there is no just cause of complaint from any quarter;" and the argument is, that if you find just cause of complaint, it will show that what the president has said is not true, and, therefore, if you do not mean to attack the president, there must be no examination whatever. We hold these officers, whose conduct we propose to examine, to be trustees, and we have reason to believe that they have abused their trust, and abused the confidence of the president, and demand that they shall give an account of their own conduct to the representatives of the people, and are met at once, and told that you are putting the president upon his trial; it is an impeachment against him; make out your specifications and summons him to the bar of the senate. All we ask, sir, is, that the representatives of the American people shall send a committee and examine the archives, records and papers of their own government, in any and all of its departments, and make their report of the facts to this house. We propose no criminal prosecution against any one, but an investigation into the condition of the departments, and the honesty and fidelity of the public agents, and this the gentleman calls disfranchisement under the common law. He was eloquent and extravagant in his eulogiums upon the heads of these departments; he spouted their praises in poetry, and I suppose he means they shall live in song and story. He says the secretary of the treasury has not slept upon his arms. No, sir, he has not slept, and the party should feel under the highest obligations to him, for he has so contrived as to make the treasury and the public lands a powerful auxiliary to Mr. Van Buren in the late election. By the celebrated treasury order, which he issued, requiring specie in payment for the public lands, with an exception in favor of the citizens of the states in which those lands are situated, he in effect offered a bribe of one hundred dollars a head for votes in the states of Mississippi, Arkansas, Missouri and Michigan, which was then looked upon as a state. For, sir, at the sale of public lands in Mississippi last fall, specie was worth at one time twenty per cent. and, while the citizens of Tennessee, then considered in rebellion against Mr. Van Buren, were required to pay this enormous tax, the citizens of Mississippi, a doubtful state in the election, were exempt from it. At government price, three hundred and twenty acres of land would cost the Mississippian four hundred dollars, while the Tennessean, for the same quantity, was compelled to pay the sum of five hundred dollars, from the necessity he was placed under by this order of raising specie. And, sir, this was not confined to the poor and needy, but extended to the nabob with his hundreds of hands, and thousands of bales, while the specie was extracted from the most indigent and meritorious Tennessean. This, sir, is what I call high-handed oppression on the one side, and wholesale bribery and corruption on the other. Philip of Macedon never made a more unblushing use of money to corrupt and enslave the people of Greece. This secretary must be entitled to the praise, and something more substantial still, to a portion of the spoils of the party. The gentleman alluded, also, to the visit of the secretary of state, (Mr. *Forrest*), to Georgia, which he calls unfortunate; true, his visit was unfortunate; and of the visit of the secretary of the navy, (Mr. *Dickerson*), to New Jersey, which was also unfortunate. He seems unwilling to give them any credit for well meant exertions, and "wishes to God they had staid at home." This appears rather ungrateful, as they used every effort to rally his shattered forces—that he was openly electioneering for Mr. Van Buren. Amos, too, if I was correctly informed, made an excursion for a like purpose, into New England. I am sure that I saw it stated that he had his face lithographed and copies sent through the country, so that those who could not see "the divine original, might at least gaze on love's counterfeit."

But, sir, the gentleman assumes another ground in defence of these "ministers" as he calls them. He says the appointment of this committee would amount to a disfranchisement of those officers whose conduct it is proposed to scrutinize, by denying to them a trial according to the strict rule of the criminal law. This principle holds only where a man is on trial for crime. All laws are to be liberally expounded, so as to detect fraud, but strictly construed when you come to punish a criminal. The gentleman goes too fast; he leaps to the conclusion, leaving us at the beginning of this matter; while we are commencing the development of fraud and

corruption, which the law abhors, he anticipates the awful result which may be brought about, and is appealing to your sympathy on behalf of the culprit. Now, if he will be patient, we will go on with him, and in due season we will lean to the side of mercy, and acquit wherever there is reasonable doubt. This is strange doctrine to come from that side of the house. These officers are the trustees of the people, and accountable to the people. They have been long in office, and are about entering upon a new lease; and now, when called upon to make an exhibition of their fidelity and ability, their friends upon this floor raise the cry of disfranchisement and summary punishment. I deny and utterly repudiate this doctrine. Sir, in private life, no one denies the right of a principal to look into the conduct of his agent. What would that principal think of an agent who would shut his books and say, I claim protection under the criminal code; you cannot examine these books, lest it may lead to a prosecution against me? What honest man would not say at once he was guilty? What judge would sustain the objection for an instant? Take the case of a guardian: a motion is made in court, a committee is appointed, and he is brought forthwith to a settlement; could he object on the ground that the examination of his accounts might develop crime, and lead to punishment? And, sir, have not the American people the same power over these keepers of their treasure, and guardians of their constitution, laws and liberties, which a court of justice can exercise over the guardian of an estate, and the children who own it? Sir, because investigation may lead to such a discovery, it does not preclude investigation altogether. The gentleman's fancy seems to be haunted by the idea of criminal prosecutions and penitentiary punishments. Well, sir, his fancies may be realized; he may know something calculated to excite his alarm: it may lead to that, and I would not be surprised if, in some instances, it did; but we move no impeachment, no indictment, no presentment at this time. We merely ask that this house, as the great inquest of the nation, shall inquire into the state of the departments, and upon a report of facts, by a committee, it will then be able to determine what steps are proper to be taken. If crime is developed in any quarter, then it will be the proper time to bring offenders to trial, and they shall have all the benefits of the strict rules of common law, and criminal law, and the benefit of *clergy* likewise. Sir, there is something "rotten in Denmark," or we would not have this resolute and continued opposition to all investigation which is calculated to show mismanagement on the part of agents and officers of government. At the adjournment at the last session of congress there were pending motions and resolutions, calculated to effect objects similar to those contemplated by this resolution, and they were all smothered by the party to which the gentleman belongs, and, I believe, with his assistance. The gentleman dreads a select committee, while he is willing to go to trial upon the certificate of the president, and seems to have full confidence in the result if the matter be entrusted to the committee of ways and means. Yet, sir, he is alarmed at the idea of a select committee, and says it will be a "fault-finding, censorious committee." Have the gentleman and his friends any thing to dread in the appointment of this committee? Is the speaker subject to the suspicion of doing injustice to any of the party in the appointment of committees? Sir, is it not a matter of absolute certainty that a majority of this committee, if appointed, will be composed of the friends of these officers? Cannot those gentlemen meet their own friends without fear and trembling? Is there not virtue and talent in this house sufficient to guarantee protection to the innocent, as well as to ensure the detection and exposure of the guilty? Are gentlemen willing that it shall be understood, and go abroad to the country, that they cannot face such a committee, composed of gentlemen of the highest honor and purest principles, even though they are their own friends? And these, too, are the men in whose hands the government of the country is placed, and who claim to be above suspicion, beyond the power of this house, fortified upon all sides by the ramparts of the president's certificate.

There is one other position assumed by the gentleman from Rhode Island, which is quite original, and merits particular attention; it is this, sir, that the direction given at the last session to the bill commonly called the executive patronage bill is conclusive as to the views of this house upon the subject of executive patronage. And he seems to draw an inference that the house then gave its sanction to all that had been or would be done in the way of executive patronage, in all its departments. What are the facts in relation to that case? A gentleman from York (Mr. Mann) on the 25th of February,

1836, moved "that said bill be referred to the committee on the judiciary." My colleague (Mr. Bell), moved "it should be referred to a select committee," and, pending these motions, a gentleman from Virginia (Mr. Dringdale) moved "that the executive patronage bill be committed to the committee of the whole house on the state of the union," which motion took precedence of the others and prevailed, and there the bill has slept ever since. The question of executive patronage was not taken up for consideration afterwards; and now the gentleman contends that the house having failed to act upon the subject, it was therefore against the bill, and in favor of executive patronage, to the fullest extent. Sir, during the last summer, in Tennessee, I endeavored to inculcate this doctrine so far as to hold a majority of this house accountable for its failing to act upon this as well as some other important questions, but this doctrine was controverted by you and your friends. How would it hold upon another great question—the question of amending the constitution of the United States so as to secure the election of president and vice president to the people at all events, and under all circumstances? For the last two sessions of congress this has been a leading question, and afforded a fair opportunity for the party to show their zeal in carrying out the measures of general Jackson. I, and the friends with whom I act, have ever been in favor of that measure. At the session before the last, soon after it was known that judge White was a candidate for the presidency, and while we were urging the house to take up the resolutions upon that subject, the present speaker (Mr. James K. Polk) made a speech, in which, after professing a willingness to go for the measure, objected to acting upon the subject then, alleging a want of time, and also some imperfection in the resolutions. I followed in a few remarks, in which I urged the importance of a *speedy action* on the subject, and reminded the speaker of his former course in relation to the matter, and, though he *spoke* against us, he *voted* with us to take up the resolutions. His friends, however, took their cue, and followed his *precept* instead of his *example*, and the resolutions were postponed. At the last session of congress the same subject came up, with no better fate than before. It was with great difficulty we could get a report from the committee at all. They all professed to be in favor of the amendment. Oh! yes; but they seemed to *agree* to differ as to the mode of effecting it; and, at last, when the report came in, it took the same direction with the executive patronage bill, or something like it. We could not bring the gentlemen to a vote on either. And is it to be understood, now the election is over, (I know that it would not have been admitted before), that all those who voted to give those important measures the go-by are to be set down as voting against them? If so, how do the party stand upon the great leading measures of gen. Jackson's administration? If we call upon gentlemen to walk in the footsteps of the president upon that oft repeated, but never heeded recommendation in regard to the election of president and vice president, are we to be told that the house has already decided that question against the president's recommendations, by refusing to vote on the question? Are we to be told, if we propose to limit executive patronage, that the house has already decided that question in the same manner, and has sanctioned the full extent to which executive measures have been recently carried? And, sir, what is that extent? It is sufficient, if not checked, and grows into a settled precedent, to rivet chains upon us and our children forever. Such a precedent will authorize a president to make the nomination of his successor a cabinet measure, issuing his proclamation calling a convention to confirm that nomination, and denounce, in advance, all who dare oppose the nominees before or after the convention acts, as "assailing public virtue, and opposing the right of the people to govern." For, sir, this has been done in the late nomination of the "government" candidates, as they are called in the English journals. Was that ticket so remarkable for its *party* and *virtue* that, to oppose it, was to assail the *virtue* of the people? Mr. Van Buren had promised to walk in the footsteps of general Jackson, and is, consequently bound in due time to nominate his colleague (colonel Johnson) for the presidency, order a convention to ratify his nomination, take the field, and secure his election by the use of all the ways and means in the power of the executive.—This, sir, is the extent to which executive patronage has already gone, and which the gentleman contends has beforehand been sanctioned by this house. This, sir, is what I deny. Whatever this house may be destined to do, it has not come to that yet.

Sir, I was not prepared for such doctrines, and I must say that I was not prepared for the opposition

to the proposed investigation. I had hoped that gentlemen would have become *ashamed* of screening these officers, who, instead of running to gen. Jackson for certificates of moral character, should be the first to demand an investigation. But, sir, will the people of the United States be satisfied forever that they shall shrink from responsibility, hold up gen. Jackson's character as their shield, and thereby escape a scrutiny of their conduct? If they have acted honorably, we wish them to show it; if those suspicions, so common, so universal, are groundless, we wish the country to know it. Innocence never seeks for safety in flight, in concealment, but rather courts investigation, and defies scrutiny. How can gentlemen reconcile innocence with this trembling and shrinking—this shielding themselves under the numerical strength of their friends in this house? This was their course at the last session of congress. Remember, sir, what fatality attended every effort to obtain a committee of investigation then. Recollect the extraordinary and obstinate protection extended to that darling treasury-pet, R. M. Whitney. Let it also be remembered that the committee on Indian affairs unanimously recommended an inquiry into the abuses of that bureau, which would have developed the causes of the late and present Indian wars in the south. That committee reported a resolution authorizing any two of its members to prosecute the inquiry by taking testimony for the information of the house at this session. But, sir, this resolution reported by a committee, a majority of whom were in favor of Mr. Van Buren, was rejected in the House. The citizens of Georgia and Alabama petitioned and implored the house to investigate that subject, alleging the most unheard of frauds and abuses. Upon this application the vote stood: ayes 77, noes 77, a tie, and the speaker gave the casting vote against the investigation. Sir, men high in favor, and high in office were suspected. The agent of the government, John B. Hogan, gave the department official information of the greatest outrages practised upon the Indians which were ever perpetrated upon any people, savage or civilized. He was very soon removed, or rather promoted, from Indian agent to be collector at the port of Mobile. And yet, sir, we have no account of prosecutions, convictions and punishments which have followed his disclosures. Why, sir, those speculators, or rather Indian robbers, would find an old chief upon his patrimonial estate, where the chiefs and kings of his race had lived for centuries before him, with his slaves and his farm around him, smoking his pipe amidst his own forest trees, spurning any offer to purchase his home; and they would bribe some vagabond Indian to personate him in a trade to sell his land, forging his name, and the first intimation that he would have of the transaction would be his expulsion by force from his house! This was common, and not only so, but, under the pretext of reclaiming fugitive slaves, the wives and children (of mixed blood) of the Indians were seized and carried off in bondage. The famous Ocoola himself had his wife taken from him, and that, too, it has been said, by a *government officer*, and was chained by this same officer to a log. Sir, what else could be expected but that these scourged, plundered, starving savages would glut their vengeance by the indiscriminate slaughter of the innocent and helpless families of the frontier, whose blood has cried to us in vain? This has caused the Florida war, which has produced such a waste of treasure, the loss of so much national and individual honor, and of so many valuable lives! This has called the gallant volunteers from my own state, and from my own district, who have traversed a thousand miles to fight the battle of strangers—to contend with a savage foe, while drinking those stagnant waters, whose malaria is death, many of whom are left in the wild woods of Florida, where "the foe and the stranger will tread o'er their heads," while their fellow soldiers are far away, happy at home with their friends and families. One—ah! sir, any one of those noble youths who now sleep under a foreign sod, was worth more than the whole army of plunderers who have caused the mischief. And yet, sir, such men as these were shielded at the last session of congress by the casting vote of the speaker. And now, according to the argument of the gentleman from Rhode Island, the house has sanctioned all they did.

I think, sir, it is time for this course of things to cease. It is time for the people to know something of the conduct of those in whose hands the public business is entrusted, and who really administer the government. They have been behind gen. Jackson long enough. I was present when Mr. Van Buren took his position there. It was a striking display of that paternal care which the president has extended over Mr. Van Buren. In the spring of 1834, the president, Mr. Van Buren, and a few other gentlemen, I amongst the number, rode out to

the Washington course to witness a trial of speed, (an amusement of which I am very fond, and for which the president had not altogether lost his taste at that day.) It was a trial run between the celebrated Busris and Emily. The horses were brought on the course, all was calm and quiet until the rider of Busris mounted, when the old courser began to rear and plunge; this seemed to stir the mettle of Old Hickory; he reared upon his stirrups and took command; "hold him," (said he to the boy), "don't let him run against the fence." "You must break him of that, sir," (to the trainer), "I could do it in an hour." Turning to me, he said, "take your stand there," (pointing to a position on the side of the course), "there is but one place from which a horse can be correctly timed." I took my station with lever in hand. "Now," said he, "come up, and give them a fair start." At this moment he discovered the vice president, who had come up and taken his position near me; he exclaimed with great emphasis and earnestness of manner, as he flashed his eye from the excited animals to the vice president, "*Mr. Van Buren, get behind me, they will run over you, sir.*" It would have done you good to see how natural and easy it was for Van to slope off behind the old chief. And, sir, there he has been ever since. Old Hickory would not get out of the way for us to run over him: if he had given us a fair chance, on any stretch or turn during the whole race, we would have run over him or made him fly the track. But, sir, we have got him on the repeat; the general will be out of the way; he is no game horse, and we will make a case of him on the repeat. I do not complain so much that the president has fallen in love with Mr. Van Buren, but I claim the privilege of falling in love with whom I please; and this, sir, is the last privilege which will ever be surrendered by man, or woman either. But, sir, Mr. Van Buren is in love with the president, too; and he accidentally found it out. The manner of this discovery is somewhat curious. I do not know this to be true, but it was much talked of and universally believed in this city. Mr. Van Buren was in conversation with a lady, an intimate friend of the president, amiable, interesting and remarkable for communicating to him whatever she thought would be agreeable for him to hear. Mr. Van Buren said to this lady "that he had been reading much, and thinking deeply of late, upon the characters of great men, and had come to the conclusion that gen. Jackson was the greatest man that had ever lived in the tide of time; that he was the only man among them all who was without a fault." The fair friend of the president was delighted. "But," said he, "whatever you do, don't tell gen. Jackson what I have said. I would not have him to know it for the world." You see, sir, that he was afraid she might forget it, and therefore thought it safest to jog her memory. But sir, he might have saved himself that trouble, for the excellent lady flew to the president, and told him all that had passed. "*Ah! madam,*" said he, *with tears in his eyes, "that man loves me; he tries to conceal it, but there is always some way fixed by which I can tell my friends from my enemies."* Now, sir, Van was like the Frenchman, (though I want it distinctly understood that I differ with him about this, as well as about many other things.) A Frenchman began to write his deed thus: "*Know one woman by these presents.*" "Why," said the other party, "do you not put it *know all men by these presents?*" "Vell," said he, "is it not de same ting? If wone woman know it, will not all de mens find it out?"

In reply to general Ripley, of Louisiana, Mr. Peyton said: Mr. Speaker, the gentleman from Louisiana has charged me with assailing the president's measures, and to that cause he ascribes the excited state of feeling under which he spoke while in Tennessee. My opposition to the measures of the president, I defy that gentleman to point to one of the great measures of general Jackson's administration which I had not supported, unless he claims the election of Mr. Van Buren as one of those measures. If so, I did oppose that measure, and will ever be found in opposition to such an executive measure. But, sir, has any man the boldness, the hardihood, whatever may have been his motives of action, to avow such a doctrine upon this floor? The gentleman speaks of Tennessee in connexion with "the ingratitude of republics," and expresses a "hope that the people of that state will yet learn to appreciate the character and services of gen. Jackson." This charge against Tennessee, of ingratitude to the president, is not original with the gentleman, (gen. Ripley). It has been adopted by him from the lowest source—it issued from the dark caverns of the Globe. What, sir! the people of Tennessee learn to appreciate the character and services of Andrew Jackson! Look at his history—when he first crossed the Alleghenies, a beardless stranger, with his knapsack upon his back, his rifle on his shoulder;

no power, no patronage then, sir, with nothing to recommend him to our pioneer fathers but a congenial spirit. How did they receive him? With open arms they took him to their bosoms. They conferred upon him all the honors, all the offices known to their laws and constitution. And, sir, their sons have stood by him in every crisis, in every peril of his subsequent life. Look back, sir, upon the highway of his fame, and you will find the bones of a Tennessean mouldering upon every field of his glory. And the gentleman hopes that Tennessee will learn to appreciate his character! It is true, sir, that in the late presidential election Tennessee early took her stand. She planted herself upon those principles for which she had battled by the side of gen. Jackson; and there she proudly stands yet, firm, fixed and immovable. She was not to be driven from the ballot-box. She could not, she dare not yield her principles, and surrender up her liberty, at the command of any man. But, sir, I wish to set the gentleman right upon another point. He contends that the house, in adopting this resolution, will do gen. Jackson injustice; that we who advocate it have already done him great injustice. Is it in this manner that every inquiry, every investigation is to be strangled in its infancy, under the pretext of inflicting injury upon gen. Jackson? Why, sir, we have to legislate upon this subject under the terrors of "expunge." Yes, sir, the gentleman has announced to the house that if this resolution is passed it will be expunged. The Lord save me from an expunging house as well as an expunging senate. I have witnessed, with loathing and disgust, the operation of that process in the senate. I have seen the great expurger (col. Benton), in the grim majesty of his expunging power, lashing, with the whip of scorpions, abler and honest men than himself to the work, flogging them on to make war upon the constitution of their country and the journals of the senate; and I have shuddered when I saw it. But I saw, sir, last winter, a disposition manifested by the party, I am sure I did by some of its leaders, to encourage him in his mad scheme of waisting the surplus revenue, that he might batter out his brains against the walls of his own fortification system, and thereby save them the trouble of knocking him on the head. Sir, he will never rise under the weight of that stone and mortar, from the mud and quicksands into which they have plunged him. Sir, I hope never to see this house scourged by so rude and barbarous a despotism. I hope that heaven has for us in store a better fate. "Expunge," sir! expunge what? We propose to look into the conduct of your "hirelings"—to examine the dark deeds of your Whitneys and your Kendalls, and have "expunge" flung in our faces. But are we, the representatives of the American people, to falter in our duty, and cover under the iron sceptre of some expunging hero who is to rise up amongst us? And, sir, if we but touch one little twig of this great Jackson tree, which overshadows the land, and stretches its branches throughout the continent, we are charged with an assault upon its trunk, and expunge is instantly proclaimed. No, sir, we wish to brush off these sap suckers, who have been drawing from that body its vitality. We have to approach them as boys kill woodcocks, by whipping round old Hickory, and I have always advised the mildest measures, the use of limber switches, so as not to hurt him. There was something in the gentleman's manner, and the tenor of his remarks, which seemed to appeal from me to the people of Tennessee, and to threaten me with their displeasure. Sir, the boldest representative upon this floor is far behind the spirit of that people in their unshaken purpose of asserting their rights and maintaining their freedom. A cruel war has been waged against Tennessee, but she has met the crisis as became her character: she has met the mercenary legions unawed: she may be crushed, but not conquered: she may fall, but if she does, it will be at the shrine of the constitution, in the grave of public liberty. And, sir, I will go down with her: I would not survive her fate. I am willing to go home and meet my people; I have nothing to fear from them: their kindness and partiality towards me have always been far beyond my merits. But, sir, the injustice done to general Jackson by supporting this measure: what is it? We demand an investigation into the agency of Reuben Whitney; we ask for an inquiry into the condition of the treasury. We require that there shall be a full investigation into all the departments, and into the conduct of the whole army of public officers, who have been engaged in this business of the succession—this trampling under foot of laws and constitutions. We wish to know from whence came this money. Where is the source of their corruption? Where is the mint from which they can send their hireling editors through the country, poisoning the fountains of intelligence amongst the people? How is it that our army in Florida has

been neglected, and left to suffer for want of supplies, while it was within a few days' sail of New Orleans? Men starving, horses sinking under them in the swamps—all, all, sir, in consequence of gross and criminal neglect somewhere. Was it that our high functionaries were too busily engaged to think of the army—too full of Mr. Van Buren to cast a thought on Ocoala—too busily engaged in electioneering to think of the gallant men who were fighting the battles of their country? It is in behalf of men whose conduct has been such as this, that the message volunteers a laudatory certificate. Sir, I deny the authenticity of this message. General Jackson never gave that certificate. They have written it themselves, and obtained the signature of his name. And yet, with such a testimonial in their favor, they shrink from the proof—they shrink from inquiry. Let us have the proof, sir, and then we will see whether they are honest or venal, corrupt or immaculate. Sir, I do not say they are corrupt: that is just what I wish to find out. I want a strict and impartial investigation. It is lawful, it is usual, to make such inquiries. It is surely right to investigate our own affairs—to examine into the deeds of our own agents. This is our right, it is our duty, and cannot do "injustice" to any one. I protest against the issue which the gentleman from Louisiana has joined. It is not a question between general Jackson and this house: his person and conduct is one thing, and the persons and conduct of these officers is another. I hope that no attempt to crush this investigation on such an issue will succeed; and, sir, let us hope that no American congress will ever be found ready to expunge an order directing an investigation into the department. No, sir, this will never be the case, so long as a shadow of our liberties remains.

SPEECH OF MR. RIPLEY, OF LOUISIANA, IN REPLY TO MR. PEYTON, OF TENNESSEE.

MR. SPEAKER: Had this been a proposition to inquire in the condition of the department of state, of the treasury, of the navy and war departments, and the general post office, with a view to investigate abuses, if they exist, no person would be more willing to join in the inquiry than myself. No individual would be more anxious to enforce the responsibility of subordinate officers. There are none who will go farther to ferret out any malpractices: and, if they really exist, to punish them with the high constitutional power of this house. Had the resolution for inquiry had these objects solely and honestly in view, I should have been the last to oppose it. But, sir, the president is constitutionally responsible for the whole of the executive department; the various radii of its powers concentrate, as well its responsibilities as its honors, upon him; and when I take these circumstances into view, and consider also the spirit in which this debate has been conducted, the position of the president cannot be observed without exciting our share of sympathy. Shall we, at a moment when his connection with the people of the United States is about to terminate forever, and all the aspirations of ambition are to be dissolved by age, infirmities and sickness; when the consciousness of his high and devoted services, which we all know he must possess, and the enthusiastic affection of the American people were about to cheer the evening of his life, and to guild his expiring lamp, is it right or proper for the representatives of the people whom he has succored and saved, to cut off this departing solace, and to embitter his last days, by adopting a resolution, which, if adopted, will sanction an opinion of this house, that corruption and Andrew Jackson have been coupled together? Will they do this without some specific charge—without some definite allegation, sustained at least by the endorsement of one individual in the house who will be willing to give his name to posterity as the author of the allegation? In the speech of the honorable member from Tennessee, marked with so much wit and pungency of satire, the allegations are made against Andrew Jackson as the object who is to be convicted of the corruption which is so broadly insinuated in the resolution to exist in the executive department. I am not willing to exercise the high constitutional powers of this house in the least degree in sanctioning such an allegation.

General Jackson, after a life spent in the service of his country, is about retiring from the elevated position he holds as presiding executive officer of these states, at an advanced age, and worn down by the labors spent in that service. He is now, sir, on the bed of sickness, which may prove his bed of death. God grant that it may not; but that he may live many, many years amongst that people whose rights he has so bravely and honestly defended, and whose prosperity, under the successful administration, has excited the astonishment of the whole civilized world.

What, sir, is the relation that Andrew Jackson bears to the representatives of the people of the United States? From the period of your revolutionary war to the present moment, he has been the lofty, indefatigable defender of his country. In war and in peace, on the battle field and in your councils, his exertions, his toils, and unceasing energy and integrity, have done as much as any other man, not excepting your Washington in the field, and your Jefferson and Madison in the cabinet, to elevate the character of this republic, to advance its prosperity and to preserve its peace. His name has been a tower of strength, and under his administration the character of an American citizen, as was that formerly of a Roman citizen, a passport throughout the world. Ay, sir, in foreign lands, wherever your star spangled banner displays from the high and giddy mast, the character of our republic, under the ægis of the lofty virtues of the president, has that wall of strength that feels ever conscious of the protection of a great and powerful nation. And would you, sir, would this house, after a life thus spent, and which impartial history is about to take charge of for the benefit of his country; would they at the eve of his long life, so worthily spent in all that is patriotic and virtuous in the public service; would they pursue him with insinuations that corruption, with its blighting mildew, has found entrance into the bosom of Jackson's more than Roman virtue? If this house institutes the inquiry, it sanctions the charge, and will they, without any specific allegations, just at the close of general Jackson's career, hold the fatal chalice to his lips, which should poison and embitter with the stings of ingratitude the evening of his life? We have had no precedent to justify such a measure.—Party spirit has raged and misrepresented all your presidents during their term of office, but they have passed and are passing off the stage, all with the award of official and personal integrity. Some have not been re-elected by the people, but against them no charge of corruption is found embodied in the annals of the country. Nor does any American citizen, at even this lapse of time, impeach their integrity: no one charges him with wilful or wanton corruption, while administering the affairs of the commonwealth. The only allegations made against them, as they quit the scene of their labors, of their glories and their services, were that a distinguished member, formerly from Virginia, accused Mr. Jefferson of retiring with a political falsehood in his mouth; and an equally distinguished member from Massachusetts moved his solitary vote to impeach Mr. Madison. I have no doubt, sir, after the excitement of party was over, both of these gentlemen regretted these allegations. The charges never have, and never will affect the great patriarch of liberty, the author of the Declaration of Independence, or his equally illustrious friend, the founder and champion of our constitution.—The one unfurled to the world the principles of popular government; the other, more than any man, connected liberty with law—secured an equality of political rights, by securing to society the fruits of labor. Wherever oppressed man rises to resist the oppressor, the declaration drawn up by Thomas Jefferson is invoked. Wherever constitutional law is appealed to, to secure those rights, the political writings of James Madison form the pure fountains of living water, which diffuse liberty and tranquility amongst the nations. Together, locked hand in hand, they are working their silent way, and they have planted that school of political liberty, of which this republic may arrogate to itself, through their exertions, they being the founder.

Republics have been accused of being ungrateful. Aristides was ostracised for being called the just, and Themistocles banished after saving his country from desolation. The authors of these acts have not transmitted their names to posterity. How keen would be the reproaches of the history of the last two thousand years, how withering their infamy, if they had not escaped by this silence of history. General Jackson has been doomed to meet the same ingratitude, after preventing the dismemberment of our republic, after rescuing the fair and fertile fields of the state which I have the honor to represent. There, sir, helpless age and tender youth, and all the charms of refinement and beauty, were protected by his hand. There, sir, was effected one of those signal deliverances of a people which has already caused the plains of New Orleans to rank with Marathon and Plataea, reflecting all its bright liberty upon the army of liberty that fought under him, and sending all its glowing light throughout the world to elevate the character of this republic. Sir, almost at the moment this was effecting, and while painting, history, poetry, music and sculpture were giving greenness to his immortality, the senate of the United States were denouncing him in the Seminole war. Sickening

with the same feelings that were pained at hearing Aristides called the just, the detractors of Andrew Jackson loathed the beau ideal of his character. Again, during the panic, that same body have impeached and condemned him without a trial, for an alleged violation of the constitution of the United States. How, sir, have the people met these charges? They have almost by acclamation elected him president on each occasion. They have rallied to defend him. Where, sir, is his accusers? I ask again, where are they? And, sir, permit me to predict that if the present resolution passes, it will only reflect disgrace upon the present house of representatives. The people will come to the rescue, and expunge the resolution from this house, as I trust there are about expunging a former one from the senate. The whole future history of the country will hold up in proud relief their old chief *sans peur* and *sans reproche*, and the ingratitude of this house in pursuing him with the arduous charge of corruption, even upon the bed of sickness and of death, when I do not believe there can be a member here who conscientiously believes that Andrew Jackson ever was, in thought, word or deed, unfaithful or inimical to the interests of this country.

I regret that the honorable member from Tennessee should have been so excited by a warm election contest, as to urge, upon such trivial grounds as he has alleged, so grave an inquiry into the corrupt conduct of the executive departments. The state of Tennessee has been reared under the fostering and paternal care of Andrew Jackson. He has done more than any other man to elevate and form its character. Intelligent, chivalric, patriotic and virtuous, they will be the last portion of the people of the United States to sanction allegations, either personal or as the constitutional head of the government, against their veteran chief. Those brave men who followed his banner through the Creek nation and on the plains of New Orleans, with the citizen soldiers of Kentucky, Mississippi and Louisiana, are not to prove so recreant to Andrew Jackson, and so unfaithful to themselves, as to embitter the remnant of his days with so unjust an accusation. And what are all the allegations that the honorable member adduces to justify the exercise of the high constitutional power of this house? That the president, in a conversation with a friend, had remarked that Mr. Bell, another member from Tennessee, had stated lies about him, and that, "Peyton could tell twenty lies to Bell's one." Now, sir, what were the facts in the case? The honorable members from Tennessee at the last session had indulged in pretty severe censures upon the president's administration. In conversation with his neighbors, according to this statement, in naturally vindicating himself, he had pretty warmly recriminated. I think the language that he made use of, as is usual on such occasions, must have undergone, in the course of its gossip, some version before it reached the ears of the honorable member; for it is not the language of that delicate and manly bearing which all know mark the character of Andrew Jackson. At any rate, is a mere controversy in an election, where the president and the honorable members from Tennessee, in the exercise of their constitutional rights, supported different candidates, to be the basis of an inquisitorial examination on the part of this house into the conduct of the executive department.

Again, the honorable member alleges that this house refused to institute an inquiry into frauds that were perpetrated upon the Indians of Alabama by the citizens of that state in the sales of their lands to individuals. When that resolution was introduced into the house, I had the honor of proposing an amendment to it, referring the subject to the president of the United States. The motive for this amendment was, that this house had no constitutional power to order the investigation by their authority; and, if it had been done, it would have been one of the most fatal precedents to the rights of the states. It was alleged that the Indians had been swindled out of their reserved lands, in many cases, by residents of Georgia and Alabama. Of course, if offences had been committed, as I know of no law of the United States providing for such cases, they were common law or statute law offences against those states, not cognizable by the United States tribunal. In a case where the state of Alabama secures a speedy trial by jury, and the cross examination of witnesses, would any person arrogate to this house the power to send its committee to make an *ex parte* investigation, to hold up its citizens as malefactors without being heard, without the privilege of counsel, and the cross examining of witnesses? Suppose, sir, that, in obtaining the charter of a bank in a neighboring state, respectable citizens should be accused of fraud and bribery, an offence that is punishable by the common law of that state, does this house, sir, possess the power to trample upon state rights, and send

its committee of inquisition into the halls of the state legislature, to hunt up *ex parte* testimony as its basis, and to hunt down all that is respectable and venerable in the character of its citizens to condemn them unheard without grand jurors or petit jurors, and draw up a withering report that would blast them as far as our language extended before they had an opportunity of defending themselves?—If this power had been exercised by the original resolutions of last session, like the Council of Ten at Venice, or the Holy Inquisition of Spain, it would have sung the requiem of public liberty, and broken down the whole penal jurisdiction of the independent states. And I feel peculiar personal consolation in being the means of arresting the progress of a measure so fraught with disastrous consequences. The subject was referred to the president, who was directed to investigate into the cases of fraud. From the character of the agent employed by the president (General Hogan,) I feel confident, from my knowledge of the man, that the duty has been faithfully attended to; and if, as the honorable member suggests, he has received the collectorship of Mobile, it cannot have been conferred upon a more deserving or more intelligent citizen, or one who has more gallantly defended his country during the gloomiest period of the late war.*

The honorable member has also referred to the secretary of the treasury as being embraced in the general allegation of corruption. Sir, the lofty character of Levi Woodbury is too well known to this house and to this nation, to require any comment from me. Born, reared, and educated amidst the granite mountains of my native state, his stern and sterling virtues had already carried him to the highest honors of New Hampshire, when in the midst of the panic battle, he was called to the arduous duties of the treasury of the United States. New England may justly feel proud of the high character which he has reflected back upon his native land. And let me ask, what inducement to corruption can there be on the part of Levi Woodbury? There has been no specific charge against him; not a whisper of prejudice that he has done any thing to forfeit his exalted character. He is affluent in his personal situation, with every thing to make him happy in domestic life; and, above all, principles of the most stern and unbending integrity are interwoven with his nature. The only allegation insinuated against him is, that, in the exercise of his duty imposed by a law passed by this house, he is compelled to transact official business with the agent of the deposit banks. That agent is no officer of this government; we have no constitutional power over him. He has been assailed by the severest epithets of party. He has been employed by the deposit banks, many of them in opposition to the administration, to attend to their business with the treasury. For my own part, I do not learn any specific charges with which he is accused. And I have no doubt that the president, when he gave him the character which the honorable member states that he did at Jonesborough, came to the honest and conscientious conviction that such a torrent of anathemas from the opposition in this house, assailing the character of this man for more than four years, would have annihilated him had not his reputation been founded upon the rock of integrity. High sounding epithets and bold denunciations cannot, thank God, blast the character of any American citizen, unless they are accompanied with specific allegations and specific proofs. On the contrary, they raise in the generous minds of the American people that spirit of sympathy for unmerited persecution which is sure to protect its intended victim, and roll back the current upon the author.

I feel, sir, that I should have but unworthily discharged my duty as a representative of Louisiana, had I not raised my voice in opposition to this resolution. Whatever may be the personal or political predilections of my constituents, gratitude to Andrew Jackson for the inestimable benefits he has conferred upon the citizens of our state is an almost pervading sentiment. It is, like the vestal flame, guarded with intense care, and faithfully transmitted from one generation to another. As the 8th of January revolves its annual rounds, so often does the hoary veteran who shared in the memorable campaign repair to the grass-worn hillock which marks the battle field, and recite the eventful story to his children. Often are time and space annihilated, and the years of his pilgrimage recalled to the desperate conflict; and in those rural fetes, which none knows better how to grace with refinement and beauty than the gallant Frank of our sunny clime, the revered name of Andrew Jackson is never forgotten, and the choicest of heaven's blessings are invoked upon the patriot's head.

*General Hogan, served with great distinction in the staff of Chippewa, Bridgewater, and Fort Erie.

FOREIGN CHRONICLE.

The "Napoleon child." On the iris of the eyes of a child, who was lately exhibited in Oxford street, London, the following inscriptions are seen.

<i>Left eye.</i>	<i>Right eye.</i>
NAPOLEON.	EMPEREUR.
EMPEREUR.	NAPOLEON.

The eyes of the child are of pale blue, and the color of the letters is almost white, and appear like rays. This effect is accounted for by the child's mother having gazed intently upon a five franc piece of Napoleon's, given to her by her brother previous to his departure on a long absence, when she was in a particular situation.

Coals. The following is said to be the annual amount of coals raised in England and Wales, under the different heads of consumption:

By the population,	20,804,570 tons.
Iron furnaces,	3,000,000
Manufactories,	4,550,000
Steamboats,	3,000,000
Exported,	615,925
Total,	31,970,495

Mr. O'Connell has announced his plan for a reform in the house of lords. It is that the king shall create a large batch of peers, for the purpose of carrying the bill—an increase to 800 he thinks will be enough—and then the people to select 150 from this number, as the permanent peerage. How the selection is to be made, we are not informed.

Slavery in America. Mr. George Thompson, the abolitionist, has been lecturing in Manchester. We perceive from the report of one of these lectures in the Manchester Guardian, that the abolition cause is making rapid progress in America. We extract the following—There are 700 societies, 64 lecturers on emancipation and the national society are in treaty for 16 more. Instead of there being here and there a minister on the side of abolition, afraid to show himself, fearing that his church might eject him, there were now 2,000 ministers of every denomination, in its favor. There are 150 newspapers which, if not exclusively devoted to the cause, now entertain sound views on the subject. At one meeting of the anti-slavery society at Charleston, South Carolina. 15,000 dollars were collected.

This scoundrel, Thompson, is not content, it appears to interfere with the relations which exist between the states, but he must propagate infamous falsehoods. *Fifteen thousand dollars raised by an anti-slavery society in Charleston!* We know not which most to admire—the folly or the infamy of such an assertion.

M. Malibran, ex-husband of the celebrated singer, died recently in Paris. At the time of his marriage to Miss Garcia, he was engaged in mercantile pursuits in New York, but shortly after failed. He was old enough to be Miss G's father. Madame Malibran has left a fortune of \$110,000 to her son by De Beriot.

By a late arrival from Algiers, intelligence has been received of the final dissolution of Abdel Kabber's little army, and his own retreat from before Oran. A valuable commerce was already springing up between the ports of the now French colony of Algiers, and those of Morocco, the exports from the former being principally French manufactures and products!

The price of bread was raising in London. The price of the quarter, (four pound) loaf, best quality, is now 10½ pence sterling. Inferior quality, 8½d. The rise in three weeks has been 2d per loaf.

Parliament was expected, (according to rumor), to meet a month earlier than usual.

The provincial papers contain numerous notices of incendiary fires. Numbers of hay ricks had been destroyed in the neighborhood of Windsor, and barns, &c. in many other places.

Frazer, of the Magazine, has brought an action against Mr. Berkeley, for the brutal assault committed on him by the latter, and laid his damages at \$30,000.

A large subscription has been made by the literati of St. Petersburg, in aid of the fund for renovating the tomb of Shakspeare at Stratford.

Dexterity of the camel. A thick cherry stick, with a cross at the end of it, serves to guide the animal; a gentle tap on the right side of his head sends him to the left, and on the opposite makes him turn back again to the right; a knock on the back of his neck stops him, and, a few blows between his ears, brings him on his knees, if accompanied by a guttural sound, resembling, as the Arabs say, the pronunciation of their "Khe;" to make him move quicker, it is necessary to prick him with the point of a stick on the shoulders. They fall so naturally

into military figures that it is difficult to conceive that they do it with direction. [Maj. Skinner.

French commerce. The director of the customs has just published a statement of the trade of France with her colonies and other foreign countries, of which the following are the results:—In 1834, the gross amount in value of the imports was 729,104,336 francs; in 1835, the sum was 760,726,696f. The merchandise brought into consumption in 1834 was estimated at 503,983,048 francs, and paid for duties 101,395,997 francs; in 1835, the articles consumed amounted to 520,270,533 francs, and the duties to 102,512,926 francs. The exports, in 1834, of merchandise of every kind, were 714,705,038f. of which the portion of French goods was 509,992,277f. In 1835, the general exports amounted to 834,422,218f. among which French merchandise was estimated at 577,613,863f. During 1834, the number of ships which entered the ports of France was 10,089, and the departures 9,304. In 1835, the arrivals were 10,361, and the departures 9,486. The transit duties, in 1834, amounted to 123,750,328 francs, and in 1835, to 158,467,406f. The premiums on exports amounted, in 1834, to 9,272,221 francs and in 1835, to 9,403,486 francs.

George Coleman, the younger, who for many years enjoyed the emoluments of the office of "licenser" of plays, is dead. His dramatic works have been very successful, and it is stated that the play of the "Mountaineers" produced him upwards of £12,000 sterling. Charles Kemble, whose daughter "Fanny" made such a sensation in certain circles in this country a short time ago, has been appointed to the vacant office, the salary of which is \$2,500 per annum.

The oppressed Poles. The Russian government has published a list of one hundred and forty-two noblemen, of the government of Wilna, whose property is confiscated, for having taken part in the revolution of Poland.

Rice has made the song of "Jim Crow" so popular that it is sung at the corner of almost every street in London. America is certainly fulfilling the prophecy that she would teach lessons to Europe, when we see the dramatic hemisphere in England monopolized, as it is at present, by two of our native stars—one the conceded luminary of high tragedy, the other the ne plus ultra of the Buffo school. [New York Star.

DOMESTIC CHRONICLE.

A revolution in naval warfare. A correspondent of the National Intelligencer alludes in the following positive manner, to an extraordinary invention of which we had already heard some vague rumors:—"It is very probable that it will not be long before the whole system of naval warfare will be changed. The ingenious R. L. Stevens, of Hoboken, has invented a shot which is hollow, and is filled with some kind of fulminating powder, which is ignited by the compression of air when it strikes the sides of a vessel, and, on its explosion, as has been proved by experiment, will tear all to atoms! This system, when perfected, will supersede the use of first rate men of war; for two shots from a sloop of war would as easily destroy a 100 gun ship as a gun boat. Sloops of war would, therefore, be the class of vessels most required; and our waters are sufficiently deep for this purpose."

Extraordinary experiment. Professor Locke of the medical college of Ohio has invented a thermo-electric instrument of such delicacy and power that by the electricity generated by the warmth from a touch of the finger, a magnetic needle eleven inches long and weighing one and a half ounces, suspended like a compass needle, is not only deflected but made to rotate rapidly and repeatedly round.—This is the more surprising as the electric conductor does not touch the needle but passes one-fourth of an inch from it. Perhaps so much motion has never before been produced by so little heat. A description of the instrument may be expected in Silliman's Journal. [Cincinnati Republican.

Kentucky exports. A friend residing near the Cumberland road has sent to the editor of the Frankfort (Ky.) "Commonwealth" the following statement of the number of horses, hogs, mules, beef cattle and sheep, that have passed through the turnpike gate during the years 1835 and 1836.

In 1836.	In 1835.
Horses, 5,525	Horses, 4,716
Mules, 2,200	Mules, 1,951
Hogs, 68,000	Hogs, 60,187
Beef cattle, 2,265	Beef cattle, 2,487
Sheep, 1,725	Sheep, 1,200

Gen. Gaines arrived in Baltimore on Monday last from Norfolk, on his way to Frederick, Md. to appear before the military court, now in session there.

We find in the Richmond Whig the following notice of the gallant old general's advent into that city, and also of his public appearance in the hall of the house of delegates.

"Major General Gaines, of the United States army, visited the house of delegates yesterday, and by invitation of the speaker, took a seat on the front bench of the house. The general was in full uniform, and wore the sword voted to him by the general assembly on the 12th of February, 1818.

The small pox has prevailed to some extent in Richmond, Va. for several months past, but is now on the decrease.

Indiana. A convention of the citizens of Indiana, south of White river, was held at Jasper on the 14th ultimo, with the view of memorializing the Indiana legislature in relation to appropriations for the benefit of that section of the state. A committee from Illinois, composed of Geo. Flower, T. Hinde, and Mr. Steroan, made a report explaining the nature of the charter of the Mt. Carmel and Alton rail road, and urging the co-operation of Indiana in extending that road to Ohio river. The convention appointed committees to petition the legislature for a charter for a rail road from Mt. Carmel to the Charleston and Ohio rail road. There can be no doubt, that such a charter will be readily granted.—The only difficulty will be in obtaining the necessary funds. Indiana will doubtless act, in reference to this subject, with her usual wisdom and liberality.

Ohio legislature. Considerable excitement prevailed among the members of this body at our last dates, in consequence of a charge, brought by Mr. CUSHING, a member of the lower house, from Clark county, against S. S.—Mr. CUSHING charges Mr. S. with having attempted to bribe him by offering him \$1,000 for his influence in obtaining the passage of a law making an appropriation to connect the waters of Lake Erie and Muskingum river through the valleys of the Killbuck and Black rivers. Mr. S. admits that he proffered the money, but intended it as a present "for extra services in collecting facts and arguments, and advancing the main object by diffusing the requisite information." Mr. CUSHING laid the subject before the house, who arraigned Mr. S. for a "breach of privilege," but no decision had been reached at our last advices.

The Cumberland (Md.) Advocate states that the new bridge over Wills' creek, on the national road, has been completed. The Advocate says the national road between Cumberland and Wheeling is now one of the finest roads in the world, and is travelled over in each direction, daily, by four full lines of stage coaches crowded with passengers.

Erie canal. It has been resolved to enlarge this canal which is now too small for the vast amount of transportation proceeding to and from the west.—The New York "Star" thinks it will be a failure if brought to Albany and says—We hope local interests will not interfere to prevent the good results which may be expected from that great work. While the overslaugh exists, and the numerous sand bars and islands in that neighborhood, trade must be forever checked and injured by delays. It is well ascertained, that by leading off the Erie canal, from between Fort Hunter Creek and Schenectady, to intersect the navigable waters of the Hudson river below the above named sand bars and islands, a canal of the dimensions now contemplated will cost less money and be of more value to the state than enlarging the present Erie canal from the above point to Albany, besides saving about 15 miles in the distance. This will always give a good navigation from one end to the other. We hope the western people will look at this subject; they are very much interested in it both at the west and south. In this city we are constantly worried and injured by the impediments and delay at the overslaugh.

State of Georgia. Late on Saturday night, the 24th ult. the legislature of this state adjourned sine die, after a session of 48 days.

A commencement has been made by the legislature on the vital subject of internal improvement. By this act, the rail road to be constructed is defined, (to connect the Tennessee river with the interior of Georgia), and annual appropriations made for its completion. For this year three hundred and fifty thousand dollars are appropriated; sixty thousand of which are specifically designated for the necessary surveys.

The legislature of Connecticut has closed its extra session. It was called for the purpose of making provision for receiving and disposing of the proportion of the surplus revenue falling to that state.—The bill passed upon the subject appropriates the money to the towns, one-half the proceeds to be applied to the support of common schools—the remainder to the disposition of the town authorities.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED, BY WILLIAM OGDEN NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

Our abstract of the proceedings of congress, though occupying more than the usual space, will be found exceedingly interesting. In the senate Mr. Ewing's resolution rescinding the treasury order, has been referred to the committee on public lands, after an animated discussion; and in the house of representatives the whole tariff question has been thrown open by the introduction of a bill from the committee of ways and means, through its chairman Mr. Cambreleng, to reduce the revenue to the wants of the government; or to reduce the tariff ten per cent. in six months on all imported articles, and one-half of the excess over twenty per cent. at the end of the six following months; and the other half on the 30th of September 1838—being a reduction in eighteen months, which, under the compromise act, would have been made in five years and a half.

We have not time to notice this monstrous proposition in an appropriate manner. If, however, it is seriously intended by the chairman of the committee of ways and means to press it upon congress, it is time that the country should be aroused to the danger which threatens it. For we verily believe, if this bill becomes a law, and it may through that vile party machinery which effects such metamorphoses in the principles of politicians, it will utterly prostrate every manufacturing interest in the country, and cause ruin and desolation in all quarters of the land. The remarks of Mr. Lawrence are not the ravings of a distempered imagination, but the sober convictions of an enlightened judgment; and the friends of the protective system should heed them, or the evil days may come when they expect them not.

DREADFUL DISASTER. In a subsequent page we have published an account of the wreck of the barque Mexico, briefly mentioned in the last "REGISTER." It is, indeed, a heart-rending event well calculated to excite our sympathy for the hapless beings who met such a horrible death, and the few and bereaved survivors who passed through the most agonizing sufferings. In behalf of these latter the humane are actively exerting themselves, and all that can be done to mitigate their sufferings will soon be accomplished. The dead, too, have received every testimonial of respect, and we learn that such bodies as were not claimed by their relatives were interred in a lot adjoining the burial ground of the Methodist church at Near Rockaway, which had been purchased by the inhabitants of Hempstead for that purpose. In this honorable procedure the ladies of Hempstead took a most becoming part—for they not only provided the materials, but many of them assisted in shrouding the bodies in the habiliments of the grave.

There is, however, another duty enjoined upon the people of New York, which requires instant action. A thorough and searching investigation of the causes of this and other similar calamities almost in the harbor of that city; and, if it can be proven that the pilots have been remiss in their duty, hanging about taverns and eating houses of that city instead of watching on the coast, the whole batch should be dismissed and new ones appointed, neither too rich nor too lazy to follow their vocation, except in gentle gales upon a summer sea; or failing to do this, destroy the monopoly, and leave the profession open to all who have skill and experience. Such a measure is not only called for by the strongest appeals of humanity, but it is due to the interests of the city; for if human beings are to be sacrificed by hundreds in that harbor, as in the case of the wreck of the Bristol and the Mexico, without the appliance of some strong corrective, it must follow that the harbor of New York will be more dreaded than the ocean, and passengers and merchandise seek another haven.

And yet another! The British ship *Tamarac* from Liverpool, having on board 4 cabin, and 113 steerage passengers, and crew of 26 men, arrived off Sandy Hook, on Saturday afternoon last, and laid off and on, waiting for a pilot until Wednesday morning, when she struck the bottom about three miles east of Fire Island light house. She now made every signal of distress by firing guns, &c. until daylight, when she got out her boats, and sent one with a line ashore. This boat swamped near the beach. The launch was nearly filled with passengers, who, with the assistance of the people on shore, succeeded in getting safe to land. Till 5

o'clock in the afternoon the time was passed in landing the remaining passengers and crew, and we are happy to add, all got safe on shore, except an infant, who perished from exposure to the cold. The passengers saved nothing but the clothes they had on. The ship and cargo, it is supposed, will be totally lost.

FROM FLORIDA. General Jesup, after his unsuccessful pursuit of the Indians, returned to Tampa, where he was at the last accounts uncertain what to do. It is said, however, that he is constructing a depot at Dade's battle ground, and will return thither, whence he will make excursions to the south; in which direction all the trails from the Wahoo Swamp wended.

The Tennesseans were discharged at Tampa. Three hundred arrived at Mobile on the 5th inst. the residue, one hundred and six, took passage from Tampa for New Orleans. The Mobile Advertiser on noticing the squalid appearance of the brave troops which arrived there, says—The reflection that these troops, so gallant, high spirited and fine looking when they were mustered into the United States' service, in the Creek nation last summer, should go to Florida, and there suffer as they have done, and then return, looking as they now do, is indeed humiliating. We understand that but about two-thirds of the brigade will ever return to Tennessee! And that, of the five hundred fine horses they had when they arrived in the Creek nation, seventy-five only are left.

A detachment of troops consisting of 220 men, under the command of lieutenant-col. Arrington, left Mobile on the 6th instant, in three transports, for Tampa Bay.

The Frederickburgh Arena states that lieutenant-col. Karney, major Fauntleroy, captains Bean and Gordon, and lieutenant Hamilton, of the 2d dragoons, passed through that town last week, on their way to Florida, to join the detachment of that regiment ordered to the seat of war.

The U. S. artillery and dragoons at Fortress Monroe, have embarked for Charleston.

A letter from an officer of the army, dated Gary's Ferry, Dec. 28, says—

"Brevet major Childs leaves here in a few days for Fort Drane, with 120 infantry recruits, and the friendly Indians, who have resuscitated here. The dragoons and captain Mellon's company are daily expected here from Old Point.

"An expedition under the command of colonel Sanchez, consisting of a portion of captains Hanson's, Curry's and Freemuth's mounted companies, and a number of volunteers, have marched for the south. They will proceed to Tomoka, and probably to Mosquito. They will be absent several days.

"This is the first movement that has been made towards that quarter since April last. No white man has been at that place since the South Carolina militia left it."

THE INDIANS. It is stated in the Columbus (Geo.) Herald of the 3d inst. that the Creeks have again committed depredations and murders. It appears that a party of five, whether stragglers from Florida or of those in Alabama waiting to be emigrated is not known, besieged the plantation of Dr. Battle of Cowaga creek, and after killing one white man and two negroes, burned the dwelling and out houses. It is also stated that there is but one little company left at Fort Mitchell—a force entirely inadequate to check or chastise the aggressors.

BURNING OF THE TREASURY. We learn from the "Intelligencer" of yesterday that in the case of Richard H. White, who has for several days past been undergoing his second trial in the circuit court, now in session in Washington, on an indictment for burning the treasury building, in March, 1833, the jury went out on Thursday at about one o'clock and had not returned a verdict when that paper went to press.

Some additional testimony was produced on the second trial of great interest; and we will, as soon published, present our readers with a report from the Intelligencer, the reporter of which has taken minutes.

Harry White (brother of R. H. W.) is now undergoing a trial on an indictment for the same crime.

FORT GIBSON. The first of the following paragraphs from the Arkansas Gazette of the 20th ult. will be hailed with pleasure by every friend of the army in the country. Fort Gibson is, beyond question, the most unhealthy post within our borders, and has been kept up at a sacrifice of human life greatly exceeding the advantages which have resulted from its location. How the government has so long resisted the representations of the army, is to us a matter of surprise; for we believe that all officers who have visited it, or known its effects upon the constitution, have but one opinion of the deleterious effects of the climate, and view it as the "grave yard of the army."

"Colonel Carney, majors Boon and Smith, of the United States army, have been for some days at Fort Gibson, and in the west; their business is the selection of the new site, nearer to our boundary, for the station of the government troops.

"John Ross, the celebrated Indian chief, has been for several weeks past, among the western Cherokees, for the purpose it is said, of getting up a delegation from them to join the delegation from Georgia, to proceed to Washington city, for the purpose of inducing the government to renounce Schermerhorn's treaty, to which, it is averred, they never gave their consent.

"Tuck-e-batch-i-had-jo, with his body of Creeks, two or three thousand strong, has stopped above Pott's it is said, and will go no farther, until it suits him. He says he is west of the Mississippi, and there is no power to compel him to proceed."

SANTA ANA. We are authorized to state that a letter was received yesterday by Mr. PINCKNEY, of South Carolina, dated the 2d instant, at Lexington, (Kentucky), from BARNARD E. BEE, esq. one of the Texian escort of SANTA ANA, in which the writer informs him of the arrival of the general at that place, on his way to the seat of government of the United States. He is represented as having suffered from serious indisposition on his journey.—His lungs are said to have been affected "by the transition from a warm cabin to the coldness of travelling on horseback, which he was obliged to do in crossing the country." On his arrival at Lexington medical aid was immediately procured. His physician, (Dr. DUDLEY), at the date of the letter, considered him convalescent, and it was expected he would be able to resume his journey on the 5th. The party, accompanying the general were anxious to reach Washington with all possible rapidity in the confident expectation that "great good will result from the move he has made." What that "move" is, the letter does not state. No explanation is given of the specific object for which he has undertaken this visit to our government. General Bravo's proclamation had caused no mischief in Texas. Doubtless, preparations are making by Mexico for another struggle, but the Mexicans cannot stand a winter campaign, and the writer has no doubt that before the spring all will be well. SANTA ANA travels in an accommodation stage, as he would be unable to sustain the severity of travelling at night. He is said to be courteous, intelligent, and dignified. Considerable inconvenience has arisen from the necessity of conversing with him by means of an interpreter. But it was remedied, as far as possible, by ALMONTE, who is said to manage the intercourse between the general and his escort tolerably well. [Nat. Int.]

At the latest accounts Santa Ana was travelling in a private conveyance from Lexington to Washington city.

GEORGIA. The legislature of this state has decided, after much discussion, to place the surplus revenue, as it may be paid to the state, in the Central bank, to be loaned out as other funds of that institution.

DELAWARE SENATOR. The hon. Thos. Clayton, chief justice of the superior court of Delaware, has been elected to the senate of the United States, in place of the hon. John M. Clayton, resigned.

It is said that the hon. John M. Clayton, will be appointed chief justice of the superior court.

ILLINOIS SENATOR. R. M. Young, esq. has been elected a senator of the United States from the

state of Illinois, for six years from the 3d March next, in the place of Mr. Ewing, whose term of service will then expire.

TRANSFER DRAFTS. In the present sheet we have published the report of the secretary of the treasury to the senate of the United States, transmitting statements of the transfers of the public moneys, in obedience to a resolution of that body passed on the 20th ult. The tabular statements are too voluminous for publication; the general result, however, of the operations of the treasury department are exhibited in the annexed statement, copied from the New York Journal of Commerce.

Statement showing the amounts of public money on deposit in the banks of each state on the 20th of June and the 19th of December, 1836; as well as the proportion these amounts bore at each period to the sum to be deposited with such state under the 13th section of the deposit law, including Michigan, and taking the sum to be deposited with the states at \$37,000,000.

STATES.	Proportion of each state of \$37,000,000.	Amount on deposit June 20, 1836.	Amount on deposit Dec. 19, 1836.
Maine	\$1,258,503	\$231,839	\$507,604
N. Hampshire	880,952	180,200	632,235
Massachusetts	1,761,904	2,077,164	2,886,476
Rhode Island	508,401	112,084	349,758
Connecticut	1,006,962	103,839	741,068
Vermont	880,952	52,975	162,315
New York	5,286,714	12,108,322	11,536,271
New Jersey	1,006,903	None.	534,004
Pennsylvania	3,775,510	2,643,179	2,684,880
Delaware	377,551	None.	170,000
Maryland	1,258,503	1,447,663	1,225,210
Virginia	2,894,467	486,951	1,238,660
N. Carolina	1,882,755	129,625	680,697
S. Carolina	1,384,253	484,680	836,576
Georgia	1,384,243	637,011	558,904
Alabama	880,952	1,057,740	1,407,505
Mississippi	508,401	1,619,564	1,791,558
Louisiana	629,251	2,568,855	4,382,208
Tennessee	1,887,755	631,289	492,433
Kentucky	1,887,755	400,037	1,802,846
Ohio	2,642,856	1,520,979	3,130,881
Indiana	1,133,653	1,021,195	2,136,419
Illinois	629,251	None.	45,616
Missouri	508,401	1,890,304	1,880,626
Arkansas	377,551	None.	None.
Michigan	377,551	1,895,175	1,462,222

DOMESTIC EXCHANGE IN NEW YORK. "The committee of the board of trade, appointed for the purpose of ascertaining facts in regard to the current rates of domestic exchange, as charged by the several banks of this city, beg leave to report, that the following rates were recently charged by the following banks, of which four are deposit banks.

	Merchants.	Mechanics.	America.	Manhattan.	Phoenix.	State.
On Richmond, 1 pr ct. 1	1	1	1	1	2	3
Petersburg 1	1	1	1	1	2	4
St. Louis 0	3	3	4	5	0	7
N. Orleans 2	2	2	4	0	7	
Natchez 2½	2½	2½	4	5	0	
Vicksburg 2½	2½	2½	4	5	0	
Tennessee 2½	2½	2½	4	5	0	
Mobile 2	2	2	4	5	7	
Kentucky 2½	2½	2½	4	5	0	
Ohio 2	2	2	3	3½	4	0
Georgia, 1½	1½	1½	2	2½	2½	30
N. & S. Car. 1½	1½	1½	2	2	2	0
Florida 2½	2½	2½	4	5	0	
Illinois 0	0	0	4	5	0	
Newark, } N. J. 0	0	0	0½	0		
Elizabethtown, }						

In addition to the banks above mentioned, the committee have ascertained that other banks have also had transactions in exchanges at the same or very similar rates. It will be noticed that there is a great discrepancy in the above rates, which is to be accounted for by the fact, that those banks which name the lowest rates, do comparatively little in exchanges, although when applied to they quote the terms specified. These rates, oppressive as they appear, are aggravated (when paper is lodged for collection), by the excessive delay which takes place, in many cases, after payment has been made before the funds are passed to the credit of dealers by the banks."

BANK DIVIDENDS. A commercial friend has favored the editors of the New York Mercantile Ad-

vertiser with the following statement of the amount of dividends recently declared by the following institutions in that city, and which amount lies unemployed in the banks, the time of paying it to the stockholders not having yet arrived. A large portion of this amount belongs to our citizens.

Banks.	Capital.	Div's.	Amount.
United States,	\$35,000,000	4	\$1,400,000
Bank of America,	2,202,100	5	110,000
Phoenix Bank,	2,000,000	8	160,000
Tradesmen,	400,000	7	28,000
Mechanics & Traders,	200,000	5	10,000
Seventh Ward,	500,000	5	25,000
Commercial Bank,	500,000	4	20,000
Manhattan,	2,050,000	6	123,000
Marine Insurance.			
Atlantic Insurance,	350,000	25	87,500
Union Insurance,	500,000	8	40,000
Neptune Insurance,	250,000	7	17,500
Jackson Insurance,	400,000	5	20,000
Ocean Insurance,	350,000	12	42,000
New York Insurance,	500,000	5	25,600
Fire Insurance.			
Howard Fire,	300,000	15	45,000
Contributionship,	300,000	5	15,000
United States,	250,000	8	20,000
Merchants,	500,000	8	40,000
Life and Trust,	1,000,000	6	60,000
			\$2,288,000

In addition to the above there are dividends from various southern and western banks—a large proportion of whose stocks are owned here—and of which the dividends cannot be estimated at less than \$300,000.

PAR OF EXCHANGE. The pertinacity with which people adhere to old modes of computation, is surprising. This devotion is particularly observable in all the quotations by merchants and brokers of the price of bills of exchange on England. Simply because our congress in the year 1792, in order to establish a rule for its own particular convenience, whereby sterling money should be reduced to dollars and cents in the estimate of *ad valorem* duties at the custom house, declared that for such purposes a pound sterling should be the equivalent of \$4.44, many people have taken it into their heads, that there is some law of nature that establishes that proposition. So far from this being the case, the pound sterling which was formerly represented by the quantity of gold contained in a guinea, *less the one and twentieth part*, (the guinea being twenty-one shillings) and is now exactly represented by the existing sovereign, has at no time within the last twenty years been of so low a value as \$4.44. All computations of exchange therefore, that have assumed \$4.44 within that term, as the par of exchange for a pound sterling, have been erroneous.—It is true, that as regards practical results, it does not much matter where the starting point lies. As regards the facility of forming estimates, however, there is a decided advantage in having the computed par to correspond with the *real* par, in order that the departure from the equilibrium above or below, may be rendered more manifest. If the nominal par of exchange corresponded with the true par, the expression *above par* and *below par* would convey an idea of the true operations of commerce, which the want of this identity completely destroys. Every body in this country has an interest in knowing the course of its foreign trade, and the rate of exchange is the key which regulates all the great operations of commerce, and communicates to bankers that whole some service as to the expansion of their issues of which they often so much stand in need.—But where shall we find this par? it may be asked. This question would have been more difficult to answer three years ago, than it is at present.

Congress, in the year 1833 altered the law fixing \$4.44 as the custom house par for the computation of duties to \$4.80, in consequence of having ascertained that that sum in silver was about as near to a pound sterling in gold, for the time being as near as could be ascertained. No certain mode, however, of determining the true par existed prior to the new mint regulations of May, 1834. By the laws passed in that month, the British sovereign of full weight is declared to be the equivalent of \$4.87½ of American gold coins, and consequently that sum in gold is the true par of exchange. According to the ordinary mode of computation, which assumes \$4.44 and an endless fraction of a dollar as the par, a premium of 9 per cent. would make a bill cost \$4.88, which is so near \$4.87½, that for all practical purposes, it will be sufficient to recollect, that, when exchange is quoted in the newspapers at any rate less than 9 per cent. above par, it is really below par, and the fact of its being below par, is the reason why coin does not now go to Europe. [Salem Gaz.

TRADE OF BALTIMORE. The following extracts are taken from the last annual communication of the Mayor of Baltimore to the council of that city:

"The imports during the fiscal year, ending on the 30th Sept. amounted to the sum of \$7,554,322, being an increase over that of the preceding year in the sum of \$1,726,969, thus exhibiting the pleasing result of an increase of our commerce with the interior of nearly 23½ per cent.; showing, with the increase of the preceding year, that our imports during the two past years had increased more than fifty per cent. The total value of exports during the same period amount to the sum of \$3,672,753, being less than that of the preceding year in the sum of \$251,106, owing, in part, to the failure of the two last crops of grain.

"The consequence of the failure is, that from being great exporters of flour from our own wheat, we are now importers of wheat in very large quantities. "The coasting trade has increased in full proportion with that of the foreign, and is estimated to exceed it in value.

"I have procured from the collector of the customs, as illustrative of our navigation, a statement, showing the number of vessels which have been entered in this port during the same fiscal year from foreign ports, which shows that there had been entered, during the period mentioned, 55 ships, 169 brigs, 116 schooners and 2 sloops; a decrease from those of the preceding year of 7 ships, 51 brigs and 61 schooners. There have been built during the past year 2 ships, 8 brigs, 19 schooners and 3 steamboats; in all, 5,534 tons, being an increase of 730 tons over that of the preceding year.

"I mention with pride and pleasure, as exhibiting the just character of our shipbuilders, that, of those, 1 ship, 8 brigs, 16 schooners and 8 steamboats have been built for other ports of the union or for foreign countries."

THE LAST DREADFUL SHIPWRECK.

From the New York Courier and Enquirer, Jan. 5.

The information we give below has been derived by our reporter from the captain of the shipwreck vessel, and from persons on the spot where the ship came on shore. He reached town from the scene of the disaster at an early hour this morning, having been despatched by us thither, as soon as the news of the horrid catastrophe reached us:

The barque Mexico, captain Winslow, sailed from Liverpool on the 25th of October last, having on board a crew consisting of twelve men and one hundred and four passengers, in all one hundred and sixteen souls. She made the Highland lights on Saturday night last at 11 o'clock, and on Sunday morning was off the bar, with thirty or more square rigged vessels, all having signals flying for pilots, but not a pilot was there in sight. The Mexico continued standing off and on the Hook till midnight, and at dark she and the whole fleet of ships displayed lanterns from the yards for pilots. Still no pilot came. At midnight the wind increased to a violent gale from the north west, and the barque was no longer able to hold to windward, and was blown off a distance of some 50 miles. At this time, six of the crew were badly frost bitten, and the captain, mate and two seamen were all that were left able to hand and reef the sails.

On Monday morning at 11 o'clock, standing in shore, they made the southern end of the woodlands, when she was wore round and headed to the north under a close reefed main top-sail, reefed fore-sail, two reefed try-sail, and fore-stay-sail. At 4 o'clock the next morning, the mate took a cast of the lead, and reported to captain Winslow that he had fifteen fathoms water. Supposing from the soundings, as laid down on the chart, that, with this depth of water, he could still stand on two hours longer with safety, the captain gave orders to that effect, and was the more induced to do it, as the crew were in so disabled a state and the weather so intensely cold, that it was impossible for any one to remain on deck longer than half an hour at a time. The event has shown that the information given by the mate, as to the depth of water, was incorrect; his error probably arose from the lead line being frozen stiff at the time it was cast.

Fifteen minutes afterwards the ship struck the bottom, twenty-six miles east of Sandy Hook, at Hempstead beach, and not more than a cable's length from the shore. The scene that ensued on board, we leave to the reader's imagination. For one hour and three-quarters she continued thumping heavily without making any water, the sea, however, breaking continually over her. Her rudder was now knocked off, and the captain ordered the mainmast to be cut away. The boats were then cleared, the long boat hoisted out and veered under her bows with a stout hawser, for the

purpose of filling it with passengers, letting it drift within reach of the people who crowded the beach, then hauling her back again, and thus saving the unfortunate people on board; but this intention was frustrated by the parting of the hawser, which snapped like a thread as soon as the boat was exposed to the heaving surf. The yawl was next got alongside, and stove to pieces almost instantly. At 7 o'clock the same morning the ship bilged, and filled with water. Orders followed from the captain to cut away the foremast; and that every soul on board should come on deck. In inexpressible agony, they thus remained until four o'clock in the afternoon, when a boat was launched from the beach, and succeeded in getting under the bowsprit of the wreck. This boat took off captain Winslow and seven men, and succeeded in reaching the shore with them in safety.

The attempt, however, was attended with such imminent danger, that none could be induced to repeat it. And now, the horrors of the scene were indescribable. Already had the sufferings of the unhappy beings been such as to surpass belief. From the moment of the disaster, they had hung round the captain, covered with their blankets thick set with ice, imploring his assistance, and asking if hope was still left to them. When they perceived that no further help came from the land, their piercing shrieks were distinctly heard at a considerable distance, and continued through the night until they one by one perished. The next morning the bodies of many of the unhappy creatures were seen lashed to different parts of the wreck embedded in ice. None, it is believed, were drowned, but all frozen to death.

Of the one hundred and four passengers, two-thirds were women and children.

It is but justice to the people on shore to say, that every thing which human beings could accomplish to save the unfortunates was done that their means permitted. The only boat which boarded the vessel was hauled a distance of ten miles, and was manned by an old man and six others, four or five of whom were the old man's sons and grandsons. For thirty-five years he has been living on the sea shore, during which he has rendered assistance to numerous wrecks, and never before has he or his comrades shrunk from the surf; but, in addition to violence on the present occasion, such was the extreme cold, that a second attempt to rescue was more than they dared venture; it would have inevitably proved fatal to them.

IOWA COPPER MINES.

Lancaster, Dec. 27, 1836.

In reply to your inquiries in relation to the Iowa copper mines, recently discovered in Wisconsin territory, I will give a brief geographical and statistical view of that country from my own observations, and information derived from unquestionable sources.

The Iowa copper mines are located about one mile from Mineral Point, and thirty-five miles from Galena—embracing four hundred acres of land; in which copper has been discovered at various points, in great abundance. It is found eighteen inches from the surface of the earth, and increases in value and quantity with the depth of the pits.

The great road and mail route from Galena to Green Bay, via Fort Winnebago, passes through Mineral Point, and a rail road has been projected and an appropriation made for its survey from Milwaukee on Lake Michigan, to some point on the Mississippi near Galena, which passes through the mines. There is attached to the mineral tract, which is undulating prairie, nine hundred acres of woodland, covered with a heavy growth of the best timber, for the business of smelting.

It is, I understand, proposed to form a stock company in the city for the purchase of these mines. I believe, from my knowledge of the western country, that they present one of the best opportunities to capitalists to embark in speculation, yet offered in Philadelphia. The real value of the mineral cannot be computed—but from the quantity and quality of the ore, which has been tested by science, it may be considered the most important mineral discovery in the United States. Copper ore found so high on the Mississippi river is a matter of great consideration. A furnace is now in blast, and it only requires the erection of rolling mills, for which every facility is afforded, to supply the Upper Mississippi and Missouri with this article, without the immense cost of transportation, on that extensive ascending navigation; and then there is a safe descending navigation, on the unobstructed bed of the Mississippi, for the surplus manufacture, to New Orleans, or to the out-let of that great national canal, a distance of two thousand miles.

It is a fact, now generally known, that no lands produce better wheat than those of the mineral re-

gion of Wisconsin. I have seen as fine crops on the prairie lands in fields surrounded by the miner's shafts, as I have ever seen grow in Pennsylvania, upon the best cultivated farms, tilled by the best farmers in the world. There is a body of land, extending from Green Bay to the Mississippi, embracing the country of Fox river, Winnebago lake and the mineral district, which I believe to be unsurpassed in fertility and depth of soil. The lakes and the Mississippi are now struggling for the mastery, and both points are filling up with an industrious and enterprising population so rapidly, that Wisconsin must enter the union as a state, within two or three years. The material advantage to the lake country is its supply of lumber—the government, very properly, gave the new settlers the advantage of procuring pine from saw mills, erected on lands occupied by the Indians, but which could not be purchased—and thus they could erect comfortable buildings with ease and economy. But this favor has not been extended to the people of the Upper Mississippi, where pine is very scarce; except on lands yet occupied by the Indians, and the consequence is that the poor settler finds it very difficult to erect a comfortable dwelling, as pine boards are selling from forty to seventy dollars per thousand feet, and a sufficient supply cannot be found. The demand for lumber is very great and daily increasing, in consequence of the numerous towns springing up on the Mississippi and its tributaries—and the unebbing tide of emigration swelling upon the rich lands of the great valley.

I will give you a description of Bellefontaine, Davenport, Prairie du Chein, and other points, concerning which you inquire in another letter. In the mean time, I have no hesitation that the "Iowa copper mines" offer attractions rarely to be met with in any country. Truly, your friend,

S. C. STAMBAUGH.

ADMISSION OF MICHIGAN INTO THE UNION.

In senate, Monday, January 2.

Mr. Grundy moved that the previous orders of the day be postponed, for the purpose of considering the bill to admit the state of Michigan into the union.

Mr. Calhoun was opposed to the motion; the documents accompanying the bill had but this morning been laid upon the tables, and no time had been allowed for even reading them over.

Mr. Grundy insisted on his motion. Of one point he was fully satisfied, that Michigan had a right to be received into the union; on this, he presumed, there would be but little difference of opinion, the chief difficulty having respect to the mode in which it was to be done. There seemed more difference of opinion, and he presumed there would be more debate touching the preamble than concerning the bill itself; but he could not consent to postpone the subject. Congress were daily passing laws, the effect of which pressed immediately upon the people of Michigan, and concerning which they were entitled to have a voice and a vote upon this floor, and, therefore, the bill for their admission ought to receive the immediate action of the senate. As to the documents, they were not numerous. The gentleman from South Carolina might readily run his eye over them, and he would perceive that the facts of the case were easily understood. Indeed, there was but one of any consequence, respecting which there was any controversy. When the senate adjourned on Thursday, many senators had been prepared and were desirous to speak although the documents were not then printed. It was the great principles involved in the case which would form the subjects of discussion, and they could as well be discussed now. He thought the senate had better proceed. One fact in the case was very certain; there had been more voters for the members to the last convention than for the first. How many more was a matter of little comparative consequence.—The great question for the senate to consider was this: what is the will of Michigan on the subject of entering the union?

If this could be decided, it was of less consequence whether the bill should or should not expressly state that the last convention, and the assent by it given, formed the ground of the admission of the state.

Mr. Calhoun here enquired whether the chairman of the committee was to be understood as being now ready to abandon the preamble? If the judiciary committee were agreed to do this, he thought all difficulty would be at an end.

Mr. Grundy replied, that, as chairman of the judiciary committee, he had no authority to reply to the inquiry, but, as an individual, he considered the preamble as of little consequence, and he should vote for the bill whether it were in or out. Michi-

gan ought undoubtedly to be admitted, and all the consequences would result, whether the preamble were retained or not. He had received no authority from the committee to consent that it should be stricken out. For himself he was settled in the belief that congress possessed full power to prescribe the boundaries of a territory, and that when that territory passed into a state the right remained still the same. Congress had already established the boundary of Ohio, and that settled the question. He never had perceived the necessity of inserting in the admission bill the section which made the assent of Michigan to the boundaries fixed for her by congress a prerequisite to her admission, because the disputed boundary line was fixed by another bill; and whether the preamble to this bill should be retained or not, Michigan could not pass that line, so that the preamble was really of very little consequence.

Mr. Calhoun said that, in inquiring of the honorable chairman whether he intended to abandon the preamble of the bill, his question had had respect not to any pledge respecting boundaries, but to the recognition of the second convention and of its doings. He wanted to know whether the chairman was ready to abandon that principle. He had examined the subject a good deal, and his own mind was fully made up that Michigan could not be admitted on the ground of that second convention; but the senate might set aside the whole of what had been done, and receive Michigan as she stood at the commencement of the last session.

Mr. Grundy observed that, if the gentleman's mind was fully made up, then there could be no necessity of postponing the subject. The gentleman has fully satisfied himself, and now (said Mr. G.) let us see if he can satisfy us. His argument, it seems, has been fully matured, and we are now ready to listen to it. Though I consider that there is no virtue in the preamble, and that the effect of the bill will be the same whether it is stricken out or retained, yet I am not ready to say that I shall vote to strike it out. I am ready to hear what can be said both for and against it.

The question was now put on the motion of Mr. Grundy to postpone the previous orders, and carried, 22 to 16. So the orders were postponed, and the senate proceeded to consider the bill, which having been again read at the clerk's table, as follows: A bill to admit the state of Michigan into the union upon an equal footing with the original states.

Whereas, in pursuance of the act of congress of June the fifteenth, eighteen hundred and thirty-six, entitled "an act to establish the northern boundary of the state of Ohio, and to provide for the admission of the state of Michigan into the union, upon the conditions therein expressed," a convention of delegates, elected by the people of the said state of Michigan, for the sole purpose of giving their assent to the boundaries of the said state of Michigan as described, declared and established, in and by the said act, did, on the fifteenth of December, eighteen hundred and thirty-six, assent to the provisions of said act: therefore—

Be it enacted, &c. That the state of Michigan shall be one, and is hereby declared to be one, of the United States of America, and admitted into the union on an equal footing with the original States, in all respects whatever.

SEC. 2. And be it further enacted, That the secretary of the treasury, in carrying into effect the thirteenth and fourteenth sections of the act of the twenty-third of June, eighteen hundred and thirty-six, entitled "an act to regulate the deposits of the public money," shall consider the state of Michigan as being one of the United States.

Mr. Calhoun then rose, and addressed the senate as follows:

I have bestowed on this subject all the attention that was in my power, and, although actuated by a most anxious desire for the admission of Michigan into the union, I find it impossible to give my assent to this bill. I am satisfied the judiciary committee has not bestowed upon the subject all that attention which its magnitude requires; and I can explain it on no other supposition why they should place the admission on the grounds they have.—One of the committee, the senator from Ohio, on my left, (Mr. Morris), has pronounced the grounds as dangerous and revolutionary. He might have gone farther, and with truth pronounced them utterly repugnant to the principles of the constitution.

I have not ventured this assertion, as strong as it is, without due reflection, and weighing the full force of the terms I have used, and do not fear, with an impartial hearing, to establish its truth beyond the power of controversy.

To understand fully the objection to this bill, it is necessary that we should have a correct concep-

tion of the facts. They are few, and may be briefly told.

Some time previous to the last session of congress, the territory of Michigan, through its legislature, authorised the people to meet in convention, for the purpose of forming a state government.—They met accordingly, and agreed upon a constitution, which they forthwith transmitted to congress. It was fully discussed in this chamber, and, objectionable as the instrument was, an act was finally passed, which accepted the constitution, and declared Michigan to be a state, and admitted into the union, on the single condition, that she should, by a convention of the people, assent to the boundaries prescribed by the act. Soon after our adjournment the legislature of the state of Michigan (for she had been raised by our assent to the dignity of a state) called a convention of the people of the state, in conformity to the act, which met at the time appointed, at Ann Arbor. After full discussion, the convention, withheld its assent, and formally transmitted the result to the president of the United States. This is the first part of the story. I will now give the sequel. Since then, during the last month, a self-constituted assembly met, professedly as a convention of the people of the state; but without the authority of the state. This unauthorised and lawless assemblage assume the high function of giving the assent of the state of Michigan to the condition of admission, as prescribed in the act of congress. They communicated their assent to the executive of the United States, and he to the senate. The senate referred his message to the committee on the judiciary, and that committee, on its own authority, reported this present bill for the admission of the state.

Such are the facts out of which grows the important question, had this self-constituted assembly the authority to assent for the state? Had they the authority to do what is implied in giving assent to the condition of admission? That assent introduces the state into the union, and pledges in the most solemn manner to the constitutional compact which binds these states in one confederated body; imposes on her all its obligations, and confers on her all its benefits. Had this irregular, self-constituted assemblage the authority to perform these high and solemn acts of sovereignty in the name of the state of Michigan? She could only come in *as a state*, and none could act or speak for her without her express authority; and to assume the authority without her sanction is nothing short of treason against the state.

Again: The assent to the conditions prescribed by congress implies an authority in those who gave it to supersede in part the constitution of the state of Michigan; for her constitution fixes the boundaries of the state as part of that instrument which the condition of admission entirely alters, and to that extent the assent would supersede the constitution; and thus the question is presented, whether this self-constituted assembly, styling itself a convention, had the authority to do an act which necessarily implies the right to supersede in part the constitution.

But further: The state of Michigan, through its legislature, authorised a convention of the people, in order to determine whether the condition of admission should be assented to or not. The convention met; and, after mature deliberation, it dissented to the condition of admission; and thus again the question is presented, whether this self-called, self-constituted assemblage, this caucus—for it is entitled to no higher name—had the authority to annul the dissent of the state, solemnly given by a convention of the people, regularly convoked under the express authority of the constituted authorities of the state?

If all or any of these questions be answered in the negative—if the self-created assemblage of December had no authority to speak in the name of the state of Michigan—if none to supersede any portion of her constitution—if none to annul her dissent to the condition of admission regularly given by a convention of the people of the state, convoked by the authority of the state, to introduce her on its authority would be not only revolutionary and dangerous, but utterly repugnant to the principles of our constitution. The question then submitted to the senate is, had that assemblage the authority to perform these high and solemn acts?

The chairman of the committee on the judiciary holds that this self-constituted assemblage had the authority; and what is his reason? Why, truly, because a greater number of votes were given for those who constituted that assemblage than for those who constituted the convention of the people of the state, convened under its constituted authorities. This argument resolves itself into two questions—the first of fact, and the second of principle. I shall not

discuss the first. It is not necessary to do so. But if it were, it would be easy to show that never was so important a fact so loosely testified. There is not one particle of official evidence before us. We had nothing but the private letters of individuals, who do not know even the numbers that voted on either occasion; they know nothing of the qualifications of voters, nor how their votes were received, nor by whom counted. Now, none knows better than the honorable chairman himself, that such testimony as is submitted to us to establish a fact of this moment, would not be received in the lowest magistrate's court in the land. But I waive this,—I come to the question of the principle involved; and what is it? The argument is, that a greater number of persons voted for the last convention than for the first, and therefore the acts of the last of right, abrogated those of the first; in other words, *that mere numbers*, without regard to the forms of law, or the principles of the constitution, give authority. *The authority of numbers, according to this argument, sets aside the authority of law and the constitution.* Need I show that such a principle goes to the entire overthrow of our constitutional government, and would subvert all social order? It is the identical principle which prompted the late revolutionary and anarchical movement in Maryland, and which has done more to shake confidence in our system of government than any event since the adoption of our constitution, but which happily has been frowned down by the patriotism and intelligence of the people of that state.

What was the ground of this insurrectionary measure, but that the government of Maryland did not represent the voice of the numerical majority of the people of Maryland, and that the authority of law and constitution was nothing against that of numbers. Here we find, on this floor, and from the head of the judiciary committee, the same principle revived, and, if possible, in a worse form; for, in Maryland, the anarchists assumed that they were sustained by the numerical majority of the people of the state in their revolutionary movements; but the utmost the chairman can pretend to have is a mere plurality. The largest number of votes claimed for the self-created assemblage is 8,000; and no man will undertake to say that this constitutes any thing like a majority of the voters of Michigan; and he claims the high authority which he does for it, not because it is a majority of the people of Michigan, but because it is a greater number than voted for the authorised convention of the people that refused to agree to the condition of admission. It may be shown by his own witness, that a majority of the voters of Michigan greatly exceed 8,000. Mr. Williams the president of the self-created assemblage, stated that the population of that state amounted to nearly 200,000 persons. If so, there cannot be less than from 25,000 to 30,000 voters. Considering how nearly universal the right of suffrage is under its constitution, and it thus appears that this irregular, self-constituted meeting did not represent the vote of one-third of the state; and yet on a mere principle of plurality we are to supersede the constitution of Michigan, and annul the act of a convention of the people regularly convened under the authority of the government of the state.

But, says the senator from Pennsylvania, (Mr. Buchanan,) this assembly was not self-constituted. It met under the authority of an act of congress; and that act had no reference to the state, but only to the people; and that the assemblage in December was just such a meeting as that act contemplated. It is not my intention to discuss the question whether the honorable senator has given the true interpretation of the act, but, if it were, I could very easily show his interpretation to be erroneous; for, if such had been the intention of congress, the act surely would have specified the time when the convention was to be held, who were to be the managers, who the voters, and would not have left it to individuals, who might choose to assume the authority to determine all these important points. I might also readily show that the word "convention" of the people, as used in law or the constitution, always means a meeting of the people regularly convened by the *constituted authority of the state*, in their high sovereign capacity, and that it never means such an assemblage as the one in question. But I waive this; I take higher ground. If the act be, indeed, such as the senator says it is, then I maintain that it is utterly opposed to the fundamental principles of our federal union. Congress has no right whatever to call a convention in a state. It can call but one convention, and that is a convention of the people of the United States to amend the federal constitution; nor can it call that except authorised by two-thirds of the states.

Ours is a federal republic—a union of states. Michigan is a state; a state in the course of admission, and differing only from the other states in her

federal relations. She is declared to be a state in the most solemn manner by your own act. She can come into the union only as a state; and by her voluntary assent, given by the people of the state in convention, called by the constituted authority of the state. To admit the state of Michigan on the authority of a self-created meeting, or one called by the direct authority of congress, passing by the authorities of the state, would be the most monstrous proceeding under our constitution that can be conceived; the most repugnant to its principles, and dangerous in its consequences. It would establish a direct relation between individual citizens of a state and the general government, in utter subversion of the federal character of our system. The relation of the citizens to this government is through the states exclusively. They are subject to its authority and laws only because the state has assented they should be. If she dissents, *their assent* is nothing; and, on the other hand, if she assents, *their dissent* is nothing. It is through the state, then, and through the state alone, that the United States government can have any connexion with the people of a state; and does not, then, the senator from Pennsylvania see, that if congress can authorise a convention of the people in the state of Michigan, without the authority of the state, it matters not what is the object, it may in like manner authorise conventions in any other state for whatever purpose it may think proper?

Michigan is as much a sovereign state as any other, differing only, as I have said, as to her federal relations. If we give our sanction to the assemblage of December, on the principle laid down by the senator from Pennsylvania, then we establish the doctrine that congress has power to call at pleasure conventions within the states. Is there a senator on this floor who will assent to such a doctrine? Is there one, especially, who represents the smaller states of this union, or the weaker section? Admit the power, and every vestige of state rights would be destroyed. Our system would be subverted, and, instead of a *confederacy of free and sovereign states*, we would have all power concentrated here, and this would become the most odious despotism. He, indeed, must be blind, who does not see such a power would give the federal government a complete control of all the states. I call upon senators now to arrest a doctrine so dangerous. Let it be remembered, that, under our system, bad precedents live forever; good ones only perish. We may not feel all the evil consequences at once, but this precedent, once set, will surely be received, and will become the instrument of infinite evil.

I will be asked, what shall be done? Will you refuse to admit Michigan into the union? I answer no; I desire to admit her; and if the senators from Indiana and Ohio will agree, I am ready now to admit her as she stood at the beginning of last session, without giving sanction to the unauthorised assemblage of December.

But if that does not meet their wishes, there is still another by which she may be admitted. We are told that two-thirds of the legislature and people of Michigan are in favor of accepting the conditions of the act of last session. If that be the fact, then all that is necessary is, that the legislature should call another convention. All difficulty will thus be removed, and there will be still abundant time for her admission at this session. And shall we, for the sake of gaining a few months, give our assent to a bill fraught with principles so monstrous as this?

We have been told, that unless she is admitted immediately it will be too late for her to receive her proportion of the surplus revenue under the deposit bill. I trust that on so great a question a difficulty like this will have no weight. Give her at once her full share. I am ready to do so at once, without waiting her admission. I was mortified to hear on so grave a question such motives assigned for her admission, contrary to the law and constitution. Such considerations ought not to be presented when we are settling great constitutional principles. I trust that we shall pass by all such frivolous motives on this occasion, and take ground on the great and fundamental principle that an informal, irregular, self-constituted assembly, a mere caucus, has no authority to speak for a sovereign state in any case whatever; to supersede its constitution, or to reverse its dissent deliberately given by a convention of the people of the state, regularly convened under its constituted authority.

[Mr. Calhoun was followed in the debate this day by Messrs. Grundy, Morris, Strange and Walker.]

THE DISTRIBUTION BILL.

In senate, Wednesday, December 21.

Mr. Calhoun, agreeably to notice, asked and obtained leave to introduce the following bill:

Bill to extend the provisions of certain sections therein named of the act of the 23d June, 1836, regulating the deposits of the money that may be in the treasury on the 1st January, 1838.

Be it enacted, &c. That the money which shall be the treasury of the United States on the first day of January, 1838, reserving the sum of five millions dollars, shall be deposited with the several states, on the terms and according to the provisions of the 3th, 14th and 15th sections of the act to regulate the deposits of the public money, approved the 23d day of June, 1836.

Mr. Calhoun, in introducing the bill, observed that he had not asked leave to introduce this bill without satisfying himself that there would be a large surplus of the public revenue remaining in the treasury at the termination of the next year, after allowing for very liberal appropriations on all proper objects of expenditure. From the calculations he had made he was convinced that the amount of this surplus would not fall short of eight millions of dollars.

He was fully aware that the secretary of the treasury, in the report submitted by that officer to congress, had taken a very different view, yet Mr. C. thought he hazarded little when he said that on this subject the secretary was certainly mistaken. He knew, indeed, that formerly such an assertion from a member of congress in relation to the highest fiscal officer of the government would have been deemed adventurous; but so vague, so uncertain, so conjectural, and so very erroneous had been the reports from that department for two or three years last past, that he could not be considered as risking much in taking such a position. That in this remark he did no injustice to the secretary of the treasury, (toward whom he cherished no personal hostility or unkind feeling whatsoever), he would take the liberty of presenting to the senate the estimates made by that officer for the present year, in December last, and comparing with it the actual result, as now ascertained from the secretary's own report, made in the present season. His estimate of the receipts from all sources, including the public lands and every other branch of the revenue, amounted to \$19,750,000, whereas the report stated those receipts to have amounted to \$47,691,998, presenting a difference of the estimate, for a single year, of \$27,941,998.—Thus the excess of the actual receipts had exceeded the estimate by more than one-third of the whole amount of the estimate. Each of the great branches of revenue, the customs and the public lands, exceeded the estimate by millions of dollars.

Again: the secretary had estimated the balance at the end of the year, then within four weeks of its termination, at \$18,047,599, whereas the report showed that the balance actually amounted to \$26,749,803, being an error of \$8,702,250 for that short period. How these errors arose, whether from negligence or inattention, or whether they were made purposely to subvert certain political views, it was not for him to say; but they were sufficient to show that he ran no very formidable hazard in venturing to say that the views of the secretary in respect to that was yet future might be erroneous.

But further: the secretary, in his report last year, had estimated the available means of the treasury for the current year at \$37,797,598; they were now ascertained to have been \$74,441,701, exhibiting a small error of \$46,644,104. We might search the fiscal records of all civilized nations, and would not find in the compass of history an error so monstrous. He stated this with no feelings of ill will toward the secretary, but with emotions of shame and mortification for the honor of the country. How vast errors like these appear in the eyes of foreign nations? How would they look to posterity?

But he was not yet done. The secretary estimates the expenditure of the year at \$23,103,444, whereas they turned out to be \$31,435,032, making a difference of \$8,331,588. He estimates the balance in the treasury at the end of this year at \$14,590,000. He now admits that it will equal \$3,005,669, making an error of \$28,505,669, and his notwithstanding he had made an under estimate of the expenditure of more than eight millions, which, if added, as it ought to be, would make a mistake of nearly thirty-seven millions.

The secretary, however, had profited by the errors of last year. The estimates in the present report were somewhat nearer to the truth, but were still far removed from it. And, indeed, so small was the amount in which he had profited, that he had risked an opinion that the expenditure would exceed the income, so that, of the sum which had been deposited with the states, a portion, amounting to between two and three millions, would have to be refunded. The secretary held out language of this kind, when he acknowledges that the income for the year would be \$24,000,000. Mr. C. said he

would be glad to see the administration, with such an income, venture to call upon the states to pay back the moneys they had received. No administration would venture the call, except in the case of a foreign war, in which case these deposits would prove a timely and precious resource. With proper management, they would enable the government to avoid the necessity at the commencement of a war of resorting to war taxes and loans. All those gentlemen, and he saw several of them around him, who were here at the commencement of the last war, would well remember the difficulty and embarrassment which attended the operation of raising the revenue from a peace to a war establishment.

Assuming, then, that there would be a surplus, the question presented itself as to what should be done with it. That question Mr. C. would not now attempt to argue. The discussion of it at this time would be premature and out of place. He proposed to himself a more limited object, which was to state the points connected with this subject, which he considered as established; and to point out what was the real issue at present. One point was perfectly established by the proceedings of the last session—that, when there was an unavoidable surplus, it ought not to be left in the treasury, or in the deposit banks, but should be deposited with the states. It was not only the most safe, but the most just, that the states should have the use of the money in preference to the banks. This, in fact, was the great and leading principle which lay at the foundation of the act of last session—an act that would forever distinguish the 24th congress—an act which will go down with honor to posterity, as it had obtained the almost unanimous approbation of the present day. The passage had inspired the country with new hopes. It had been beheld abroad as a matter of wonder; a phenomenon in the fiscal world; such as could have sprung out of no institutions but ours, and which went in a powerful and impressive manner to illustrate the genius of our government.

He considered it no less fully established that there ought to be no surplus, if it could be avoided. The money belonged to those who made it, and government had no right to exact it unless necessary. What, then, was the true question at issue? It was this: Can you reduce the revenue to the wants of the people?—he meant in a large political sense. Could the reduction be made without an injury that would more than counteravail the benefit? The president thought it could be done; and Mr. C. hoped he was correct in that opinion. If it be practicable, then, beyond all question, it was the proper and natural course to be adopted. It was under this impression that he had moved to refer this part of the president's message to the committee on finance. He not only considered that as the appropriate committee; but there were other reasons that governed him in making the reference. A majority of that committee were known to be hostile to the deposit bill, and would, therefore, do all in their power to avoid the possibility of having a surplus. If, then, that committee could not effect a reduction, then it might be safely assumed as impracticable.—If they could agree on a reduction, the senate no doubt would readily concur with them.

There was one point on which the committee need have no apprehension, that any reduction they might propose to make would be considered by the south as a breach of the compromise act. Her interest in that act is not against the reduction, but the increase of duties. If it be the pleasure of other sections to reduce she will certainly not complain.

Mr. C. said he would take this occasion to define with exactness the position he occupied in regard to the compromise. He stood, personally, without pledge or plighted faith, as far as that act was concerned. He clearly foresaw, at the time that bill passed, that there would be a surplus of revenue in the treasury. He knew that result to be unavoidable, unless by a reduction so sudden as to overthrow our manufacturing establishments—a catastrophe which he sincerely desired to avoid. Whatever might be thought to the contrary, he had always been the friend of those establishments. He thought at the time that the reduction provided for in the bill had not been made to take place as fast as it might have been. But the terms of the bill formed the only ground on which the opposing interests could agree, and he, as representing in part one of the southern states, had accepted it, believing it, on the whole, to be the best arrangement which could be effected; yet he saw (it did not, indeed, require much of a prophetic spirit) that there were those who were then ready to collect the tariff at the point of the bayonet, rather than yield an inch, who, when the injurious effects of the surplus should be felt, would throw the responsibility on those who supported the bill. Seeing this, Mr. C. had determined that it should not be

thrown upon him. He had therefore risen in his place, and, after calling on the stenographers to note his words, he had declared that he had voted for that bill in the same manner, and no other, than he did for all other bills, and that he held himself no further personally pledged in its passage than in any other. Mr. C. was therefore at perfect liberty to select his position, which he would now state. We of the south had derived incalculable advantage from that act; and, as one belonging to that section, he claimed all those advantages to the very last letter. That act had reduced the income of the government greatly. Few, he believed, were fully aware of the extent to which it had operated. It was a fact, which the documents would show, that the act of 1828 arrested at the custom house one-half in value of the amount of the imports.—The imports at that time, deducting reshipments, were about sixty-five millions of dollars in value, out of which the government collected about thirty-two millions in the gross. The imports of the last year, deducting reshipments, amounted to \$120,000,000, which, if the tariff of 1828 had not been reduced, would have given an increase of \$60,000,000, instead of something upwards of \$21,000,000. He claimed not the whole difference for the compromise, but upwards of \$20,000,000 may be fairly carried to its credit. Under this great reduction, we of the south began to revive. Our business began to thrive and to look up. But the compromise act had not yet fully discharged its functions. Its operation would continue until the revenue should be brought down till no duty should exceed 20 per cent. ad valorem, and the revenue be reduced to the actual wants of the government. But, while he claimed for the south all these very important advantages, Mr. C. trusted he was too honest as well as too proud, while he claimed those benefits on her part, to withhold whatever advantage the north may derive from the compromise. His position, then, on the question of reduction, was to follow, and not to lead; and such he believed to be the true position of the south. If it be the wish of other sections to reduce, she will cheerfully follow, but I trust she will be the last to disturb the present state of things.

Having thus clearly defined his own position, Mr. C. said he would venture a suggestion. If the manufacturing interests would listen to the voice of one who had never been their enemy, he would venture to advise them to a course which he should consider as wise on all sides.

It is well known (said Mr. C.) that the compromise act makes a very great and sudden reduction in the years '41 and '42. He doubted the wisdom of this provision at the time; but those who represented the manufacturing interests thought it was safer and better to reduce more slowly at first and more rapidly at the termination of the term, in order to avoid the possibility of a shock at the commencement of the term. He thought experience had clearly shown that there could be no hazard in accelerating the rate of reduction now, in order to avoid the great and rapid descent of '41 and '42; and in this view it seemed to him that it would be wise to distribute the remaining reduction equally on the six remaining years of the act. It was, however, but a suggestion.

Mr. C. observed, that had not this been the short session of congress, he should have postponed the introduction of the present bill, and awaited the action of the committee on finance. But it was possible that committee might find it impracticable to reduce the revenue, and as there were but about two months of the session left, if something were not effected in the mean time, a large surplus might be left in the treasury, or rather in the deposit banks—left there to disturb and disorder the currency of the country; to cherish and foster a spirit of wild and boundless speculation, and to be wielded for electioneering purposes. A standing surplus in the deposit banks was almost universally condemned. The president himself had announced it in his message, and Mr. C. heartily agreed with him in every word he had said on that subject.

Before sending the bill to the chair he would take the liberty of expressing his hope that the subject would be discussed in the same spirit of moderation as had characterized the debates upon it last year. It was a noble example, and he hoped it would be followed. Let the subject be argued on great public grounds, and let all party spirit be sacrificed on this great question to the good of the country. Yet, he would say to the friends of the administration, that it was not from any fear, on party ground, that he uttered this sentiment; for he believed there was no subject which, in the hands of a skillful opposition, would be more fatal to power.

The bill was, by consent, read twice; when Mr. Calhoun moved that it be made the order of the

day for Monday next. He saw no necessity for its commitment.

Mr. Clay was extremely unwilling to interrupt for a moment (and he would only interrupt for a moment) the progress of the debate expected to proceed to-day. But, from the numerous indications which had been given of a purpose to disturb the compromise act, and from the direct allusion to the subject which had just been made, he felt himself called upon to say one word. Considering the circumstances under which that act passed, the manner through this body, the acclamation with which it ran through the house, the cordial reception with which it was greeted by every part and every interest in the country, he did not think that it ought to be lightly touched. In faith of adherence to the provisions of that act, large investments have been made, and under its beneficent operation every interest has prospered, the manufacturing not less than other great interests. The whole country has looked to the inviolability of the act: the messages of the president; the reports from the secretary of the treasury; the declarations of members of congress, upon this floor and that of the other house, all heretofore have united in stamping upon it that character. Strictly speaking, he was aware that congress possessed the power to repeal or modify the act, but in his opinion it could not be done, without something like a violation of the public faith. He had foreseen, at the period of the passage of the act, the probability of a large surplus beyond the wants of the government, economically administered, and he had endeavored, simultaneously with the passage of the act, to provide for it by the introduction of the land bill. That bill had passed congress, but unfortunately had encountered the veto of the president. If that bill had received his sanction, there would have been no surplus at the last session, none now, probably none hereafter, to divide and distract us. For it was from the proceeds of the public lands that the surplus arose. If the land bill which passed at the last session of the senate had become a law, it would have distributed among the several states a larger sum than will be deposited in their treasuries under the deposit act.

Mr. C. said that he knew well that the preservation of the compromise act did not depend upon him. He well knew that its fate was in the hands of a majority of the senate, as now constituted, and a majority of the house. But, if they choose to repeal it, or to make any essential alteration in the measure of protection secured by that act, he could only deeply regret the reopening of wounds which had been so happily healed. He can co-operate in no such object, but shall, for himself, steadily oppose any material change of the provisions of the act, and insist upon that efficacious and complete remedy for a surplus which is to be found in the land bill, or upon some other competent remedy which will not unsettle all the great business of the country.

Mr. Walker moved that the bill be referred to the committee on finance; and in supporting his motion observed that he had been one of those who voted against what was now openly avowed to be a distribution bill. Since the money had been distributed, some of the largest states had already come forward and applied to congress for the repeal of that section of the bill which provided for the refunding of the money by the states when it should be needed by the general government. He would remind the senate that the distinguished gentleman from Massachusetts, (Mr. Webster), who had been one of the authors and advocates of this measure; did expressly tell the senate that it would be but a single operation; and when the senate was warned that the bill would be only a precedent for the distribution policy in future, the distinguished senator had assured them of the contrary, and had insisted that it was a single and solitary measure, intended only to meet a contingency. Yet, what was the senate now asked to do? To create a surplus for the purpose of future distribution. Mr. W. really thought that such a proposition demanded examination by some committee, and he hoped the senate would not consent to take a leap in the dark. The honorable gentleman from South Carolina had presented as one ground of his opposition to letting the public money remain in the deposit banks, a desire to prevent the public land from passing into the hands of speculators. But the gentleman's remedy had not met the evil. The distribution bill had not prevented the monopoly of the public lands by speculators, nor would it ever prevent it. If the gentleman did really desire to obviate that evil, let him join in recommending that part of the president's message which proposed to limit the sale of the public lands to actual settlers. Should this recommendation be adopted, there would remain no surplus to be distributed. For how was the surplus created? By referring to

the report of the secretary of the treasury, it would be found that in the first three-quarters of the last year twenty millions of dollars had been paid into the treasury for the public lands, which was at the rate of about \$25,000,000 a year. Yet, what portion of this amount was needed for actual settlers? not more than \$5,000,000; or, according to an estimate made by the chairman of the committee on public lands, not over \$8,000,000. Thus there would be a reduction in the receipt of \$16,000,000, being double the amount of the surplus predicted by the honorable gentleman from South Carolina. Let him then adopt the president's recommendation, and the evil apprehended could not take place. But should the senate pass the bill which had now been introduced, they would have passed the Rubicon, and the distribution policy would, in spite of all opposition, become the settled policy of the government.

Mr. W. called upon the senate and upon the country to remark that they were now invoked by the gentleman from South Carolina to create a surplus for the purpose of distribution.

Mr. Calhoun, in reply, complained of having been entirely misstated by the senator from Mississippi. He had not invoked the senate to any such act, nor had he said any thing like it. But he had said that no administration could honestly plead any necessity for demanding back the deposits from the states, unless in the contingency of a foreign war. So far from having expressed a desire to create and distribute a surplus, he had, on the contrary, expressly declared that he should greatly prefer a reduction of the revenue, if it could be safely effected; and he had expressed his willingness to send the bill to a committee opposed to his own views, that, if possible, this might be effected. Yet, the gentleman accused him of a design to create a surplus.

The gentleman had again said that one of the arguments urged by him in favor of the distribution bill had been, that the deposits of the public money in banks was a great instrument of fraud and speculation. This was a great mistake. He had said no such thing. The president, however, had undertaken to legislate on the subject, and had issued an order, which was much more like an act of congress than an executive measure. The president deemed the evil so great, and the remedy so specific, that he had ventured on a great stretch of power to realize the object. Now, after what the president had said on this subject, any man who should vote to leave the public money in deposit banks stood openly convicted of being in favor of speculators.

Mr. C. hoped the senator would not persist in his motion to refer the bill to a committee which he knew to be utterly opposed to it. Nothing could be more unparliamentary. He hoped the gentleman would at least indulge him with a special committee.

Mr. Buchanan, without expressing any opinion on the merits of the bill, was in favor of its commitment. The subject extended itself into so many ramifications, was so complex and so extensive, that no leading measure ought to be adopted in relation to it without its previously undergoing the careful investigation of a committee. There were two counter projects now before the senate which were essentially incompatible with each other. One had been reported by the senator from Kentucky, (Mr. Clay), which proposed to distribute the proceeds of the public lands among the states on certain conditions; the other to deposit the surplus that might accrue, under the provisions of the bill of the last session. Both these plans, it was obvious, could not prevail; while the president had recommended the sale of the public domain to actual settlers only. On this matter Mr. B. expressed no opinion, but should be guided in a great measure by the wishes and opinions of gentlemen coming from the new states.

Should the president's recommendation be adopted, there would probably be no surplus. He should like to see a responsible report from the committee on finance. On the question whether there would or would not be a surplus on the 1st of January next he expressed no opinion.

While up, he would add one word on the subject of what was commonly called the compromise act. Never should he forget the impression made upon his own mind when the news of the passage of that act first reached him. He had then been in a foreign country. The enemies of liberty throughout the world were all looking to this country with anxious eyes, and with hopes highly raised; that this last experiment in favor of human freedom would prove to be a failure. The most exaggerated accounts of the division of opinion in this country, on the subject of the tariff, were spread throughout Europe, and the expectation appeared to be general

that our union would be dissolved, and the republic expire. In such circumstances, when he heard that a compromise had been effected, his bosom had been pervaded by a feeling such as he had never known before. Without being acquainted with the particulars of the bill, he was prepared to approve of it in advance. On further examination, however, he could not say whether he should have supported the bill or no, but the country had received it; the great manufacturing and agricultural interest had welcomed it, and to this moment relied upon it as, in some sense, the charter of their hopes. Other prevailing interests of the country shared in the feeling, and never would Mr. B. give his vote in favor of touching one of its provisions. That could not be done without extensively and injuriously affecting, not only the agricultural and manufacturing, but another great interest of his own state. He referred to the mining interest. On the whole, he hoped that they should have a report from a committee; and should it even be adverse to the bill, yet such were the well-known zeal, perseverance and talents of the honorable gentleman from South Carolina, that he would still find ways and means to bring the merits of his project fully before the minds of the senate.

Mr. Walker said that the senator from South Carolina had appealed to him to indulge him with a special committee. But that gentleman would do well to remember that, when on a former occasion he, (Mr. W.) had introduced a bill of great importance to Mississippi, and asked its reference to a select committee, that gentleman had opposed the motion, and had sent the bill to the committee on public lands, which he well knew to be opposed to every one of its provisions. In insisting, therefore, on his original motion to refer this bill to the committee on finance, he had only followed an example which the gentleman had set him.

Mr. W. then went into some explanation to show that he had not misunderstood or misrepresented the objects of the senator from South Carolina. If that gentleman should oppose the president's recommendation in regard to selling the public lands to actual settlers only, it would, in effect, be equivalent to voting to create a surplus. Mr. W. said he had no wish to alarm the manufacturing interest, toward which he entertained no hostility; but he would now tell that interest throughout this country that, if they wished to preserve the compromise bill, the mode was to prevent an exorbitant sale of the public lands. If this were permitted to continue, a surplus revenue could not be prevented without touching the compromise bill. Mr. W. had, on the last session, offered a resolution calling on the secretary of the treasury to ascertain and report to congress what reduction in the tariff and in the price of the public lands would be necessary to bring down the revenue to the wants of the government, but in such a manner as not to infringe on the compromise. The senator from Massachusetts, (Mr. Webster), had moved to lay that resolution on the table; not because he was particularly hostile to it, but because he wished to press some other subject which was before the senate; and afterward there had been no opportunity to call it up. Mr. W. should not now depart from the spirit of that resolution. He had no wish to violate the compromise, but desired that the reduction should be in conformity with the 6th section of that bill (which he read).

The senate had been told by the gentleman from Kentucky (Mr. Clay) that the faith of the nation stood pledged to preserve that bill inviolate. But that bill declared, in the most express terms, that the reduction of the revenue was not to be made by depositing it with the states—that was no feature of the compromise, but by a reduction of duties. He had ascertained that the reduction which his plan would effect would amount to three millions of dollars. Deduct this from the eight millions derived from the sale of the public lands to actual settlers, and it would leave five millions of dollars, being just the amount which the senator from South Carolina had thought it was proper to retain as an unexpended balance in the treasury. Mr. W. insisted on his motion for referring the bill to the committee on finance.

Mr. Calhoun rejoined and explained, with a view to show that the case of which the gentleman from Mississippi complained was not parallel to the present, and still insisted on the propriety of allowing him a special committee. If, however, the senate should resolve to send this bill to the committee on finance, he should not be at a loss to understand the movement. He had read the president's message attentively. It was an extraordinary document. He had read with no less care the report of the secretary of the treasury; that, too, was an extraordinary document. The perusal had suggested some suggestions to his mind; and should the present bill be

seat to the finance committee, those suspicions would be fully confirmed. Such a measure would go far to convince him that the policy of the administration was agreed upon, and that it would be to make a demonstration on a reduction of the revenue, but, in fact, to leave that revenue in the deposit banks. The end of this session was not far off, and that would tell whether he were not correct in his opinion. He would now, in his turn, venture to become a prophet, and he would predict that, if the present motion succeeded, that very thing which the president in his message had most decidedly condemned would be the thing actually realized.—Notwithstanding the president's opposition to the collecting of the surplus revenue, and all he had said on its tendency to promote speculation and corrupt the public morals, that was the thing which would be done. He was sorry he did not see the senator from New York (Mr. Wright) in his place. On that gentleman, peculiarly, lays the obligation to provide for the reduction of the revenue. Mr. C. well knew the difficulty of touching this subject. He had himself had a full and sound trial of that operation. He knew the efforts by which the existing reduction had been effected, and he felt very sure that the senator from New York could not be sanguine in the expectation of effecting a reduction to any great amount. He had heard much said in private on that subject, and he could not but regret that the president, when alluding to it in his message, had not referred to the difficulties attending it. Mr. C. thought he saw how things were to go, and he thus openly announced what his conviction was. He believed nothing would be done to reduce the revenue; that the money would still be collected, and would be left, not where it ought to be found, in the treasuries of the states, but in the deposit banks.

If the finance committee would report an adequate reduction of the revenue, Mr. C. would consent to withdraw his bill. He should infinitely prefer a reduction to a distribution provided the thing could be done. In the meanwhile the south claimed the execution of the compromise bill; it had not only closed a long and painful controversy, but had enabled them to make some feeble stand against the progress of executive influence. He concluded by moving for a special committee.

Mr. Rives was in favor of referring the bill to the committee on finance, but as the senator from South Carolina considered the denial of a special committee as involving some want of courtesy, he would state the considerations which led him to the conclusion that that would be the proper committee.—The senator himself had said, but yesterday, that the committee on finance was the committee to whom the entire subject of the reduction of the revenue specially belonged. The senator had entered into a calculation to show that there would be a surplus in the treasury at the commencement of the year, and on this he grounded his bill. The question, therefore, at the root of the whole matter was, whether there would be such a surplus. This was a question which obviously pertained to the finance committee. The gentleman, relieving himself from every thing like a pledge to abide by the provisions of the compromise act, expressed his strong preference of a reduction of the revenue to its distribution; but the question whether it could safely be reduced certainly was a question coming within the range of the appropriate duties of that committee. Mr. R. reverted to the history of the compromise bill, and expressed his satisfaction at the reflection that he had rendered it his hearty support. He did not now recede, in the slightest degree, from the ground he had then occupied. But the senate was now in a different position: they were at the opening of a new session of congress, and were enabled from all the lights of past experience to look ahead with something like certainty. If they foresaw the probability of a surplus of revenue, they were bound to guard against it by attempting a reduction. That, beyond question, was the true policy. Mr. R. adverted to the prophecy by Mr. C. that the policy of the administration was to be a false and deceitful demonstration on reduction while none was to be made, and the money was to remain in the deposit banks. [Mr. Calhoun shook his head at the words false and deceitful.] Well, a demonstration, at all events, was to be made, and all that had been said by the president in his message against surplus revenue would turn out a delusion. [Mr. C. assented.] Yet the gentleman had, no longer than yesterday, expressed the highest satisfaction with the finance committee, and been lavish of his compliments on the gentlemen composing it, when the object was to refer this very measure of reduction to that committee. Did the gentleman mean nothing more than a *demonstration*? Had he not been in earnest? He hoped the gentleman had no such policy, nor could he suppose him to have.

Mr. Calhoun repelled the charge of inconsistency. He had been in favor of sending the subject of a reduction of the revenue to the committee on finance, because he considered the subject as appropriate to their specific duties; but he was opposed to sending this bill to that committee, because they were known to be adverse to its object. In one case he had gone on the great parliamentary principle that propositions were to be referred to committees favorable to the object proposed; and in the other case, he still had sent it to a committee at least not unfavorable to the measure. He was rejoiced to hear the honorable senator from Virginia declare so explicitly that he did not regret the course he had taken in reference to the compromise bill; he was confident the gentleman never would have reason to repent the able and honorable course he had pursued on that memorable occasion; and he trusted the gentleman would agree in sentiment with those who were opposed to leaving the public money in the deposit banks. Mr. C. had given many evidences of his desire that a reduction should be made in the revenue; and had, on a former occasion, sent a bill to the committee on manufactures for that object, which afterwards had passed the senate almost unanimously, and had been sent to the other house, after which it was never again heard of. He was not the man, however, to disturb the terms of the compromise, which had so happily been effected, unless it should be done by common consent. The south were prepared to assent to such a step, and if the north would also agree to it, there need be no difficulty in the case. The gentleman from Virginia seemed to suppose that, because it was the duty of the finance committee to consider the question whether there was likely to be a surplus revenue or not, therefore, this bill ought to be sent to them. The argument was too wide; on the same principle, every proposition which related to the application of any portion of the public resources must be sent to that committee. It would swallow up almost all the business of the senate. He concluded by demanding the yeas and nays on the question of commitment.

Mr. Rives briefly rejoined. As the senator from South Carolina was only conditionally in favor of the proposition in the bill, in the event that there would be a surplus, and that the revenue could not be reduced; and as the question whether it could be reduced belonged confessedly to the committee on finance, it involved no violation of the parliamentary principle to which the senator had alluded, to send this bill to that committee. Mr. R. hoped he should not be understood as wishing wantonly to interfere with the provisions of the compromise bill; he was far from desiring any such thing. He held the compromise in great respect, as having effected a great national good in the settlement of an agitating and alarming question. But he was free to say that, if any mode could be devised of bringing down the revenue to the wants of the government without interfering with the enactments of that bill, he should be opposed to disturbing them in any way. But it was a fundamental duty of legislation to dispense with all unnecessary taxes, and reduce the burdens of the people as far as the necessities of government would permit. If this could not be done, without touching some parts of the compromise bill, it must be touched; but if it could, then that bill, in all its provisions, ought to be sacredly maintained.

The question on Mr. Walker's motion to refer the bill to the committee on finance being now put, the vote stood as follows: yeas 22, nays 22. The yeas and nays being equal, the chair voted in the affirmative; and the bill was committed accordingly to the committee on finance.

[For the yeas and nays see page 270.]

THE DEPOSITE BANKS, &c.

From the National Gazette, of January 5.

It has occurred to us that the document published below (the authority of which is unquestionable) may throw some light on two or three objects of inquiry proposed in Mr. Garland's resolution. It is a circular letter addressed by R. M. Whitney to the officers of certain deposit banks, and pretty conclusively shows the close political connexion between that gentleman and the government, the nature of some of his duties, and the means by him deemed legitimate to effect the objects of his agency. In the debate of last Saturday, Mr. Thompson, of South Carolina, said: [Here follows a quotation from Mr. T's speech.]

We are unable to predict how far all these topics of inquiry are likely to be elucidated by the labors of the committee; but if the honorable member will take the trouble to read this letter, he will probably be satisfied that the representation in the official message of the 6th of December, touching the onerous and unjust operation of the act of the preceding

session upon the deposit banks, by which their action and accountability were defined, was suggested by the same spirit which on the 7th, was prompt to enforce the representation by a studied commentary upon it, directly addressed to those banks. He will also draw his own inferences touching the consistency of that administration whose various organs and ministers have never ceased to protest against the pernicious influence of a moneyed institution upon legislative freedom and integrity, when he sees a person from the very bosom of that administration officially dictating the repeal of an act of congress by means of the powerful impulses of a combination of banks upon the opinions of the members of the national legislature.

Should any curiosity be excited as to the authority upon which this communication is made public, it will be sufficient for us to suggest, that it may appear to some of the officers of the institutions to which it was addressed, that their agent has overstepped the line of his duty in forgetting the true objects of his appointment, and intruding against the continuance of a fair and legitimate regulation. Should such prove to be the case, we applaud their independence. If the surmise is unfounded, and Mr. Whitney's proceedings are unexceptionable, no injury can accrue to him. If, on the contrary, he has mistaken the limits of his office and his duty, the people will be enlightened, and the country benefited by a knowledge of the proceeding.

Washington, Dec. 7, 1836.

DEAR SIR: I should consider that I was remiss in discharging the duty which I owe to those banks which employ me to reside here to attend to their interests, were I to remain inactive on the present occasion. You will have seen that the president, in his annual message to congress of yesterday, in relation to the operation of the law of the last session of congress regulating the deposit banks, says it is believed that it "operates onerously and unjustly upon many of them in many respects." He justly recommends a modification of that law, so as to remove such operation.

I believe that few of the banks are aware what they are chargeable with under that law. I will explain: all sums, while in transitu, are chargeable with interest; for instance, a bank at New Orleans, which is required to transfer money to Boston, must pay interest upon it until it is placed at the credit of the treasurer at that place, although it may be money transferred to New Orleans from St. Louis on Natchez. This is not all; the New Orleans bank must pay interest upon this money while in its possession, although it derives no use of it, but is employed in making preparations to transmit it to the point ordered.

The same in cases where transfers are ordered from New York to North Carolina, South Carolina, Georgia and Virginia.

This must certainly be pronounced an "unjust operation of the law."

What is considered an "onerous" part of the law, is the exaction of any interest at all. The bank of the United States never paid any interest on the public deposits, and for ten years prior to 1833 they averaged eight millions of dollars. That institution rendered no greater service than the deposit banks do to the government in performing the duties of disbursing agents.

The services rendered in the way of transferring the public money from one place to another by the deposit banks are nearly fourfold those rendered by the bank of the United States in any one year; and that too by a small number of the deposit banks.

It is believed that the greatest sum ever transferred by the bank of the United States in any one year was in 1832, amounting to \$16,000,000. During the year ending the 1st of October, 1836, the transfers actually made and paid by the deposit banks amounted to \$39,319,394, and the amount transferred and paid between the 1st of October and the 6th of November, was \$5,399,000, and the amount of transfer warrants outstanding at that date was \$14,450,000, making an aggregate of \$59,168,394. This, I venture to say, is without a precedent in any commercial country. The transfers made by the bank of the United States were generally between the Atlantic cities, or from the east to the west, in all of which cases, if there was not a profit growing out of making them, they were not attended with loss; while millions of the transfers made by the deposit banks have been in an inverse direction, and have been attended by both a heavy loss and risk to the banks that have been called upon to make them.

It is a remarkable fact, which shows the ability of a small number of the state banks to perform all

the fiscal duties of the government, that nearly all these transfers have been made by sixteen banks.

In the negotiation of the domestic exchanges, the ability of the deposit banks to grant all, and even greater, facilities to the community than were ever derived from the bank of the United States, is most fully demonstrated, and the contrast in the operations of a few of them, compared with those of the bank of the United States, is not less striking than that in the transfers of the public money made by the two. The domestic exchange transactions of the bank of the United States, and its twenty-five branches, were stated by Mr. Binney, in his speech in 1834, to be \$225,617,910. This embraced some items which I do not consider to come legitimately within transactions which should be embraced under that head. By returns which have been received from nineteen of the deposit banks, their transactions for the year ending the 1st of October last, embracing the same items of their operations as those included in Mr. Binney's statement, amounted in the aggregate to \$420,468,211. If the legitimate transactions of each only were stated, I believe the contrast would be still greater.

The important services rendered to the government, in the various duties devolving upon a small number of the deposit banks, as well as the facilities granted the community by an almost equally small number, are fully appreciated here; nor will it be overlooked by those whose characters were staked upon the success of the measure, the faithful manner in which the original deposit banks executed the duties which they were required to perform, and the aid which was derived from them in carrying out successfully the "experiment" of employing state banks as the fiscal agents of the government, in place of the bank of the United States, amidst an opposition and warfare to defeat it without a precedent in this country.

There is another fact which ought not to be forgotten: that, in the transfers of the public money and the domestic bill transactions performed by the bank of the United States, the whole was performed by one and the same institution, directed by the same head, while, in the case of the deposit banks, the whole has been performed by separate and distinct institutions, each of which has been obliged to rely on its own resources.

I know that, both here and elsewhere, those who feel a desire for the success of the "experiment" of employing state banks as fiscal agents, have always been opposed to the tax of interest required under the deposit bill, and will both encourage a relinquishment of any interest which may have accrued already, but also to repeal the operation of the act for the future.

The services to the government, and the facilities rendered the community, which I have already detailed, furnish strong grounds for such claim on the part of those banks which have performed them; but there are others which apply to nearly all—such as the aid given out carrying on the views of the administration in supplying a metallic currency under the acts of congress, and also, in many instances, in relinquishing a circulation of small notes, which was valuable to the bank, and substituting the precious metals in their place.

It is my intention to exert myself to have a substitute at the present session for the law of the last session, free of objections; and also to obtain a repeal of that part of the latter requiring the payment of interest by the deposit banks, both retrospectively and prospectively.

It will aid me much if the directors of the various banks to whom I send this will address letters to such members of each house as they may be acquainted with, impressing upon them the onerous duties which have been performed by the deposit banks, the injustice done many of them by the exaction of interest as the law is now construed, and the magnanimity which congress would display by a total relinquishment of interest altogether, both past and for the future.

Another argument might be employed, but it would be impolitic to make use of it with members, which is this: that as soon as the sum in the treasury comes to be reduced by the operation of the deposit law, the banks which will be continued will hardly find it an object to subject themselves to the expense of acting as fiscal agents, for the use of the small sum which each can have, even without paying any interest whatever. Before the close of next year, we must go back to as small a number of deposit banks as were employed prior to the passage of the deposit act; consequently, with but few exceptions, the newly selected banks will have to become as they were. All this part of the subject had better be promulgated here; it is my intention speedily to commence upon that subject, first, by enlightening congress in relation to the facts, of which I am sure most of the members are ignorant,

and then to proceed to carry through my object; and I hope I may receive all the support possible from those immediately interested in the way I have pointed out.

I shall send this communication to very few of the banks not of the original selection, and I trust that all to whom I do send it will view it as one not to be made public, though not marked *confidential*.

Permit me to say that no time should be lost in adopting such measures as may be considered expedient.

I would add one further suggestion—that, in all cases where letters may be written upon this subject, a willingness be expressed to aid in future to the full extent of the ability of the bank, as far as circumstances will permit, the carrying out of the measure of substituting a metallic for a paper medium, within the limit fixed by the president (20 dollars).

I am, very respectfully, your most obedient servant,
R. M. WHITNEY.

P. S. I shall be happy to learn what steps are taken by those to whom this will be addressed, as well as to receive instructions from those whose agent I am.

To the editors of the *Globe*:

A circular letter, lately addressed by me to some of the deposit banks, and to but few that I am not in regular correspondence with, and employed by, has made its appearance in the public newspapers.

That letter contained the following injunction: "I trust that all to whom I do send it (the letter) will view it as one *not to be made public*, though not marked *confidential*."

It was under these circumstances the letter was written, and therefore less attention was paid to the phraseology than would have been, had it not have been a private and confidential communication.

Exceptions are taken, I learn, to some expressions employed in the letter, and very justly, too, if it can be supposed that I intended either the assumption of authority, or any thing disrespectful to congress, which the opposition presses are endeavoring to impress on the mind of the public that the language of the letter contains.

The facts which led to the communication in question are simply these. Shortly after the passage of the deposit law of the last session of congress, some of the banks wrote to me to ascertain and inform them of the construction that was given to different parts of it; that in relation to interest, which they are required under the law to pay, in particular. They were informed that such a construction was given to the law as would require them to pay interest on all sums under orders for transfer, while preparing to make such transfers, as well as while *in transitu*, and until placed at the credit of the treasurer by the bank to which the transfer might be ordered to be made. This appeared to them so unreasonable, that some of the most important of the deposit banks were seriously disposed to decline the agency of the government.

To these I wrote, and advised them not to give it up, but to continue to perform what was required of them, although onerous, until the meeting of congress. I also stated to them, that I felt confident that congress could not have foreseen the unjust operation of the law; and that I felt equally confident, when that body should be apprised of it, they would so modify the law as to give them relief for its past, as well as to remove its future continuance; and, as their agent, I stated that I would do all in my power to obtain this relief for them.

Accordingly, I suggested to the officers of the banks in my letter, the expediency of writing themselves to their friends and acquaintances in congress, pointing out to them the exaction which they are subject to, and soliciting them to aid in giving relief.

Many of the banks themselves remained, until very recently, entirely ignorant of the construction given to the law, or of what they would be chargeable with under it, and, as may be supposed, expressed some surprise when informed.

In regard to a diminution of the number of banks now employed, I have always understood that it would take place as soon as the surplus money is disposed of. That supposition has been confirmed by the suggestion contained in the report of the secretary of the treasury, that the head of that department be clothed with authority by congress to discontinue such as may be unnecessary. I have good reason for supposing that many of the banks lately selected consider that they are but temporarily employed.

These are the simple and plain facts concerning the origin and object of a *private* letter, which I feel confident has been obtained in a *clandestine* manner, and thrown before the public. Of such

importance did the National Gazette man, in Philadelphia, view it to the nation, that its discovery and circulation was hastened, by being despatched in slips by the express mail.

R. M. WHITNEY.

January 9, 1837.

REPORT FROM THE SECRETARY OF THE TREASURY,

Transmitting statements of the transfers of public moneys, in obedience to a resolution of the senate of the 20th instant.

Treasury department, Dec. 26, 1836.

Hon. Martin Van Buren, president of the senate:

SIR: I have the honor to submit the following report, in further compliance with a resolution of the senate, passed the 20th instant, directing "that the secretary of the treasury communicate to the senate a detailed statement of all transfers of public moneys ordered since the 23d of June last, for the purpose of executing the act of that date for regulating the deposits of the public money; showing the dates and amount of such transfers; from what place, to what place; from what bank, to what bank; and the times allowed for such transfers, respectively; also a similar statement of all transfers other than such as were made in execution of the aforesaid act."

From the manner of making transfers which has long prevailed in this department, the cause for making them does not appear on the face of the transfer draft, nor, in general, on any record.

The cause of any particular transfer is, therefore, usually known to no person except the secretary, who orders it; and, hence, such transfers as have been issued "since the 23d of June last, for the purpose of executing the act of that date for regulating the deposits of the public money," and which are called for in the first part of the resolution, cannot be discriminated from any others, called for in the last part of the resolution, and which may not have been made in execution of the aforesaid act, unless the secretary is able to do it, and from memory rather than the records.

In order, therefore, to avoid any mistakes as to the whole amount of transfers directed, from all causes whatever, within the period mentioned, the treasurer was, on the day the resolution reached me, required to prepare an exhibit of the whole since the 23d of June last, and to accompany it by the details desired in the resolution, as to the times of payment and the names of the bank to and from which they have been respectively ordered.

The whole amount of these transfers which have taken effect, or been paid, appears to be \$20,129,385.

Those which have not taken effect, and are not payable, many of them till January, February, March and April of next year, equal \$12,910,000; making the whole amount ordered \$33,039,385.

To be able to decide, nearly as practicable, what portion of these have been directed "for the purpose of executing the deposit act," and what portion if any, for other objects, it will be necessary to advert to the following facts and explanations. The department supposes that they may all be construed by some as having been ordered for that purpose, because they were all issued under the authority of that act, and the supplement to it, passed July 4, 1836. But a portion of them having been issued with a view to *facilitate disbursements*, and make payments, at convenient points, of the appropriations by congress, may not in strictness, perhaps, be considered by others as ordered *for the purpose of executing the act*, and hence will, as far as practicable, be estimated by themselves. The amount of them, though not attainable with exactness, can by a few considerations, probably be separated and computed distinctly from the rest with sufficient certainty for any general object contemplated by the resolution.

Thus, the sum in the treasury subject to draft on the 23d of June 1836, was about \$34,000,000. Of this amount about \$6,200,000 were then under transfer to different places, and to take effect at future periods, for purposes of safety, and affording facility to future disbursements.

On the passage of the deposit law, however, and in execution of the first section of it, prohibiting any amount over three-fourths of the capital of any bank to be left in it any longer than was necessary to select new banks, and to complete the transfers proper for removing the excess, it became indispensable to transfer for that purpose alone, about \$18,300,000. New transfers for this whole amount became necessary, except in a few cases where the transfers outstanding tended to accomplish that object, though in other cases they quite as much retarded it. The department, therefore, took immediate steps, even before the adjournment of congress, to comply with this direction of the law. But, it

was at once perceived that, by the peculiar phraseology adopted in the deposite act, it was very doubtful whether any of these new transfers could be made to banks in other states than those where the money then was, unless done to facilitate the public disbursements, or unless suitable and sufficient banks to hold the excess could not be obtained in the latter states; and hence, that the transfers of any of it, for the purpose of beginning the equalization of the surplus among the different states, could not probably, in any case, however convenient, be carried on at the same time, or be commenced before the 1st of January next. These impressions were communicated by me in reply to several members of congress who inquired at the department on the subject and wished new banks selected, and transfers made under the new act, immediately from states where the public money had greatly accumulated beyond their proportion to other states where large deficiencies existed.

Accordingly, the form of a bill was, at their request, prepared, which might, if congress deemed it proper to legislate further on the subject, remove the supposed difficulty, and which, with some modifications, afterwards passed into a supplemental law, on the 4th of July last. Consequently, in any subsequent proceedings to accomplish those first transfers of \$18,300,000, with a view to equalize the amount among different banks, in conformity to the first section of the deposite act, it was considered that congress, by the supplemental act, expressly intended to remove the doubts and objections before entertained to the course previously proposed, of combining with the division of the excesses among new banks, the commencement of the apportionment of the deposits among the different deficient states, preparatory to a gradual and easy payment to the states themselves the ensuing year.

In several cases, therefore, both objects or purposes, when convenient, were seasonably united, and with a mitigated and more beneficial effect, it is believed, on the whole administration of the law, and the condition of the money market generally, than if all the transfers to all the different states had been delayed till next year, and at that time have been ordered in much larger sums.

But as the payments were not required to be made into the state treasuries till the first of January next, and quarterly thereafter during the year, it will be seen by the exhibit that few or no separate transfers have yet been ordered for equalization among the states disunited with the other purpose of equalization among the banks, except such as were to take effect the next year, near the dates when the several payments are due to the states themselves, and none whatever have been ordered to remain permanently, except in cases where great excesses existed in some states, to be reduced, and deficiencies in others to be supplied, and where, if desired on account of greater convenience merely in point of time, they have not been postponed to 1837. The distinction between permanent and temporary transfers is adverted to in the above remarks, because, though that distinction does not, any more than the cause of the transfer, appear on its face, yet it often happens, as will be seen in the schedule B, that transfers are made from one place to another on account of its being more easy in the course of trade and exchange to have the money go to that other place in the first instance, temporarily, and afterwards be forwarded further by new transfers, and with greater public convenience, to the place where it is permanently to remain till expended.

If this be done sometimes, in the first step of its progress, without a rigid regard to deficiencies or excesses, in the bank or state receiving the money, yet, in the next and final step of transferring it to its ultimate destination, those are always strictly adhered to.

In several cases, also, where the transfers are at first, for the convenience of commerce, or other proper cause, ordered to banks in an amount beyond three-fourths of their capital, it will be seen that, before all the transfers take effect or become paid, other transfers are ordered from the receiving banks, so as to prevent them from holding permanently more than the amount prescribed in the law. But, besides the transfers of the \$18,300,000, rendered imperative to equalize the money among the banks, there has been an accruing revenue since the deposite act passed, amounting to nearly \$22,500,000, and most of which, being at first paid into the banks where an excess already existed, and hence not by law retainable there, has also been, necessarily, placed under transfer to some other banks, in compliance with the first section of the act of congress, except so far as while accumulating, the revenue, whether new or old, has in part been used to meet current expenditures at the places where collected.

In addition to all these removals of money, rendered indispensable under the 12th section of the

act, and amounting in all to over forty millions of dollars, except the deduction of the current expenditures at those points, equaling perhaps one-third of the whole \$17,500,000, which have been paid out on appropriations since last June, other transfers, to the amount of \$700,000, authorised for the purpose of supplying the mint with metal for coining, as explained in my annual report, have, under the direction of the president and advice of the director, been made to promote the execution of that desirable object.

The result of the whole is, that the amount of transfers ordered to execute only these purposes would be about \$30,666,666, or but seven to eight millions less than all the transfers ordered since the deposite act passed.

This residue is near the whole amount which has probably been required to be transferred for facilitating the public disbursements at other points, amounting, since June last, at those other points, it is presumed, to about \$12,000,000 out of the whole.— This sum is only from one to two millions larger than the transfers outstanding for this and a similar purpose when the deposite act passed, and is less than the average amount required during the two years before the act passed, as well as while the United States bank was employed as the depository of the public money in the expenditure of a similar sum. This is the nearest approximation which can be made to the amount which has been transferred since June last, not strictly perhaps "for the purpose of executing the act," provided that the clause in it by which they are authorised be not so understood in connection with the resolution as that these transfers may be properly considered as made "for the purpose of executing the act."

The dates of the particular transfers which were made exclusively to aid disbursements, and the names of the banks from and to which they were made, cannot now be distinguished from the others, except by some general circumstances, which may be briefly indicated. They embrace a portion of all those transfers which have been made to places where the public money is disbursed to a large amount for any legitimate purpose, and especially in the deficient states. Besides, some of these transfers required in over one-half of the states of the union, the largest amounts rendered necessary to meet appropriations since the 22d of June last have been to New Hampshire, chiefly for the navy yard and pensions; to the District of Columbia, for various great public expenditures of almost every description: to Norfolk, Virginia, very large sums for the navy yard and fort near that place; to Charleston, South Carolina, and Savannah and Augusta, Georgia, as well as to New Orleans; for the prosecution of Indian hostilities and disbursements anticipated on our south western frontier, and to Tennessee, as well as the other places last named, a sufficiency to meet heavy payments connected with the removal of the Cherokees, Creeks and Seminoles beyond the Mississippi.

The explanation of both branches of the last resolution, and of the tabular statements referred to, in answer to the call of the senate, might here be closed, had not the treasurer prepared the schedule of transfers in a form only chronological, when it might be desirable to some members to have the results presented in their connection with the situation of the different states as bearing on the amount of deposits of public money within each as well before these transfers began, in June last, as at the date of this inquiry, and both of these as compared with the proportion of deposits which the states will respectively be entitled to receive under the act. An exhibit has, therefore, been added, which gives in round numbers the proportion each state would be entitled to receive from a distribution of deposits amounting to \$37,000,000; and in other columns the amount on deposit in each state subject to draft about the time the act passed, and also at the present time.

By this document, and those on the subject of the deposite banks, submitted to the senate with my last annual report, and connected with the present call, it will be seen that sufficient transfers have already been issued, though all have not yet become payable, to execute the 1st section of the act, prohibiting more money to remain in any bank than three-fourths the amount of the capital. It deserves notice, however, that the revenue has increased over our expenditures during the last six months constantly, and in such large amounts, as to keep up to the present moment, and imperatively requires almost weekly transfers and weekly selections of new banks, in order to comply with the above direction of the deposite law. But the utmost care has been exercised, while endeavoring to enforce the spirit of the law on this point, to take every precaution to prevent, as far as practicable, any

unnecessary derangement or pressure in the money market, by affording reasonable time for all those transfers to be effected, varying the notice given by this department to all the parties concerned, generally according to the amount and distance, from thirty to one hundred and twenty days, and in several cases to a longer period, so as to enable the banks easily to remove the money by bills of exchange, drafts, bank balances and other satisfactory remittances, and by allowing the payment to be made, as has always been usual, at the places to which the money is to be transferred, unless the bank making the transfers prefers to pay them at its own counter.

But it will be seen, at the same time, that while all has thus been accomplished which was deemed necessary to execute the purpose of the 1st section of the deposite act, dividing the excesses among different banks, and to aid the operations of the mint under the 18th section, and to facilitate our very large disbursements the last half year, and for a few months to come, at the necessary points, yet the other and last process of transfers for the apportionment of the deposits among the states in the prescribed proportions, so as to be gradually and seasonably ready for payment to each state the next month, and quarterly thereafter during the year, has made but little progress since June, by means of transfers to the several states then deficient, and has not been thus completed in a single case, unless the state of Ohio be considered an exception. Her contiguity to other states which had not banking capital sufficient to hold the great accumulation in them, has required the department, under the act, in order to execute the 1st section alone, to place enough within her limits by transfers from only the neighboring states, to supply, with the aid of collections there, any deficiency before existing, and all the current expenses of the government, with some excess for transmission elsewhere.

Very unequal sums have been placed in some states from the same unequal cause; a cause not within the control of this department, but yielded to under the express directions of the deposite act. It deserves notice under this head, that of the other states which were deficient last June, being as appears by the table C, seventeen in number, all except Indiana still remain deficient, in sums ranging from \$150,000 to \$1,600,000 each, and requiring in the whole, to produce an equality, nearly \$11,000,000 more to be paid from other states, besides about two-thirds of the five millions to be reserved next month to defray current expenditures. Indiana has since been filled up and now has an excess of more than a million, derived from the large sales of land within her limits, and not from transfers.

On the other hand, all of the states which last June had an excess, still retain one, except Maryland, which has now only about her just proportion. In all of them, likewise, with a single exception, those excesses, instead of being much diminished by large transfers to a distance, or payments at home beyond the accruing revenue within their limits, have been all increased, and in several cases in such great amounts as to range from a third of a million to two millions higher than they did in June. That exception is New York; but which, at the same time, has been diminished only about \$400,000, and still retains an excess beyond her proportion, and mostly in her commercial capital, of over six and one-fourth millions of dollars.

If, looking to the whole amount in the treasury when the deposite act passed, and to the proportions then on deposit within the several states, and to the proportions of it they were then entitled to receive, on the principles of the two acts, provided all excesses had then at once been reduced and all deficiencies supplied, it will be seen that they did not then vary over one and a half millions from what is still to be accomplished in the present state of things; and consequently, that, during the six months which have since elapsed, the operation of equalization among the states has not been begun or consummated; because not found easy and convenient, while carrying on the other imperative operations under the law, beyond the small extent of less than two millions of dollars.

But, however difficult the apportionment among the states must be when it all goes into final effect, merely from the collection and paying over such immense sums into new hands, and however widely and with what embarrassment some of the money must, in the end, depart from the usual channels of commerce and of our fiscal operations, the directions of the act in this respect, as stated in my annual report, could not, with propriety, be neglected by the department, and are in the course of completion at the proper periods within the ensuing year.

Thus, among the transfers already ordered, but not to take effect till 1837, it will be seen, by the table annexed, (B,) that a portion of them will in a few months somewhat reduce these excesses, and a portion of the existing deficiencies will, by the same transfers, be further filled up or supplied.—But considerable parts of the excesses in several states, after leaving a due proportion of the five millions continuing in the treasury to meet the current expenditures there, are now so situated that they will not be actually put under transfer till the beginning of each quarter in 1837, and will then in general be made directly to the agent of the state to which they now are, or can, by law, hold them till wanted for the several state treasuries. Care, however, will be taken to give a suitable general notice of the time and place of all these subsequent transfers, as has been done concerning the preceding ones. Indeed, as long ago as the 1st of last November, the department addressed a circular to almost every deposit bank, notifying it of the probable amounts, times and places, of all future transfers or payments which were expected to be made from it to the several states in the course of the ensuing year.

These banks will thus enjoy a longer time than usual to make preparations for completing most of these last transfers to the states themselves, by having 60 days notice in all cases, and in others an additional time of three, six and nine months.

The necessity for further explanations upon this subject is not perceived, except to remark that, in all cases where the amount transferred was not required for expenditure, the transfers which were made exclusively for division of the money among the banks have been arranged to the nearest practicable and convenient points where public money was either collected or disbursed, and banks could be selected agreeably to the provisions of the law under which they were ordered. The practice, which had heretofore prevailed, of transferring chiefly from one great section of the country to another, according to the course of the commercial operations between them, was prohibited by the 12th section of that law, except for the purpose of facilitating expenditures, or except, as under the supplemental act, it has in few cases, and may hereafter in many, become necessary and permissible in transfers made either principally or wholly with a view to begin to execute in some cases, and in others to complete, the execution of that part of the law apportioning the deposits in ratable proportions among the different states. When attempting either of those objects, independent of the others, the former practice has been strictly adhered to, and the whole operations under the act has been rendered as easy as possible to the banks making the transfers, and as little inconvenient or injurious to the money market and the commercial community as was practicable without departing from the express enactments of congress.

Respectfully yours, LEVI WOODBURY,
Secretary of the treasury.

[The accompanying exhibits are too voluminous for publication—but for a table showing the general result, see page 306.]

TWENTY-FOURTH CONGRESS,

SECOND SESSION—SENATE.

January 6. A message of an executive character was received from the president of the United States, through Andrew Jackson, jr. his private secretary.

Mr. White presented a petition relating to alleged violations of the tariff, which was referred.

Mr. Buchanan presented the petition of a number of citizens of Philadelphia, praying appropriations for a court house for the United States district court, and also for a penitentiary. Mr. B. remarked that he believed the Pennsylvania penitentiary system had been carried to perfection; and as it would be necessary for the United States to have something of the kind, it appeared to him no more than suitable that they should commence in Philadelphia. He moved to refer the petition to the judiciary committee, and hoped they would give it due attention.

Mr. Calhoun had no objection to the reference, but hoped the judiciary committee would pause long before commencing a penitentiary system for the United States.

Mr. Grundy said he should not object to the reference to the committee; but he imagined the committee had no reason to pause long on the subject. They would be ready in a short time to report on the whole subject.

Mr. Buchanan said he was sorry to find that the chairman of the judiciary committee had already made up his mind on this subject. It appeared to him that it would be necessary for the United States

to erect penitentiaries, and that it could not be avoided. As long as the United States had to inflict penalties for violations of the laws of the country, some system of punishment must be provided. He thought a system of this kind could in no way be dangerous, and could not infringe on the rights of the states. He did not expect the least opposition to the proposal, or, perhaps, he would not have made it.

The petition was then referred.

Mr. Clay presented the petition of John McLane, of Virginia, praying the passage of a general law in relation to unsurveyed islands, under twenty acres, belonging to the United States. Referred.

On motion of Mr. Linn, it was

Resolved, That the chair appoint a member of the committee on private land claims, in the place of Mr. Porter, resigned.

Mr. Nicholas from the committee on naval affairs, reported several bills, which were ordered to a second reading, and will be noticed in their progress.

The following resolution was offered by Mr. Calhoun, and adopted:

Resolved, That the secretary of the treasury be directed to report to the senate, as early as practicable, the undrawn appropriations on the 1st day of January instant, with the date of the acts making such appropriations.

On motion of Mr. Clay, (Mr. Ewing, of Ohio, having been called home by sickness in his family), the senate proceeded to the further consideration of the joint resolution repealing the treasury order of July last, &c. The question being on the substitute offered by Mr. Rives, for refusing by the United States the paper of such banks as should issue bills under certain specified denominations.

Mr. Southard addressed the senate on the subject at large, in continuation and conclusion of his former remarks on the subject.

On motion of Mr. Wright, when Mr. Southard had concluded his remarks, this subject and all the other previous orders were postponed, and the senate proceeded to consider, as in committee of the whole, the bill from the house of representatives supplementary to the act for establishing a mint and regulating the coins of the United States.

The amendment proposed by the committee on finance, extending the limit of wastage allowed to the chief coiner from one-thousandth part to one and a half one-thousandth part, was adopted, and the bill so amended was reported to the senate.

Mr. Wright entered into various explanatory details, showing some small changes contemplated by the bill. After which the bill was ordered to lie upon the table; but subsequently was taken up and ordered to a third reading.

On motion of Mr. Calhoun, the previous orders were postponed, and the bill granting five years' full pay to captain Samuel Warren, of the revolution, was considered as in committee of the whole, and ordered to be engrossed for a third reading.

On motion of Mr. Grundy, the senate spent a short time in executive business.

On motion of Mr. Robbins, the report of the navy commissioners on an examination of Narragansett bay, with a view to the establishment of a naval depot, was ordered to be printed.

The following resolution was offered by Mr. Tip-ton, and agreed to:

Resolved, That the committee on public lands be instructed to inquire into the expediency of establishing a surveyor general's office in the state of Indiana.

The senate then adjourned till Monday.

January 9. The chair presented the credentials of hon. Samuel Prentiss, re-elected senator for six additional years, from the state of Vermont.

Also, the credentials of hon. William C. Preston, re-elected senator from the state of South Carolina.

The chair presented a communication from the state department, with a report of the names of the clerks employed in that department, and of the amount of their compensation during the past year.

Also, a communication from the war department, with the report of the second auditor, showing the amount of expenditures, &c. in the military establishment of the United States.

A number of petitions were presented and appropriately referred.

Mr. Walker from the committee on the public lands, reported with an amendment, which was read, the bill extending the time of issuing scrip for United States military land warrants.

Also, with an amendment, the bill authorising the relinquishment of the 16th sections of lands, for the use of schools, and the entry of other lands in lieu thereof.

Mr. Ruggles, from the special committee appointed on the late conflagration of the patent office, to consider on the best method of repairing the loss, reported a bill for that purpose; which was read;

ordered to a second reading, and 2,000 extra copies of the report and documents ordered to be printed.

A number of resolutions of inquiry, which, by rule, lie over, were presented, and will be noticed when acted on.

The bill supplementary to the act for establishing the mint and regulating the coin of the United States, was read a third time and passed.

On motion of Mr. Clay, the previous orders were postponed, and the senate proceeded to the further consideration of the joint resolution rescinding the treasury order of July, 1836.

The question being on Mr. Rives' substitute, Mr. Strange addressed the senate on the subject generally. Mr. Webster followed Mr. Strange in a few remarks, explanatory of his opinions relating to this subject, expressed in 1816, which had been several times referred to, and he maintained their entire consistency with his opinions on the subject at the present time. Mr. Rives having obtained the floor for to-morrow,

On motion of Mr. Grundy, the senate spent some time in executive business, and then adjourned.

January 10. A message was received from the president of the United States in regard to a communication by canal or rail road between the Atlantic and Pacific oceans, in the vicinity of the Isthmus of Panama, intimating the inexpediency of any action at present by the United States.

The chair presented a communication from the treasury department, with a statement of the names, condition and dates of contract, of two deposit banks recently selected.

A number of petitions were presented and referred, and several reports received from committees, when Messrs. Fulton and Bayard offered resolutions of inquiry, which will be noticed in their progress.

The house bill for the relief of Orange H. Dibble, was read, and ordered to a second reading.

The house bill for the relief of Robert P. Letcher and Thomas P. Moore, was read twice and referred.

On motion of Mr. Hubbard, the bill providing compensation for the loss of horses and other property in the military service of the United States, was taken up, amended as proposed by the committee, and ordered to be engrossed for a third reading.

On motion of Mr. Wright, the bill making appropriations for the payment of revolutionary and others pensioners, for 1837, was taken up, and ordered to be engrossed for a third reading.

The senate proceeded to the further consideration of the joint resolution to rescind the treasury order of July, 1836, &c. together with the substitute offered therefor by Mr. Rives.

Mr. Rives spoke at large on the subject of the resolution and the amendment. After whom,

Mr. Clay rose and said that he desired to submit to the senate a few considerations on the subject under debate; but as the hour was somewhat late, the senate might prefer that he deferred what he had to say till to-morrow, and proceed for the remainder of to-day to some other business; whereupon,

On motion of Mr. Brown, the senate adjourned.

January 11. Mr. Kent presented the credentials of John S. Spence, elected by the legislature of Maryland a senator from that state to fill the place vacated by the death of the honorable R. H. Goldsborough till the 4th of March next.

After the reception and disposition of sundry reports and petitions, the chair presented a communication from the treasury department, with the returns made to that department by the incorporated banks of the District of Columbia for 1836.

The following resolutions were offered and by rule lie over one day.

By Mr. Walker—Resolved, That the state of Texas, having established and maintained an independent government, capable of performing those duties, foreign and domestic, which appertain to independent governments, and it appearing that there is no longer any reasonable prospect of the successful prosecution of the war by Mexico against said state, it is expedient and proper, and in conformity with the laws of nations, and the practice of this government in like cases, that the independent political existence of said state be acknowledged by the government of the United States.

(Mr. W. accompanied his resolution with a few remarks, urging the consistency of the resolution with the president's message on this subject, and stating that he had this morning received information that the attempted invasion of Texas by Mexico had utterly failed; the invading army had been broken up, and the small remnant were destitute of arms, ammunition, and subsistence.)

By Mr. Davis—Resolved, That the committee on commerce be instructed to inquire into the expe-

diency of making some provision for the nautical education of American seamen.

By Mr. Tomlinson—*Resolved*, That the committee on pensions be instructed to inquire into the expediency of continuing the office of commissioner of pensions for a limited period.

The bill for the relief of Orange H. Dibble was read second time, and referred.

The bill providing compensation for horses and other property lost in the military service of the United States, was read a third time and passed.

Also, the bill making appropriations for the payment of revolutionary and other pensioners for the year 1837.

The senate proceeded to the special order, the further consideration of the joint resolution rescinding the treasury order of July, 1836, &c. together with the amendment or substitute thereto offered by Mr. Rives.

Mr. Clay addressed the senate on the subject generally. Mr. Ruggles made a few remarks in reply to Mr. Clay, to which Mr. Clay briefly responded.

Mr. Niles moved to refer the whole subject to the committee on public lands, and, in connexion with some desultory remarks, urged the great and growing importance of the subject, as demanding such a reference.

Mr. Calhoun briefly characterized the treasury order as unconstitutional, without law, without precedent, without any authority whatever. Its temporary character, under which refuge had recently been taken, was no where to be seen; on the contrary, it still continued in force, when the executive himself ought to have repealed it, if it had been temporary. If it should be now referred, he could see no reason for referring it to the committee on public lands. It partook wholly of a financial character, and its proper reference was, therefore, to the committee on finance. Mr. C. said he depended on the action of that committee whether there should be a recurrence of that state of things in the ensuing year as well as the past, which had been used as a pretext for the treasury order. That state of things, he urged, depended entirely on an accumulation of the surplus in the deposit banks, where it would not remain for nothing, but would be employed, as it had been, in speculating on the public lands. To the committee on finance he also looked for a reduction of duties, if that should be adopted as a preventive. The whole subject properly belonged to that committee, to which Mr. C. would move to refer it, if the motion of Mr. Niles should fail.

Mr. Black opposed the reference. Much time had already been consumed in debating all the questions immediately involved, and all having any relation to it. It was time for action. He was prepared to vote. He had no hesitation in saying that he considered the treasury order illegal and highly impolitic. It was a question in which his constituents were deeply interested, laboring, as they were, under the embarrassments arising from this executive law or order. It had been intimated by the senator from Connecticut (Mr. Niles) that this measure was to be delayed by the committee to see the result of other measures. Deeming, therefore, prompt action necessary to relieve the people of the state he in part represented, and considering this motion for reference one of delay, he asked the privilege of recording his vote against it, and asked the yeas and nays. He was for action.

Mr. Clay said he concurred entirely with the senator from Mississippi. All the propositions before the senate were simple, and easily understood. He hoped the subject would not be referred at all.

Mr. Tipton also opposed any reference. Half the session was now nearly gone, and the subject had been well debated. He deemed it very important to his constituents and the community that all doubt on this subject should be removed as soon as possible.

Mr. Webster briefly urged that, if a reference should be made at all, it ought to be made to the committee on finance.

The question was then taken on Mr. Niles's motion, and decided as follows:

YEAS—Messrs. Benton, Brown, Buchanan, Dana, Ewing, of Illinois, Fulton, Grundy, Hubbard, King, of Alabama, King, of Georgia, Linn, Niles, Page, Rives, Robinson, Ruggles, Strange, Tallmadge, Walker, Wall, White, Wright—22.

NAYS—Messrs. Bayard, Black, Calhoun, Clay, Crittenden, Davis, Hendricks, Kent, Knight, Moore, Nicholas, Prentiss, Preston, Robbins, Sevier, Swift, Tipton, Tomlinson, Webster—19.

So the whole subject of the treasury order, of July, 1836, was referred to the committee on public lands.

After a short executive session, the senate adjourned.

HOUSE OF REPRESENTATIVES.

Friday, Jan. 6. The speaker laid before the house a communication from the secretary of the treasury, transmitting a statement in obedience to the act fixing the compensation of the public ministers and of consuls residing on the coast of Barbary, and for other purposes, approved May, 1810; which communication was referred to the committee on foreign affairs.

The speaker also laid before the house a communication from the secretary of state, transmitting a report respecting the clerks employed in that department during the past year, and the amount of compensation paid to each; which communication was laid on the table.

Mr. Boon, from the committee on public lands, reported a bill to arrest monopolies of the public lands, and to prohibit the sales thereof except to actual settlers; which was twice read, and committed.

Mr. Thomas, from the committee on the judiciary, reported a bill to admit Michigan into the union; which bill was ordered to lie on the table.

Mr. Gillett, from the committee on commerce, offered a resolution for the reprinting of sundry documents in relation to the reorganization of the treasury department, and the number, compensation of custom-house officers, &c. &c. and for the printing of certain manuscript documents thereto appended.

This resolution gave rise to a desultory debate, the result of which was, that the manuscript documents alone were ordered to be printed. The house then proceeded to the consideration of private bills, and after the resolution for the settlement of the accounts of Orange H. Dibble had been read and ordered to be engrossed for a third reading, the bill for the relief of Rubert Letcher and Thomas P. Moore, came up on its final passage.

Mr. Lane called for the yeas and nays on that question. Mr. Underwood moved the recommitment of the bill to the committee of the whole house on the state of the union. After a few words from Messrs. Huntsman and Lane, Mr. Williams, of North Carolina, called for the yeas and nays on the question of recommitment. After a few remarks from Mr. Mann, of New York, Mr. Anthony called for the previous question. Mr. Rencher moved to lay the bill on the table, and called for the yeas and nays; which were ordered, and, being taken, were—Yeas 35, nays 157. So the motion to lay the bill on the table was lost.

The question then recurring on seconding the previous question, the house seconded the same—Ayes 83, noes 46. Mr. Williams, of North Carolina, called for the yeas and nays on the question of taking the main question; but the house refused to order them. And the main question was ordered to be now put. Mr. Williams, of N. C. called for the yeas and nays on the main question; which were ordered. And the main question, "Shall the bill pass?" was then taken, and decided in the affirmative—Yeas 126, nays 64. So the bill was passed.

Several other private bills were considered, but without passing finally upon them, the house adjourned.

Saturday, Jan. 7. The hon. Mr. Gholson, member from the state of Mississippi, appeared, was qualified and took his seat.

A number of reports from the committee on invalid and the committee on revolutionary pensions, were severally read and laid on the table. Mr. Storer from the last named committee made an unfavorable report on the petition of John Whitman, of Eastbridge, in the state of Massachusetts, for a pension, for services performed in the revolutionary war.

Mr. S. moved that the report be referred back to the said committee, with instructions to report a bill granting the prayer of the said petition.

Mr. S. said he had but a few words to say in support of his motion. The petitioner was a man of the age of one hundred and two years, and he asked a pension as a revolutionary soldier. The committee had refused the pension because there was not positive evidence that the petitioner had served six months, as required by the law of 1802. He had proved five months' service, and his own affidavit deposed to a service of six weeks longer, making more than the period of six months. He had received a commission as a lieutenant from the continental congress, dated March 20, 1776; and he was known to be a man of unquestionable veracity.—Under these circumstances, the majority of the committee thought he had established his claim to a pension. The only question was, whether the one month's service had been sufficiently proved. The probability was that no similar case would again be brought before the consideration of congress.

The motion of Mr. Storer was opposed by Messrs. Harper, Wardwell, Rencher and Pearce, of Rhode Island, on the ground that the petitioner's claim was

opposed to the provisions of the bill on the subject; and advocated by Messrs. Granger and Storer as a case in which those provisions might properly be overlooked. Finally Mr. Rencher moved to lay the report and accompanying documents on the table; which motion was rejected. Mr. Storer then withdrew his motion to re-commit, with instructions; and Mr. Reed moved to commit the report and documents to the committee of the whole house. The motion prevailed; and the report and documents were committed accordingly.

Mr. Bell gave notice that he would, on Tuesday next, ask leave to introduce a bill to secure the freedom of elections.

The unfinished business of the morning hour was the resolution heretofore offered by Mr. C. Allan:

Be it resolved, That a select committee of one member from each state be appointed, whose duty it shall be to inquire into the justice and expediency of making to each of the thirteen original American states, together with each of the states of Vermont, Maine, Kentucky and Tennessee, such grants of the public lands, for the purposes of education, as will correspond in a just proportion with those heretofore made in favor of the first-named states and territories, and that said committee have leave to report by bill or otherwise. But, to avoid the objection of one state holding land in another, the committee is directed to insert a clause in the bill which they may report, providing that the grants to be made thereby, shall be subject to sale under the laws of the general government now in force, and that the proceeds arising therefrom shall be paid over to the states entitled to the same.

To which resolution Mr. Finton heretofore offered the following amendment:

Resolved, That the said inquiry extend to all the states, and that the said committee be further instructed to inquire into the expediency of inserting a clause in said bill to pay said new states the value of the improvements made by them on the public lands, or to pay to them the amount the public lands would have been assessed for taxes, if they had been private property.

Mr. Johnson, of Louisiana, heretofore moved to amend the resolution, "by extending its provisions to all the states of the union."

To which amendment Mr. Claiborne, of Mississippi, heretofore offered the following amendment:

"And provided that no such grants shall interfere with, or be located upon the claim or improvement of any actual settler on the public lands."

Mr. Lane, who was entitled to the floor, having risen to address the house, Mr. C. Allan requested the gentleman from Indiana to yield the floor for a moment, to enable him to offer a modification of the first part of the preamble thereto, by substituting the word "grants," for "donations."

Mr. Lane having declined yielding the floor, the speaker said the modification could not now be made.

Mr. L. then proceeded to address the house at length in opposition to the resolution. He denied the truth of the assumption that the lands were ceded as a donation; and contended that they were grants made upon contract, and for which, not a nominal, but a full, fair and bona fide consideration had been paid by the states, by the surrender of the right of taxing the public domain, and by the construction of works of improvement, which had enhanced, to a vast extent, the value of the public domain in the several states in which it was situated.

Mr. L. had not concluded his remarks when, the hour having elapsed, Mr. E. Whittlesey called for the orders of the day.

Mr. Yell, by consent, offered an amendment to the above resolution, in order that the same might be printed.

And, on motion of Mr. Y. the resolution, with all the pending amendments, were ordered to be printed together.

The house refused to suspend the rule to permit Mr. Thompson to offer a resolution directing the committee on the militia to inquire into the expediency of publishing gen. Macomb's and major Cooper's works on tactics; and a resolution directing the committee on military affairs to cause an examination to be made by a board of officers of certain improvements in fire arms by Cochran, Hall, &c. &c.

Mr. Thomas asked the house at this time to take up, on its first and second reading, the bill from the senate, now on the speaker's table, entitled "An act to admit the state of Michigan into the union, on an equal footing with the original states." Objections having been made, Mr. Vanderpoel moved to suspend the rule for the purpose of taking up, on their first and second reading, the bills from the senate now on the speaker's table; which motion prevailed—Ayes 119, noes 2. So the rule was suspended.

The above mentioned bill having been read twice, Mr. Thomas said he was instructed by the commit-

tee on the judiciary to move to postpone the further consideration of the bill until Tuesday next, and that it be made the special order of the day, after one o'clock, for that day and each succeeding day, at the same hour, (Friday and Saturday excepted), until finally disposed of. Mr. T. was proceeding to state that there was a difference of opinion among the members of the judiciary committee as to the mode of action which the house would adopt.

The speaker said the motion could not be debated.

Mr. Robertson moved to commit the bill to the committee of the whole house on the state of the union.

Mr. Hardin was understood to suggest that commitment was indispensable, inasmuch as the clause in the bill in relation to the surplus revenue was tantamount to an appropriation. And the question on the motion of Mr. Thomas was thereupon taken, and decided in the negative—Yeas 99, nays 71. So the motion to postpone and make the bill the special order was rejected. The question recurring on the motion of Mr. Robertson.

Mr. Thomas moved to postpone the further consideration of the bill until Tuesday next. Mr. Robertson, in support of his motion to commit, said that, in substance, if not in terms, the bill contained an appropriation which, in itself, was a sufficient ground to desire its commitment. If ever a bill had come before the house which ought to go to the committee of the whole on the state of the union, that bill was the present.

And the question on the motion of Mr. Thomas (the same having priority over a motion to commit) was taken, and decided in the affirmative—Yeas 95, nays not counted. So the further consideration of the bill was postponed until Tuesday next.

Mr. Jenifer made an ineffectual motion to suspend the rule, to enable him to offer a resolution calling on the department for certain information in relation to the exports of tobacco.

Some other business was transacted, an account of which will be given hereafter; after which, the house adjourned.

Monday, Jan. 9. On motion of Mr. Adams, Resolved, That the president of the United States be requested, if, in his judgment, not incompatible with the public interest, to communicate to this house copies of the correspondence with the department of state and with the Peruvian government, of the late Wm. Tudor, jr., consul of the United States, and their political agent in Peru, from the 27th of March, 1824, to the 15th of May, 1827. Also, the correspondence of the said William Tudor with the department of state, and with the government of Brazil, while he was charge d'affaires of the United States at Rio de Janeiro, until his decease.

Petitions and memorials were called for in the order of states and territories, and were presented by Messrs. Evans and Jarvis, of Maine; and Messrs. Jackson, Borden and Adams, of Massachusetts.

Mr. Adams rose, and said he was desirous to make the general inquiry, whether any member of the house was charged with a petition from the authors of Great Britain to the congress of the United States. If any gentleman was charged with such a petition, he (Mr. A.) had nothing further to state; he did not know but that the chairman of the committee of ways and means (Mr. Cambreleng) had such a petition in his hands.

Mr. A. explained that his reason for making the inquiry, was that he had received a letter from a respectable person in England, Miss Harriet Martineau, enclosing a printed address or petition from certain authors of Great Britain to the congress of the United States, and although the request was very distinct that he would favor the object of the petition, yet no positive request was made that he would present it. As the petition was merely a printed paper without any signature, he did not feel himself at liberty to present it, if, as he presumed, there was in the possession of any other member of the house, who would present it, a petition regularly signed.

Mr. Cambreleng said he had no such paper in his possession.

And as it did not appear that any other member was charged with the presentation of the same, Mr. A. said he would wait another week or two; and if a formal petition should be presented by that time, he would present the one which had been forwarded to him.

Mr. Adams offered to present the petition of one hundred and fifty women, whom he stated to be the wives and daughters of his immediate constituents, praying for the abolition of slavery in the District of Columbia; and moved that the petition be read.

Mr. Glascock objected to its reception.

Mr. Adams said that, in reference to the reception of the petition, he did not know that he had any ob-

servations to make, except that he considered that the obligation rested on the house to receive this petition, and he felt himself bound by his duty to present it.

Mr. Boon rose to a question of order. He would inquire whether, under the rule, a petition could be debated on the day of its presentation?

The speaker said that, under a decision made at the last session of congress, and which had been sanctioned by a large majority of the house, the question of "reception" was not included in the 45th rule, and that therefore it was debateable at the time the petition was presented.

Mr. Adams said he had not expected that any objection would have been made to the reception of this petition; inasmuch as one portion of a similar character, presented by himself, had already been received. At the last session of congress, after much consideration and debate, it had been decided as formally as any thing could be, that petitions of this description should be received; and the house had made a special order as to the manner in which they should be treated after they had been received. He considered that that precedent was good, at least so far as that the petition should be received. The decisions of the house at the last session of congress went quite far enough towards suppressing the right of petition in the citizens; and quite far enough towards the suppression of the freedom of speech in this house. It was proposed now to go one step further; the motion of the gentleman from Georgia went to settle the question, that a petition so interesting and important as the one under discussion could not be presented and should not be received—a proposition directly in the face of the constitution itself. Now, he hoped that the people of this country would be spared the mortification and the injustice and the wrong which would be inflicted upon them by their immediate representatives, by a decision that such petitions should not be received.

No such example had been given. It was, indeed, true that all discussion, all freedom of speech, all freedom of the press, on this subject, had, within the last twelve months, been violently assailed; and assailed, too, in every form in which the liberties of the people could be assailed. This was the truth. He had lamented the decisions and determination of the house at the last session of congress, even so far as they went. He considered them as outrages on the constitution of the country and on the freedom of the people. The present proposition proposed to go one step further. He hoped that step would not be taken, and that it would not receive the sanction of that house. It was always in the power of the house to reject petitions, after they had been considered; and the house, by a large and overwhelming majority, had given evidence enough to the country that they had no disposition to favor petitions of this character; that they were ready, too ready, to state their views, against such petitions, and to reject the prayer of them. Amongst the outrages that would be endured by that portion of the people of this country whose aspirations were raised to the greatest improvement that could possibly be effected in the condition of the human race—the total abolition of slavery on earth—that of calumny was one of the most glaring. Their petitions were not only to be treated with contempt as at the last session of congress, but the petitioners themselves were to be loaded with foul and infamous imputations, poured upon a class of citizens as pure and as virtuous as the inhabitants of any section of the union. Such, he had no doubt, were the petitioners whose names were appended to the present petition. They were females. To men animated by that sentiment which does honor to human nature, this fact alone, in his opinion, was a recommendation for the reception of the petition.

He had said that the petition was signed by one hundred and fifty females; the wives and daughters of his immediate constituents. They were, many of them, sisters and mothers of his constituents.—Every member of the house, said Mr. A. has, or had, a mother; and he appealed to the feelings of every member to say whether, in the whole class of human affections, there was one sentiment more honorable, or more divested of earthly alloy, than that which every man must entertain for his mother. Let him put a case, and suppose that the own mother of any member of the house was one of the petitioners. He (Mr. A.) would ask that member whether he would reject and turn the petition out of doors, and say that he would not even hear it read? The petition was perfectly respectful in its terms and language; it consisted of nothing more than four or five lines, which could be read in half a minute. What! said Mr. A. do I speak to men? and do they say that they will not even listen to a petition coming from such a source? What had he, or this house, to fear from female petitioners? Were insurrection, and bloodshed, and slaughter to be ap-

prehended from the petition of women? There was no such disposition; there was nothing of an inflammatory character or tendency contained in the petition itself. He hoped that the gentleman who had objected to its reception would withdraw his objection. He hoped so, for the sake of that gentleman's character as a man; for the sake of his character as a son; and he hoped that no senseless or cowardly influence would deter that gentleman from doing justice to these females, so far as to allow the petition to be received without objection.

Mr. Glascock said it was well known what position he had taken on this question during the last session of congress; and if, on the present occasion, he were to accede to the proposition of the gentleman from Massachusetts, which, however, he had no disposition to do, it would be inconsistent with, and an entire abandonment of, the principle which, at that time, he and those acting with him had assumed. In reference to the female petitioners, to whom the gentleman had so eloquently alluded, he would say that no man would show or pay higher regard to a petition coming from such a quarter, on a proper subject, than he (Mr. G.) would show.—But, from the course pursued, and the scenes presented at the last session, and from indications at present, it was time that all those members of the house, who believed they had the constitutional right to reject these petitions, should now exercise that privilege which they conceived to be secured to them by the constitution, and to have their votes recorded against petitions of this character.

If this were a new subject, upon which the sense of this house had never been taken, and a petition, emanating from such a source, had been presented, he would have responded to it as promptly as any member on the floor. But did not the gentleman from Massachusetts know that, even if the petition had been received, it would, by the almost unanimous vote of the house, without being read, and without action of any kind being had upon it, be laid upon the table, where, as the gentleman himself had once said, it would sleep "in the tomb of all the Capulets." It was indeed true that the petition had emanated from wives, and mothers, and daughters; but he must say that he doubted very much whether all petitions of this nature were not presented for effect of some kind or other, and that these females were improperly influenced by men in the community in which they resided. The gentleman had said that those who had mothers and daughters ought to pay some regard to this petition, otherwise it would be to treat them, as it were, with disrespect. If he (Mr. G.) were situated as was the gentleman from Massachusetts, had seen the many votes which had been taken on this subject, and been a witness to the excitement which had been produced by means of similar applications, his (Mr. G.'s) language to a mother and a daughter would have been very different from the language of that gentleman. He (Mr. G.) would have told them that their petition might be just and right, according to the views of those by whom they were immediately surrounded, yet that they ought not to raise their voices at this time; that their petitions were creating an excitement which ought to be put down, and he would advise them to pause in their course. Did the gentleman from Massachusetts, in appealing to the feelings of the house, suppose that the people of the south were not as much entitled to sympathy as those who were less delicately placed? In the mind of any reflecting man, could any good result from the reception of these petitions? They were not to be acted upon, and no good could result from their presentation, though evil might.

The gentleman from Massachusetts had thought proper to advise him, (Mr. G.) for the sake of his character as a man, to withdraw his objection.—Were he to do so, he would prove recreant not only to his own feelings, but to the feelings of thousands who sent him here, and whose interests he represented. His only object was, that those who agreed with him that the petition should not be received, might have an opportunity of recording their votes, and of showing what their course was to be. He wished to have a vote on the direct question, "Shall the petition be received?" so that those who believed they had the constitutional right to reject it might, by their vote, record that opinion on the journals of the house.

Mr. Parks said that, believing this discussion could be productive of no good, but might be productive of evil, he would move that the preliminary motion on the reception of the petition be laid on the table.

In reply to an inquiry from Mr. Glascock, the speaker said that the effect of this motion, if carried, would be simply so arrest the action of the house on the petition, and not to lay the petition itself on the table.

Mr. Reed called for the yeas and nays on that motion; which were ordered, and being taken were, yeas 130, nays 69.

So the preliminary motion was laid on the table.

Mr. Adams said that, if he had understood the decision of the speaker in this case, it was not the petition itself which was laid on the table, but the motion to receive. Now, in order to save the time of the house, he wished to give notice that he should call up that motion for decision every day so long as he should be permitted to do so by the house; because he should not consider his duty accomplished so long as the petition was not received, and so long as the house had not decided that it would not receive it. This was an operation to which he could not consent.

Mr. Pinckney rose to a question of order, and inquired if there was now any question pending before the house.

The speaker said he had understood the gentleman from Massachusetts as merely giving notice of a motion hereafter to be made. In doing so, it certainly was not in order to enter into debate.

Mr. Adams said that, so long as freedom of speech was allowed to him as a member of that house, he would call up that question until it should be decided.

Mr. Adams was called to order.

Mr. A. said he would then have the honor of presenting to the house the petition of 228 women, the wives and daughters of his immediate constituents; and, as a part of the speech which he intended to make, he would take the liberty of reading the petition. It was not long, and would not consume much time.

Mr. Glascock objected to the reception of the petition.

Mr. A. proceeded to read that the petitioners, inhabitants of South Weymouth, in the state of Massachusetts, impressed with "the sinfulness of slavery, and keenly aggrieved by its existence in a part of our country over which congress"—

Mr. Pinckney rose to a question of order. Had the gentleman from Massachusetts a right, under the rule, to read the petition?

The speaker said the gentleman from Massachusetts had a right to make a statement of the contents of the petition.

Mr. Pinckney desired the decision of the speaker as to whether a gentleman had a right to read a petition.

Mr. Adams said he was reading the petition as a part of his speech, and he took this to be one of the privileges of a member of the house. It was a privilege which he would exercise till he should be deprived of it by some positive act.

The speaker repeated that the gentleman from Massachusetts had a right to make a brief statement of the contents of the petition. It was not for the speaker to decide whether that brief statement should be made in the gentleman's own language, or whether he should look over the petition, and take his statement from that.

Mr. Adams. At the time my friend from South Carolina—

The speaker said the gentleman must proceed to state the contents of the petition.

Mr. Adams. I am doing so, sir.

The speaker. Not in the opinion of the chair.

Mr. Adams. I was at this point of the petition—"Keenly aggrieved by its existence in a part of our country over which congress possesses exclusive jurisdiction in all cases whatever"—

Loud cries of "order, order."

Mr. A. proceeded: "Do most earnestly petition your honorable body?"

Mr. Chambers, of Kentucky, rose to a point of order.

Mr. A. proceeded: "Immediately to abolish slavery in the District of Columbia"

Mr. Chambers reiterated his call to order, and the speaker told Mr. Adams to take his seat.

Mr. A. proceeded, (with great rapidity of enunciation and in a very loud tone of voice)—"And to declare every human being free who sets foot upon its soil."

Mr. Chambers insisted on his point of order, and the speaker again, with great earnestness of manner, told the gentleman from Massachusetts to take his seat.

Whereupon Mr. A. yielded the floor.

[The confusion in the hall at this time was so great that scarcely a word could be heard by the reporters.]

Mr. Chambers then stated his point of order.—The rule of the house provided that every member, in presenting a petition, should state briefly the substance of it. Could that rule be evaded by any gentleman who chose to avow that he would read the petition as a part of his speech? He would be

the last man in the world to disturb any gentleman in his remarks, but he thought this course entirely out of order.

The speaker read the rule of the house applicable to the question. It is as follows:

"Rule 45—Petitions, memorials, and other papers addressed to the house, shall be presented by the speaker, or by a member in his place; a brief statement of the contents thereof shall verbally be made by the introducer, and shall not be debated or decided on the day of their being first read, unless where the house shall direct otherwise, but shall lie on the table, to be taken up in the order in which they were read."

The speaker said he would give his decision if it should be insisted on; but he thought much time might be saved by not pressing a decision at this time, because he understood that the gentleman from Massachusetts had gone through the greater part of the contents of the petition.

Mr. Chambers said that his objection was as to the principle, whether a member had a right to read a petition as a part of his speech. He insisted, respectfully, on having the decision of the chair.

The speaker said that he decided, then, that it was not in order for a member to read a petition, whether it was long or short. By the provision of the rule, whatever petition a member might present, he was bound to make verbally "a brief statement of the contents." It would be an abuse of the intent of the rule for a member to rise before a petition was received, and when its reception was objected to, and proceed to read a long memorial. So far as the principle was concerned, it was the same in the case of a short memorial as a long one; otherwise the rule, which looked to economy in the time of the house, would be a nullity.

Mr. Adams said that, as he intended to appeal from the decision of the chair, he would request the member from Kentucky to reduce his point of order to writing, and he would likewise request the speaker to reduce his decision to writing. He appealed from any decision which went to establish the principle that a member of the house should not have the power to read what he chose. He had never before heard of such a thing. If this practice was to be reversed, let the decision stand upon record, and let it appear how entirely the freedom of speech was suppressed in this house. If the reading of a paper was to be suppressed in his own person, so help him God, he would only consent to it as a matter of record.

The speaker repeated the grounds of his decision, and, in support of it, read from Jefferson's manual a clause setting forth, in substance, "that a member had no right to read a paper, but that such rigor was not practised except there was an intentional or gross abuse of the time of the house. Strictly, also, by that rule, a member could read his own speech if written," &c. The speaker said his decision was founded mainly on the 46th rule of the house, which required that a "brief statement of the contents" should alone be made. He was of opinion that it was an invasion of this rule to permit a member, as matter of right, to read any paper he chose to present, as a part of that brief statement.

Mr. Patton rose to express his concurrence in the decision of the speaker. He thought, however, it would have been better not to have raised the question in this form, because, substantially, the gentleman from Massachusetts would effect his object when he made his speech on the question of "reception;" a question which the house had decided to be debateable. He thought it would be better not to consume the time of the house in the discussion, and he hoped the gentleman from Kentucky (Mr. Chambers) would withdraw his objection, and not appeal from the decision of the chair.

Mr. Chambers said that, if he had the power to appeal, he did not intend to exercise it. But the gentleman from Virginia (Mr. Patton) was mistaken as to the practical effect of the question which he (Mr. C.) had raised. A member could not do by a sideward that which he had not the power to do directly. There was no member of the house whom he would indulge so much on a subject as the gentleman from Massachusetts; but he (Mr. C.) thought there was an important principle involved, which ought to be decided. The house must either give a man the right to read every thing he liked, or they must restrict him in every instance. He could not withdraw his objection.

The point of order was debated further by Messrs. Briggs, Harper, Chambers and Adams, the latter gentleman contending that, inasmuch as the whole petition was in five lines, he could not himself give verbally a more "brief statement of the contents" than the petition itself gave.

The speaker presented, in writing, the substance of his decision, that it was not in order for a member to read the whole petition if objected to, but

that he had only the right to make "a brief statement of the contents thereof."

Mr. Adams said he proposed to withdraw his appeal in order to save the time of the house, if the gentleman from Kentucky would permit him to complete his "brief statement of the contents" of the petition. It was, indeed, so brief, that to read the petition in its own language was the briefest statement that could be made.

Mr. A. then read from the petition that the petitioners "respectfully announced their intention to present the same petition yearly before this honorable body, that it might at least be a memorial in the holy cause of human freedom, that they had done what they could."

These words were read amidst tumultuous cries for order from every part of the house. And order having at length been restored, Mr. Adams withdrew his appeal.

The question then recurring on the objection of Mr. Glascock to the reception of the petition,

After some remarks from Mr. Dawson, deprecating any excitement on the subject, and condemning, in strong terms, the conduct of the fanatics in agitating it,

Mr. Boon moved to lay the preliminary motion of reception on the table.

Mr. Glascock urged the house to take the vote on the direct question of reception.

After some desultory conversation on points of order,

Mr. Boon withdrew his motion to lay the preliminary motion of reception on the table.

Mr. A. Mann said that, as this question had been most fully discussed at the last session of congress, and as the house had at that time resolved that these petitions should be laid on the table without being referred or printed, he would, to save the time of the house, call for the previous question.

And the house seconded the call—yeas 114, nays not counted.

And the house determined that the main question should now be put.

Mr. Phillips called for the yeas and nays on the main question, which were ordered.

And the main question "Shall the petition be received?" was then taken, and decided in the affirmative, as follows:

YEAS—Messrs. Adams, Heman Allen, Anthony, Bailey, Beale, Bean, Bockee, Bond, Boon, Borden, Bovee, Boyd, Briggs, Brown, Buchanan, Burns, William B. Calhoun, Cambreleng, Carr, Carter, Casey, George Chambers, Chaney, Chapin, Chetwood, Childs, Clark, Cleveland, Corwin, Cramer, Crane, Cushing, Cushman, Darlington, Denny, Doubleday, Evans, Everett, Fairfield, Farin, Fowler, French, Fry, Fuller, Galbraith, Gillett, Granger, Grantland, Grennell, Haley, J. Hall, H. Hall, Hamer, Hard, Hardin, Harper, S. S. Harrison, Haynes, Hazeltine, Henderson, Heister, Hoar, Holt, Howell, Hubley, Hunt, Huntington, Ingersoll, Ingham, Jones, Jarvis, Cave Johnson, B. Jones, Kilgore, Klingensmith, Lane, Lansing, Laporte, Lawrence, Gideon Lee, Thomas Lee, Leonard, Lincoln, Abijah Mann, J. Mann, Moses Mason, Sampson Mason, McCarty, McComas, McKay, McKennan, McKeon, Milligan, Montgomery, Moore, Morgan, Muhlenberg, Owens, Page, Parker, Parks, Patterson, Franklin Pierce, Dutee J. Pearce, Pearson, Phelps, Phillips, Potts, Reed, John Reynolds, Jos. Reynolds, Russell, Schenck, Seymour, Shinn, Sickles, Slade, Sloane, Smith, Sprague, Storer, Sutherland, Taylor, John Thompson, Toucey, Turritt, Vanderpoel, Vinton, Wagener, Ward, Wardwell, Webster, Weeks, Elisha Whittlesey, T. T. Whittlesey, Sherrod Williams, Young—137.

NAYS—Messrs. Ash, Ashley, Barton, Bell, Black, Bouldin, Bunch, Bynum, John Calhoun, Campbell, John Chambers, Chapman, Nathaniel H. Claiborne, John F. H. Claiborne, Coles, Connor, Craig, Davis, Dawson, Deberry, Dromgoole, Dunlap, Elmore, Forester, James Garland, Rice Garland, Gholson, Glascock, Graham, Graves, Grayson, Griffin, Hannegan, Harlan, Albert G. Harrison, Hopkins, Howard, Huntsman, Jenifer, Richard M. Johnson, Henry Johnson, Lawler, L. Lea, Lewis, Loyall, Lucas, Martin, Maury, May, McKim, McLene, Mercer, Miller, Patton, Pettigrew, Peyton, Pickens, Pinckney, Rencher, Richardson, Robertson, Rogers, Wm. B. Shepard, A. H. Shepperd, Shields, Standefer, Steele, Taliaferro, Thomas, W. Thompson, Underwood, Washington, White, Lewis Williams, Yell—75.

So the petition was received.

Mr. Haynes moved that the petition be laid on the table.

Mr. Adams moved that it be referred to the committee on the District of Columbia.

The speaker said the motion to lay on the table had precedence; and Mr. Adams called for the yeas and nays on that motion, which were ordered

Mr. Pinckney inquired if the motion of the gentleman from Georgia (Mr. Haynes) was susceptible of amendment.

The speaker said it was not.

Mr. Pinckney asked the gentleman from Georgia to withdraw his motion, in order to enable him to substitute a more comprehensive proposition; the object of which was, that not only this memorial, but all others of a similar character, should be laid on the table. He wished to offer a resolution to that effect.

Mr. Haynes said, if his motion was susceptible of such an amendment, he was willing it should be made.

The speaker said that such an amendment was not in order.

And the question on the motion to lay the petition on the table was then taken and decided in the affirmative as follows:

YEAS—Messrs. Anthony, Ash, Barton, Bean, Bell, Black, Bockee, Boon, Bovee, Boyd, Brown, Buchanan, Bunch, Buras, Bynum, John Calhoun, Cambreleng, Campbell, Carr, Carter, Casey, G. Chambers, Jno. Chambers, Chaney, Chapman, Chapin, Chetwood, Nath. H. Claiborne, John F. H. Claiborne, Cleveland, Coles, Connor, Craig, Cramer, Cushman, Davis, Deberry, Doubleday, Dromgoole, Dunlap, Efner, Elmore, Fairfield, Farlin, Forester, Fowler, French, Fry, Fuller, Galbraith, James Garland, Rice Garland, Gillett, Gholson, Graham, Grantland, Graves, Grayson, Griffin, Jos. Hall, Hamer, Hannegan, Harlan, Albert G. Harrison, Haynes, Holt, Hopkins, Howard, Howell, Hubley, Huntington, Huntsman, Jarvis, Jenifer, Richard M. Johnson, C. Johnson, H. Johnson, Kilgore, Klingensmith, Lane, Lansing, Laporte, Lawler, G. Lee, T. Lee, L. Lea, Leonard, Loyall, Lucas, J. Mann, Martin, M. Mason, Maury, May, McComas, McKay, McKeon, McKim, McLene, Mercer, Miller, Montgomery, Moore, Morgan, Muhlenberg, Owens, Page, Parks, Patterson, Patton, F. Pierce, Pettigrew, Peyton, Phelps, Pickens, Pinkney, Rencher, John Reynolds, Joseph Reynolds, Richardson, Robertson, Rogers, Schenck, Seymour, W. B. Shepard, A. H. Shepperd, Shields, Shinn, Sickles, Smith, Standefer, Steel, Sutherland, Taliaferro, Taylor, Thomas, J. Thomson, Toucey, Turritt, Underwood, Vanderpoel, Wagener, Washington, Webster, Weeks, White, T. T. Whittlesey, L. Williams, S. Williams, Yell, Young—151.

NAYS—Messrs. Adams, Heman Allen, Bailey, Beale, Bond, Borden, Briggs, William B. Calhoun, Childs, Corwin, Crane, Cushing, Darlington, Denby, Evans, Everett, Granger, Haley, Hiland Hall, Hardin, Harper, S. S. Harrison, Hazeltine, Henderson, Heister, Hoar, Hunt, Ingersoll, Ingham, Jones, Lawrence, Lincoln, S. Mason, McCarty, McKennan, Milligan, Parker, D. J. Pearce, Pearson, Phillips, Potts, Reed, Russell, Slade, Sloane, Sprague, Storer, Vinton, Wardwell, E. Whittlesey—50.

So the petition was ordered to lie on the table.

Mr. Adams then presented a third petition, from forty inhabitants of the town of Dover, in the county of Norfolk, Massachusetts, praying for the abolition of slavery and the slave trade in the District of Columbia; and moved that the petition be read.

Mr. Lawler objected to its reception.

A debate followed, in which Messrs. Underwood, Reed and Bynum participated.

Mr. B. had not concluded, when he gave way to Mr. Taylor, on whose motion the house adjourned.

Tuesday, Jan. 10. On motion of Mr. Adams, several amendments were made to the journal of yesterday, the purport of which was to give a more definite description of the sundry petitions presented by him in relation to the abolition of slavery in the District of Columbia.

Mr. Davis moved a suspension of the rule, to enable him to offer the following resolution:

Resolved, That all petitions, memorials, resolutions, propositions or papers, relating in any way, or to any extent, whatever, to the subject of slavery, or the abolition of slavery, shall, without being either printed or referred, be laid on the table, and that no further action whatever shall be had thereon.

Mr. D. called for the yeas and nays on the motion to suspend; which were ordered, and, being taken, were—yeas 102, nays 78; [not two-thirds].

So the house refused to suspend the rule.

Several reports having been made from the standing committees,

Mr. Bell rose, and said that he did not wish to interfere with the regular reports of committees, but that he would now move for leave to bring in the bill, of which he had given notice the other day, to secure the freedom of elections.

The speaker said the motion was not now in order; but that it would be in order for the gentleman from Tennessee to submit the motion at any time when, under the rule regulating the proceedings of

the house, it would be in order for him to submit a motion on any other subject.

Mr. Bell said he was under the necessity of making a question on this point. He had given notice of this motion the other day, because he could not procure an opportunity to bring in a resolution which might accomplish the object. He thought that he was entitled to make the motion at this time. He did not propose now to offer a resolution, but a substitute for a report, and if the chair was not satisfied that he had a right so to do at the present time, he must beg leave to submit a few remarks.

The speaker said he had looked carefully into the question, and it was his decision that the motion was not in order at this time.

Mr. Bell appealed from this decision, and entered, at some length, into his reasons for so doing.—The rule under which he had given notice of his motion was the 87th rule, which is in the following terms:

"Every bill shall be introduced by motion for leave, or by an order of the house, on the report of the committee; and, in either case, a committee to prepare the same shall be appointed. In cases of a general nature, one day's notice, at least shall be given of the motion to bring in a bill; and every such motion may be committed."

There were two modes, (Mr. B. said), under this rule, of getting a bill before the house, and, in either case, it must be done by the order of the house; and even bills reported in the morning were received under the order of the house. The same law, the same reason, and the same rule, almost literally, governed both cases. Both bills were embraced under the same rule, and the coherence was the same. Upon what principle was it that the chair had decided that a motion for leave to bring in a bill should not be assigned the same hour as other reports? By what means could a distinction be made in the two cases? The decision not only postponed the time for a day, but might postpone it to the end of the session. He appealed to the magnanimity and sense of justice of the house, and, if that was not sufficient, he appealed to the right of deliberation in this house. He hoped that his character there was too well known to admit of the supposition that he would bring forward a frivolous measure, or one the object of which was only to give him an opportunity of making a harangue for ephemeral effect, here or elsewhere.

The speaker stated the grounds of his decision. The case was a novel one; from the organization of the government, (1789), down to the present period, so far as the precedents which he had been able to discover would go, there had been only two or three cases of bills introduced on leave, and those, so far as appeared, had been brought in without debate and *sub silentio*. Beyond this, the chair had looked in vain for precedents; and he had therefore been thrown back to the construction of the rules, and had adopted as a guide the very salutary principle that you are to fix upon each portion of the statute that construction which would give effect to the whole of it.

The 87th rule required that "one day's notice at least shall be given of the motion to bring in a bill." The 17th rule provided that reports should be called for, "first from the standing and then from the select committees." The speaker was calling for reports; they had been made in part, and a member rose to make a motion of which he had given previous notice. The question arose, could he, by the rule, make the motion at that time? The 18th rule provided that these reports should be made at no other part of the day except that laid down in the rule, except by permission of the house. It was said that, technically, the 87th rule applied to resolutions, and not to motions to bring in a bill. If the motion were now in order, what must the inevitable consequence be? If the motion was admitted, the mover would have a right to discuss the merits of the bill; and so, also, every other member would have. A member would only have to rise and proceed to debate the motion during the whole of that and the succeeding days, and thus change the whole order of business in the house, and utterly subvert the established course of its proceedings. The speaker referred to the proceedings of the other branch of the legislature, in whose proceedings, he said, he could find no analogy to the present case, because there were in that body no allotments of time for particular business.

The chair finally decided that the motion for leave to bring in a bill could not now be received.

At the suggestion of Mr. Mercer, Mr. Bell withdrew his motion till all the committees should have made their reports.

A number of reports were then received from various committees, chiefly in relation to claims of individuals, after which

Mr. Bell renewed his motion for leave to bring in a bill to secure the freedom of elections.

The speaker said he was about to state that the hour devoted to reports had elapsed, and that it was therefore his duty to announce the orders of the day. Mr. Bell wished to inquire whether the half hour which had been spent in taking the yeas and nays was to be considered as a component part of the hour devoted to resolutions and reports. The speaker said that the uniform course had been to commence the computation of the hour from the moment at which reports were first called for. Mr. Bell said he then gave notice that he would to-morrow again ask leave to introduce this bill. Various ineffectual motions were made to suspend the rule, for the introduction of particular resolutions. Mr. D. H. Lewis moved to suspend the rule for the purpose of calling the states for resolutions, commencing where the call was broken off on the last on which resolutions were received.

The speaker laid before the house a communication from the secretary of war, transmitting a report, in obedience to the resolution of the house of representatives of the 3d inst. accompanying the survey, plan and estimate for the improvement of the mouth of Black river, in the state of New York; which report was referred to the committee of ways and means.

The speaker laid before the house a communication from the secretary of the treasury, transmitting an exhibit of the names, condition and dates of selection of two additional deposite banks, selected since the making of his annual report to congress.

A message was received from the president of the United States, transmitting a report of the secretary of state, with the accompanying letters addressed to him by the commission, appointed under the act of congress of the last session, for carrying into effect the convention between the United States and Spain.

The house resumed the consideration of the resolution of Mr. Wise, providing for the appointment of a select committee to inquire into the administration of the executive departments; together with the pending amendment of Mr. D. J. Pearce to confine the investigation to specific charges of maladministration.

Mr. Hamer, who held the floor when the subject was last before the house, rose to conclude his remarks, but yielded the floor for a moment, to enable Mr. French, of Kentucky, to present, with a view to have read, a resolution, which he would submit when in order: the resolution was read. It provides, in substance, that so much of the president's message as is contained in the sentence eulogistic of the officers in the executive departments be referred to five select committees, one for each department, and to consist of seven members each, with instructions to inquire into the manner in which the duties of the several departments and their bureaus have been performed; into all alleged abuses, corruption and frauds, which had taken place under the present administration; and if any such fraud, corruption, &c. existed, to inquire by whom and what injury had been thereby done; and that the said committee have power to send for persons and papers.

The speaker said the resolution which had been read was in the nature of a motion, and, of course, was not before the house. Mr. Hamer then rose, and concluded his remarks in opposition to the original resolution, and in favor of the amendment.—After Mr. Hamer concluded, Mr. McKen obtained the floor, but gave way to enable the house, by general consent, to take up the mint and coinage bill.

The amendment of the senate to the bill supplementary to the acts regulating the mint was then read and concurred in, *nem. con.* [This bill, having now passed both houses, requires only the signature of the president to become a law.]

The speaker laid before the house a letter from the secretary of the treasury, transmitting the annual return of the banks of the District of Columbia up to the 1st January; and then the house adjourned.

Wednesday, Dec. 11. Mr. Cambreleng, from the committee of ways and means, reported a bill, with an accompanying report, to reduce the revenue of the United States to the wants of the government.

The bill was read as follows:

A bill to reduce the revenue of the United States to the wants of the government.

Be it enacted, &c. That, from and after the 30th day of September next, in all cases where duties are imposed on foreign imports, by the act of the 14th of July, 1832, entitled "An act to alter and amend the several acts imposing duties on imports," or by any other act, shall exceed twenty per centum on the value thereof, one-third part of such excess shall be deducted; from and after the 31st of March, 1835,

me-half of the residue of such excess shall be deducted; and on the 30th September, 1838, the other half shall be deducted: any thing in the act of the 1st of March, 1833, to the contrary notwithstanding.

Sec. 2. *And be it further enacted*, That, from and after the 30th of September next, the duties on salt and coal shall be, and the same are hereby, repealed.

Mr. Owens moved that the report be read, which was agreed to.

The same having been read accordingly, the bill was read a second time.

Whereupon, Mr. Cambreleng moved to commit the same to the committee of the whole house on the state of the union, and that the bill, report, and abular statements accompanying the same, be printed.

Mr. Lawrence rose and said, that, as one of the committee of ways and means, and as one of the minority of that committee on this subject, he hoped he might be permitted to express his dissent from the principles of the bill and the report which had just been read. This was a measure of grave importance. It was no less than a bill to reduce suddenly the revenue of this country, which, by a law passed in the year 1833, had been proposed to be reduced in 1842, or, in other words, in five years and a half from the present time. It was a bill to bring down the revenue in eighteen months to a standard to which it would have been reduced in five years and a half.

He wished the members of this house to reflect for a moment on the principles contained in the report, and on the effect which must be produced if they were carried into operation. He would put the question to every member of the house whether he really understood the reasons upon which the bill had been introduced at the present time; whether there was any serious, any abiding feeling in this house that the bill was to become the law of the land. The measure was of so much importance, that it was necessary that the country should know and understand what it was; that they should be well advised of its objects; that this sudden legislation on questions involving the greatest and most vital interests of the country should not go forth upon the people like a clap of thunder on a summer's day.

What, he would ask, was to be the effect upon the country of simply making the report? It would be to create a panic from one end of the country to the other. What was the state of the country at this time from Maine to Georgia? What was the condition of the finances and currency? What was the interest paid on money in all the commercial states? From fifteen to twenty, and even thirty per cent. per annum. And, in the new states, he understood it was still higher. Already a panic had been created out of the peculiar position of the finances and currency of the country. And what would be the effect of this report but to increase the panic? The bill proposed to reduce the tariff ten per cent. in six months on all imported articles; and one-half of the excess over twenty per cent. at the end of the six following months; and the other half on the 30th September, 1838, (which was more than half of the present duties on many of the most important protected articles), in eighteen months from this time—a reduction which would otherwise be made in five years and a half.

Mr. A. Mann rose to a question of order, and asked if, on the question of commitment, it was in order to go into a regular debate.

Mr. Lawrence asked that he might be permitted to proceed a few moments longer. He wished to make an appeal to some of the members of this house.—He wished to appeal to the representatives of the state of Pennsylvania; and he did so for the purpose of ascertaining whether this was, or was not, a party measure. Sir, (said Mr. L.) I hope it is not. But I appeal to the representatives from the state of Pennsylvania, and I ask them if they are ready to sanction the doctrines contained in this bill and report. I appeal to the representatives from the state of New York, and I appeal to them to say whether the citizens of the state of New York are in favor of his system? Sir, I cannot believe it. I know there are many gentlemen, members of this house, in favor of it; but, so far as I know, I feel assured that the majority of the people of the state of New York will not sustain it.

I appeal to the representatives from the state of Ohio, and all the grain-growing states of the west, to say if they have no interest in this question? Is here a gentleman here, truly representing the views of his constituents, who will say that he is willing to place the whole industry of the country on the same foundation as the industry of the nations of Europe is placed? No, sir, I believe no such thing.

I appeal to the representatives of New England, whole and not in part. I appeal to the representatives from Connecticut in particular, as forming a portion of the administration party here, to say whe-

ther they dare go home to their constituents with this report in their hands, and tell them "this is our doctrine, we will stand or fall by it." Sir, they would not be sustained a moment; I say, and when I appeal to the representatives of New England, I know there is a diversity of opinion amongst them, but I say there is no difference amongst them on this point; that is to say, that this sudden and extraordinary reduction at this time, and under these circumstances, without any shadow of a plea for it, will never be sustained. There is no plea; for what says the secretary of the treasury? He says that the revenue will be short during the present year. The secretary says, and he is surely good authority, that the revenue, after the appropriations which may be expected to take effect before the 31st of December next, will be about three millions short. What can we know about the revenue of 1838? Who knows what we shall receive from customs or from the public lands? Who can tell what is to happen in a year from this time? No man can say with certainty.

Why is this bill brought forward at this time?—There is no surplus now. We do not expect there will be any at the end of the year. I know not what effect the bill is intended to have. I hope that next to passing it, the object is not to send it out to the country to destroy the confidence already so much impaired. It strikes at the interests of the whole country. Its effect will be to weaken the bonds of confidence and credit which bind men together in all commercial communities. Will any gentleman, (I do not mean one of the committee)—but will any gentleman of the administration party, from Pennsylvania, Connecticut, New Hampshire, New Jersey or any other state, who may know more of this matter than I do, say that he will sustain it, and that he believes it to be for the interest of the country that the bill should be brought forward at this time? This may seem a light matter, but, sir, you are tampering with the great interests of the country. You propose to throw open your ports to all the world; you propose free trade on the one side, but you ask nothing on the other. Would you export more cotton or more tobacco, if the duty were taken off to-morrow? Who takes your produce? Great Britain takes a great portion of it: the continent of Europe takes some, but only those articles which cannot be done without.

What are the duties in Great Britain on agricultural products? I will state a few of them. Salted beef 2½ cents per lb.; bacon 6 cents per lb.—

The speaker here intimated to Mr. L. that the merits of the bill were not open to discussion. Mr. Lawrence inquired if it would be in order to move that the bill be rejected, and under that motion to proceed with his remarks.

The speaker said it would not now be in order; that the motion would have been in order if it had been submitted previous to the second reading of the bill.

Mr. L. said he would be the last man in the house to transgress the rules of the house, and that he would not, therefore, continue his remarks.

Mr. Ingersoll inquired if it was in order to move the indefinite postponement of the bill.

The speaker said the motion would be in order, and that it would lay open to discussion the whole merits of the bill.

Mr. Lawrence, thereupon, moved its indefinite postponement.

The speaker said that the motion to commit would take precedence of the motion for indefinite postponement, but that the merits of the question would still be open to discussion.

Mr. Lawrence said he wished merely to show this house what effect would be produced by the passage of this bill. He was enumerating a few of the English duties on American articles—on unmanufactured tobacco, 67 cents per pound; on manufactured tobacco, 2 dollars per pound; on coals, £2 or \$8 88 per ton; on spermaceti candles, 56 cents per pound; on tallow candles, 14 cents per pound.

Mr. L. proceeded: I could, sir, go on with a catalogue of those articles which interfere with the interests of Great Britain and of the continent. Their duties, in effect, are prohibitory upon all such articles. Now, if the duties are all taken off, will you export any more than you can now? No, sir, not of a single article, unless it is done by treaty. We have no treaties of this kind that I know of. How is it with cotton? I apprehend that the cotton growers have supposed that they held command of the market of Great Britain and the continent of Europe. I wish to inform them that it is a great mistake; that these countries are importing cotton now from other parts of the world besides the United States, and that to a great extent. In India, they are increasing the quantity as well as the quality of their cotton. During the last year, double the quantity of cotton was imported into England from India, more than was imported the previous year. At

the present time, they were importing cotton from Egypt, Persia, Brazil and other places where it was grown.

Mr. Vanderpoel here rose, and called for the orders of the day; which motion was lost—ayes 68, noes 74.

Mr. McKay here raised the question whether, under the 103d rule, the bill did not require commitment.

The speaker decided that, so far as he was able to form an opinion from the very hasty consideration he had given to the subject, he should decide that the bill must be committed.

A long debate followed, in which Messrs. Mercer, Mann, Read, Thomas, Cambreleng, Ingersoll, Mann, Vinton, Vanderpoel, Sutherland and Toucey took part.

The speaker then assigned his reasons why he was of opinion, upon further consideration, and consulting precedents, that this bill is not of a character to bring it under the rule that every bill imposing a tax upon the people shall first be discussed in committee of the whole.

Mr. Boon then withdrew an appeal which he had taken from the decision of the chair; and

Mr. Lawrence resumed. He was very sorry, he said, that any remarks of his should have been the cause of consuming so much time of the house; and nothing but the peculiar position which he occupied, as a member of the committee of ways and means, would have induced him to trespass on its attention. Occupying that position, he felt himself bound to protest against this bill, as being a project as monstrous as any that had ever been presented to the people of the United States. When interrupted, Mr. L. said, he had remarked that he had a word to say to the cotton growers of the country in relation to this bill. What he meant to say to them was, that they have some interest in this great question. They have a common interest, as well as the manufacturers, in the prosperity of the union; and they have a particular interest in this bill besides, in regard to their own staple.—From data before him, it was demonstrable that the quantity of cotton consumed in the United States, at this moment, is equal to what the whole crop of the country was in the year 1820, some sixteen or seventeen years ago. This he stated as a fact not to be disputed. And the consumption here, moreover, is at this time as great as the consumption was in England two or three and twenty years ago. We consume now, in the manufactures of this country, more than a fifth, and nearly a fourth, of the whole present crop of cotton. Was it nothing, besides, to the growers of cotton, that Great Britain, the great consumer of our cotton, is actually now importing it from every country that produces it? Is that nothing to the producer of it in this country? And is this a time to reduce and almost destroy the consumption of it here?

But (Mr. L. said) he would not now go into this subject at large—he might do so on some other fitting occasion; he had risen, this morning, not with a view to make a speech, but to wash his hands, as a member of the financial committee, of any share in the production of this bill, or the report which accompanies it. He owed it (he said) to himself—he owed it to his constituents—he owed it to his country, to do so, because he believed the bill fraught with every sort of mischief, amongst which was its direct tendency to increase the existing embarrassment in the commercial communities. For himself (he said) he had no ulterior political objects to serve by his course in this house on this or any other question: he asked for nothing—he feared nothing: he was neither an officeholder nor an office-seeker. But his object in addressing the chairman was to ascertain, and let the country know, whether this bill was or was not a political measure. He had had no opportunity to ascertain that fact. I would like to know (said he) whether there is any concert of action here, upon this bill, among the administration party. The country ought to know, and to know at once, whether this be a party measure or not. I hope, sir, that it is not. For that reason, sir, it was that I appealed to the representatives from Connecticut, as deeply interested in this question as any state in the union—to the representatives from New Hampshire, from Rhode Island—from all New England, and from Pennsylvania, the latter the authors (I was going to say) and the consistent supporters of the protective system. I now call upon them all to rise in their places and say whether they are going for this bill. I want the country to know this. It is due to the people that they should know, whether a bill is going to pass this house by the votes of those representatives, which will prostrate to the earth most important interests of the country. I profess, sir, some practical knowledge of the subject; and I pronounce this

bill fraught with consequences fatal to thousands of individuals. It has been said that a bill embracing such provisions as the bill now before the house, is a bill for the benefit of the poor. Sir, I deny the truth of the proposition. This is a bill the title of which should be a bill to make THE RICH RICHER, AND THE POOR POORER.

Mr. L. here traced the passage of such a bill as this to its probable consequences. He supposed the case of an individual in Pennsylvania, or in Connecticut, engaged in manufactures, the cost of whose buildings and fixtures has been ten thousand dollars, upon which, (a common case), there was a mortgage for one-half the cost. To pay off this mortgage, when his employment for his machinery fails, his property is sold. Who buys it? Is it the poor man who purchases in such cases? Not at all; but he who has redundant capital. What is now the case, Mr. L. asked, in those parts of the country where pecuniary pressure is felt? Go into your cities, and you will find that the men who have a small or a middling property are paying at the rate of from 15 to 30 per cent. per annum for money. Who is it that is reaping the profit? Is it the poor man? No, sir, it is the rich capitalist, or those who are allowed to use his capital. If there was ever a system devised on earth to throw the property of the country into the hands of the few at the expense of the many, it is the present financial system of the United States. I know it, sir, and I am willing that my judgment of the matter shall go to the country; for every practical man will know that what I say is true. Aye, sir, and the bill on your table goes to a much further extent than this, for it reaches the labor of his country. In one month after the passage of this bill, the business of every manufacturer and dealer in the country will be contracted. It is not the large capitalist; protected by his money-bags, who will feel its direct effects, but the laborer—the mechanic, who now gets two dollars or two dollars and half a day. To him the employer says, on receiving information of the passage of this bill, I must stop my work! Oh, no! says the laborer, for you will take from me my means of support. Well, says the employer, I will, in order to keep you at work, give you henceforth a dollar a day instead of what I have heretofore given you. Gentlemen may flatter themselves that they are exempt from the operations of this bill; but no man, whatever his condition in life may be, is beyond the deleterious effects of this bill if it becomes a law. Mr. L. was sure, he said, that the representatives from the western states, or from the southern, were not going for this bill. The representatives from the southern states especially would not go for it when the profits of their cotton crops were already in a process of reduction; for, although he knew that the crop of this year was a large one, the proceeds of that crop will fall far short of the proceeds of the crop of last year.

Mr. L. said it was not only to protest against the principles of this bill that he had risen, but to ask of the gentlemen of this house who have the power to do what they will—to pass this bill, or to defeat it—whether this bill was to be considered as a proclamation issued by the present dynasty in the government, or as a decisive token of the course of measures which we have to expect at the hands of the coming administration. For, he did not hesitate to say, if it is produced as a party measure, it will become the law of the land; but, if not, by the aid of the representatives of Pennsylvania, New Hampshire, Ohio and Maine, whose constituents are so deeply interested in the matter, with those from at least a portion of the south, the bill might providentially be defeated. But, be that as it might, it was the imperative duty of the house to declare to the country, at once, immediately, whether or not it was probable that any bill like this would pass during the present congress.

Mr. L. said that, whilst he was up, and as he might not have another opportunity, he would say one word on the state of the currency of the country. In the first place, said he, the domestic exchanges of the country are far greater in amount than all the gold and all the silver and all the bank notes in circulation—a vast deal greater. These exchanges are not now available to any great extent. To a very large amount they cannot be used, in consequence of the position in which, by its measures, the government has placed the country. He meant no reflections upon the banks; for it is their interest to do all the business that they can, and they do it. But the channels of domestic exchange are obstructed, from the want of ability on the part of the banks; and a considerable portion of our commercial difficulties arises out of that circumstance. Add to this and other causes the introduction of this bill, with the expectation that it is to become the law of the land, and you will

produce a state of things the like of which very few members of this house has ever seen.

Mr. Corwin, of Ohio; obtained the floor; but the hour being late, he gave way to a motion for adjournment, and the house adjourned.

THURSDAY'S PROCEEDINGS.

In the senate. After the usual morning business, on motion of Mr. Calhoun, the supplementary deposit bill, (to extend the provisions of the late bill through 1837), was postponed to, and made the order of the day for Tuesday next.

On motion of Mr. Walker the resolution offered by him yesterday on the subject of Texas, was postponed to, and made the order of the day for Wednesday next.

The bill introduced by Mr. Morris prohibiting the sales of public lands, except to actual settlers, was announced as the order of the day. After a brief discussion, some amendments by the committee were ordered to be printed, and the subject was then postponed until to-morrow.

The senate then proceeded to the next special order, the expunging resolution of Mr. Benton: when that gentleman addressed the senate at length on the subject. Mr. Davis followed, but before he had concluded, gave way to Mr. Grundy, on whose motion the senate adjourned.

In the house of representatives, the first business in order was the bill reported yesterday by Mr. Cambreleng, from the committee of ways and means, to reduce the revenue to the wants of the government: there being two motions pending, first for commitment, and secondly for indefinite postponement. Mr. Corwin addressed the house in opposition to, and Mr. Cushman, of N. H. in favor of the bill. Mr. Galbraith moved to postpone the further consideration of the subject until Tuesday next, and that the bill, report, &c. be printed. Mr. Muhlenberg moved that the bill, &c. be laid on the table and that they be printed. Mr. Calhoun, of Kentucky, moved a division of the question—first, on laying the bill, &c. on the table, and then on printing. An animated and desultory debate now ensued, (of which we will publish a notice hereafter)—after which the yeas and nays were taken on the motion to lay the bill on the table and decided in the negative, yeas 94, nays 119. Mr. Holsey then moved that the house adjourn, but withdrew his motion at the request of Mr. Cambreleng, who moved that the report, bill and documents be printed, which motion prevailed. Some business of minor importance was next transacted, after which the house adjourned.

DOMESTIC CHRONICLE.

A report reached Washington yesterday from the west, by way of Baltimore, that the wife of Mr. Senator Ewing died on the 1st instant: which was of course believed to be true, until it was ascertained that a letter had been received here from a member of the senator's family, under date of the 5th inst. saying that Mrs. E. was rapidly recovering from her dangerous indisposition. [Nat. Int.]

It was a real pleasure to see Mr. Morris, of Pennsylvania, in his place in the house of representatives (for the first time this session) on Monday. He was taken ill on his way hither, and has been detained in Baltimore, until now, by protracted indisposition. [Nat. Int.]

The secretary of the treasury acknowledges the receipt of an anonymous letter, postmarked "Lebanon, Connecticut, January 6th," which states: "In the late war a partner of mine took pay (I believe) for a number of yards of cotton cloth more than he delivered: the enclosed is to make restitution."

The amount enclosed in the letter (\$10) being presumed to be due to the United States, has been deposited to the credit of the treasurer of the United States in the bank of the Metropolis. [Globe.]

Express Mail. We are requested to state, for the information of those who have occasion to write to members of congress, that the letters of members by the express mail are not free, but, like all other letters by that mail, are charged with triple postage. This seems not to be generally understood. Members are every day taxed with triple postage on letters by the express mail, by persons writing on their own business. Such letters should be paid at the office where they are mailed. [Id.]

Rifle manufactory. There is a manufactory of Cochran's many chambered rifle, for a company in New York. Eight rifles are finished weekly. The editor of the Springfield Gazette says that he has witnessed the discharge of the nine charges of powder and ball, contained in the chambers of the cylinder in 15 seconds, and in one instance in a still shorter time, hardly exceeding one second to each discharge of the rifle.

Baltimore delegation. A bill which passed the last legislature of Maryland, to increase the delegation from Baltimore from two to four members, has been confirmed by the present, and is now a part of the constitution of the state. This concession is a trifle compared to the monstrous abuses under which the larger counties still labor from the anti-republican character of the constitution. The bill passed the senate unanimously, and the house of delegates by a vote of 53 to 15.

The army—More resignations. The following additional resignations of officers of the army are officially published as having taken place from the 31st of October to the 31st of December, inclusive, viz: [Nat. Int.]

Captains. Major C. Legate, Wm. M. Boyce, James Dean, Thomas Hunt, Henry Smith, Zalmon C. Palmer.

First lieutenants. John McClellan, John W. Barry, George W. Ward, Robert P. Smith, T. B. W. Stockton, Jona. K. Greenough, William Bloodgood, John M. Berrien, Alex. J. Center.

Staff. Zina Pitcher, surgeon, Wm. A. Berry, assistant surgeon.

The Cincinnati Post of the 4th instant says that the roads in Indiana are literally alive with hogs, going to the market of that city. Prices ranged from six to seven cents, according to size.

Distilling. In the Pennsylvania house of representatives, on Thursday last, a resolution was offered by Mr. McIlwain, of Chester county, proposing—on account of the extensive failure of the last year's crop—to instruct the committee on agriculture to inquire into the expediency of imposing a tax, for a limited period, on the distillation of ardent spirits. The resolution was twice read and agreed to.

In Franklin county, Pa. a public meeting of the distillers has been called for the 18th inst. in Chambersburgh, with a view to the adoption of some general arrangement for greatly reducing, if not entirely suspending the business of distilling for some time. This course is deemed necessary, on account of the present apparent scarcity and consequent high prices of bread stuffs. It is a good and humane move, undoubtedly, in the actual condition of the grain and flour market.

Imports and exports for six years, ending 30th Sept.

Imports for 1831	\$108,000,000	
Exports	" 81,000,000	Excess \$22,000,000
Imports for 1832	101,000,000	
Exports	" 87,000,000	" 14,000,000
Imports for 1833	108,000,000	
Exports	" 90,000,000	" 18,000,000
Imports for 1834	136,000,000	
Exports	" 104,000,000	" 22,000,000
Imports for 1835	149,000,000	
Exports	" 121,000,000	" 28,000,000
Imports for 1836	174,000,000	
Exports	" 122,000,000	" 52,000,000

Banking capital in Virginia. The stockholders of the Farmers bank of Virginia, have made an application to the legislature of that state, praying an act authorising an increase of their capital stock to an amount not less than one million two hundred and forty thousand dollars.

The president has, as usual, notified the senate to meet the 4th of March ensuing. This is the usual courtesy paid by the executive to his successor, who, in his inauguration that day, which is also the constitutional termination of the existing session of congress, requires the co-operation of the senate to aid him in the construction of his cabinet.

The U. S. supreme court commenced its annual session on Monday last, in the court room at the capitol. All the judges were present except judge WAYNE, and all in apparent health. The absent judge is expected, we believe, in a day or two.—Until he arrives, (under a rule of the court made three years ago), no question of constitutional law can be taken up, a full court being required for all such. The docket is not large, the number of cases upon it falling short of sixty. [Nat. Int.]

The lost money restored. We learn that the reward for the \$25,000, some time since lost in this city, having been increased to \$5,000, notes to the amount of \$20,000 were yesterday addressed through the post office, to Messrs. J. & G. Berlin.

Since writing the above, we have been informed that only \$17,000 have been returned; the finder having taken the \$500 reward originally offered by Mr. Nevins, of this city—the \$2,500 offered by the New York house—and the \$5,000 offered by the Messrs. Berlin—in all \$8,000. A pretty considerable sum for picking up a small package.

NILES' WEEKLY REGISTER.

FIFTH SERIES. No. 21.—Vol. I.]

BALTIMORE, JANUARY 21, 1837.

[Vol. LI.—Whole No. 1,321.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED, BY WILLIAM OGDEN NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

Our old carrier is confined to the house by indisposition, and the delivery of the "REGISTER" has been committed to new hands. Should any of our subscribers be neglected, they will oblige us by leaving notice to that effect at the publication office in Water street, where missing numbers of the "REGISTER" will be cheerfully supplied.

Among the annoyances suffered in conducting this work, there is none greater than the necessity which often compels us to omit articles prepared with much care, to give place to those which must be inserted, both on account of their current interest and as subjects for record. Of this character are the proceedings of congress and Mr. Cambreleng's report from the committee of ways and means for reducing the revenue to the wants of the government, which have crowded out a mass of articles on our desk. We will, however, speedily relieve our files by a supplemental sheet, as a slight return for the manifestations we daily receive of the public favor.

Mr. Cambreleng's report and bill from the committee of ways and means for reducing the revenue, have been committed to the committee of the whole on the state of the union, and from what we can learn from Washington there is not the slightest prospect that the bill will be carried in its present shape, indeed, it is said there will be no further action on the subject at the present session, and that it was only intended as a demonstration for "certain purposes" hereafter. These impressions should not, however, slacken the zeal of the friends of the protective system, who must not expect either justice or mercy from politicians of Mr. Cambreleng's school, with their preposterous notions of free trade—about as practicable in the present condition of the world, as his calculations! in his celebrated report from the committee on commerce in 1830, are true.

The report of the committee of ways and means is inserted in the present sheet, and is itself the most powerful argument against the object it affects to have in view; for a greater tissue of bungling demonstrations and false inferences was never embodied in any report that has emanated from a committee of congress, since the memorable report aforesaid—in which Mr. Cambreleng put down "the coasting tonnage" of Great Britain in 1827 at 8,648,363 tons, that amount being only six millions one hundred and eighty-eight thousand three hundred and sixty-eight tons more than the whole tonnage of the British empire amounted to in that year! But its errors of fact and inference have been ably exposed by Messrs. Lawrence and Corwin of Ohio, whose speeches shall have a place as soon soon as reported. In the mean time the following extract from an article in a late number of the "Globe," will afford matter for reflection.

"The only difficulty," says the Globe, "that can ensue among the republicans, who are sincerely desirous of bringing down the taxes so as only to supply an economical expenditure, will be the difference of opinion as to the effect of the reductions proposed in the report. Many consider the reductions contemplated too rapid and radical, and with the restrictions in land sales, greater than the object it has in view will justify or require. A more gradual movement in the same direction, will, we think, be the probable result of the deliberations of the majority in congress, which doubtless concurs with the committee in regard to the great end it would accomplish, and, in the main, as to the means. All are sensible that a sudden, abrupt and violent change is not the proper alternative for the present state of things. Day itself would be intolerable, if it did not emerge through twilight. The vicissitudes of the season are made grateful and beneficial by their slow approach, and the happy manner in which they are intermingled.

"The sensation which this report produced in the house was strongly manifested at the moment it was received, and on every preliminary motion. As frequently happens, one of the most unimportant articles, as a matter of finance, was most talked about, and excited the greatest sensibility. The duty on coal produces a revenue of only \$100,000. Its protection, too, is almost secured by natural causes, independently of tariffs. As a matter of principle or interest, we learn that the committee consider it altogether a non essential in the scheme of reduction."

Vol. LI.—Sic. 21

Mr. Benton's expunging resolution passed the senate on Monday last, by a vote of 24 to 19. In a subsequent page we have given an account of all that transpired on the occasion, including the extraordinary scene with an individual arrested for an indignity to the senate, on the conclusion of the ceremony of expunction.

Party is so closely allied with this question, that any opinion we may utter, will be imputed to personal bias—yet, we cannot refrain from saying, that this act of the senate is a palpable violation of the constitution, and has established a precedent of a most fatal tendency. It is not only a clear infraction of that provision of that instrument which enjoins that a journal of the proceedings of the senate shall be "kept," but is impressed with a degree of personality that should not find a place in a body with such high prerogatives as the senate of the U. States: and for all practical purposes, both in its present effects and for posterity, it is utterly valueless. For, with this precedent established, it is not necessary to inform our readers that chance or change, may create, at no distant day, a majority in the senate opposed to the expunging resolution, and that that majority may direct its expunction from the journals and the restoration of that which it condemns. These resolutions may also be expunged by another senate, and thus we may have "the contemptible farce" of expunction or restoration, played at each ascendancy of party. A more safe, and equally honorable, mode of evincing confidence in the purity of the motives of the president, would have been the passage of a resolution to that effect; and then the issue would have been fairly presented for the decision of posterity.

The subjoined communication has been handed to us for publication by the citizen who was arrested and brought before the senate by the sergeant-at-arms on Monday night, on a charge of committing disorder in the gallery. As his arrest and the alleged causes of it are made known through our columns, we of course concede to him the right of being heard through the same channel.

[National Intelligencer.]

[COMMUNICATED.]

The public will undoubtedly be informed, through the medium of the reports of congressional proceedings, letters from Washington, and by other means, that last night, after passing of the expunging resolution, by the senate of the United States, a gross outrage was perpetrated, at the instigation of Mr. Senator Benton, on the person of an American citizen. That he was arrested, brought to the bar of the senate, condemned without proof, denied permission to speak, and discharged without trial, after being insultingly called "a hired ruffian of the bank," by Mr. Benton, sheltered behind his privilege as a senator.

That individual desires the public to suspend their judgment on this matter until due deliberation shall have enabled him to determine upon the course most proper to be pursued in relation to this outrage on the rights of

AN AMERICAN CITIZEN.

Washington, January 17, 1837.

TEXAS AND MEXICO. On Thursday last a message was received by the senate from the president of the U. States, transmitting the correspondence of that functionary with Santa Ana, which is inserted in the last page to the exclusion of our foreign and domestic chronicle. It will be found highly interesting and important when taken in connection with the declarations of Messrs. Preston, Walker and Calhoun.

Santa Ana arrived at Frederick, Md. on Tuesday last at 1 o'clock, and on the same evening, accompanied by his escort, waited upon the veteran general Gaines, to whom he felt under obligations for courtesies received. On Wednesday morning he departed for Washington, at which place col. Almonte, his secretary and aid, arrived on Tuesday. Santa Ana was accompanied by colonels Hockley and Patton; the latter acting as interpreter in the absence of col. Almonte.

The New Orleans Standard furnishes a very curious account of the action of the different branches of the Texan government, in relation to Santa Ana.

The rumors reaching the ears of the members of congress, that president Houston intended to liberate the Mexican chiefs, they passed the following resolution;

Resolved, That the president be and is hereby vested with the custody and disposal of all prisoners of war. Provided, that the prisoners Santa Ana and Almonte shall not be released or set at liberty on any occasion, without the concurrence of the senate, and that the president shall not have the power to release said prisoners during the recess of the senate.

This resolution was immediately vetoed by gen. Houston. The congress, notwithstanding, passed it again by the constitutional majority of two-thirds, and it became a law. President Houston, driven to extremity, and determined to release Santa Ana at all hazards, pronounced the resolution unconstitutional, and a usurpation of his executive authority, and, in the face of the law of congress, set Santa Ana free, and put the whole congress at defiance. The army being with the president in all things, congress succumbed.

By slips received in Baltimore from New Orleans, information has been received that M. Gorostiza arrived in the city of Mexico, on the 15th of December, which event will bring up at once for the decision of that government, the results of his mission to this country. On the same day, general Bustamente arrived from France in the city of Mexico. He is a candidate for the presidency, and will probably be chosen. Report says he declared for the federative system, which sets him at once into opposition to Santa Ana. His success would be favorable to the principles originally declared for by Texas—but in her present posture, adverse to the hopes resting upon the supposed engagements of Santa Ana.

TRIAL OF RICHARD H. WHITE. On Friday morning the 18th inst. the jury came into court, having been out more than twenty-four hours, and gave in a special verdict, finding the traverser GUILTY of the offence charged, but that he came within the view of the statute of limitations, and was therefore to be acquitted.

Mr. Brent claimed the acquittal of his client on this verdict, and that it should be recorded as amounting to a verdict of not guilty.

The court dissented, and after some discussion, the jury were sent back, and in a little while returned and gave the following verdict:

"We, the jury, are of opinion that the offence, as charged, was committed by the prisoner; but find him not guilty, upon the plea of limitations, more than two years having elapsed from the committing of the offence to finding the indictment."

Mr. Brent now called upon the court for the discharge of his client. This, however, was refused, as it appears that the qualifications or hypothesis contained in the verdict, gives ground for argument and leaves it to be decided by the court whether or not this verdict is a verdict of acquittal.

In the case of Harry White the jury returned a verdict of guilty.

DELAWARE. Judge Thomas Clayton has accepted the appointment of U. S. senator, and took his seat on Thursday last. John M. Clayton, has been appointed chief justice of Delaware, vice judge Thomas Clayton, and has accepted the appointment to the great gratification of his fellow citizens.

Judge Thomas Clayton at first declined the appointment to the senate of the United States, and wrote to the governor of Delaware to that effect—but the obstacle to his acceptance having been, unexpectedly, removed he withdrew the letter of resignation.

Gov. CALL returned to Tallahassee from the seat of war on the 28th ult. and was greeted with every testimonial of esteem and respect. At about two miles from that town he was met by a large cavalcade of citizens on horseback, and escorted into it amidst the firing of cannon.

During the latter ceremony, we regret to state that Mr. Benjamin Taylor was so much injured by the explosion of a charge, whilst ramming it home,

as to render the amputation of both hands necessary, and that a Mr. Freeman had his wrist broken by the same accident.

B. RATHBUN. The Buffalo Commercial Advertiser states that the trial of B. Rathbun, indicted for forgery, came on on the 5th inst. when an affidavit was put in by the prisoner stating that Lyman Rathbun, Rathbun Allen and Horace Janes, of New York, were material witnesses in his behalf, but could not be produced; and on motion of T. T. Sherwood and E. Van Buren, esqrs. counsel for the prisoner, his trial was put over until the next court of Oyer and Terminer, in July next.

The prisoner was willing to come to trial on the first twelve indictments found against him, by which he is only charged as *accessary* to the forgeries, but not on the one recently obtained against him as principal in the crime. It was, however, determined by the counsel on both sides, and concurred in by the court, that the public would be best satisfied, and the ends of justice best subserved, by a trial at the same term, upon all the charges against him, so that the matter could be finally disposed of.

Lyman Rathbun has absconded, but the pursuit was hot, and it was expected that he would be apprehended.

The New York papers contain the advertisement for the sale of B. Rathbun's real estate,—a mere list of which is enough to burden the memory of an ordinary man, and its management sufficient for the employment of a hundred heads and hands.

A JUST VERDICT. We learn from the Boston Advocate of Saturday the 7th inst. that on the day previous, the jury in the case of Thompson and others vs. the Providence rail road company, returned the following verdict: damages awarded to Thompson \$2,250; Cummings, \$175; Ransom, \$175; White, \$1,500; Howell, \$3,000; Murdock, \$2,250; making the whole amount of damages \$9,350.

The counsel in the case of midshipman Rust against the same corporation, then agreed with the counsel for the rail road company that the same jury should, by consent, return a verdict for \$2,000.—The sum of \$11,350 has thus been awarded as damages against the Providence rail road company on account of the unfortunate collision of their cars last summer; and there remains one case (Brown's) to be decided by reference.

The verdict of the jury in the several cases settles one of the most important questions ever brought before our courts. The jury deserves the thanks of their fellow citizens, and of the whole country, for the firmness and sound discretion with which they gave their verdict, avoiding vindictive damages to punish the corporation, but giving such liberal compensation for the injuries received, as will serve as ample warning to all rail road companies to employ scientific and competent men, and to use such precautions as will hereafter protect the travelling public from danger, either by the inexperience or rashness of the managers of rail road cars.

NEW YORK BANKS. The New York Star has published the following list of all the out standing drafts upon the banks of that city which are not yet due:

Banks.		Payable to.	
Merchants'	Virginia 15th January	\$100,000	
Do.	N. Carolina 1st March	100,000	
Manhattan Co.	Virginia 15th February	100,000	
Do.	Georgia 1st March	50,000	
Mechanics'	Virginia 15th March	100,000	
Do.	Albany 1st Feb. 1st March	90,000	
Do.	Washington 15th March	100,000	
Seventh Ward	North Carolina 1st April	50,000	
Phenix	N. Carolina 15th March	100,000	
Union	Savannah, Geo. 1st March	50,000	
Merchants' Ex.	Augusta, Geo. 20th March	100,000	
Leather Man's	Washington 20th February	25,000	
Dry Dock	Washington 1st March	70,000	
			\$1,090,000

APPOINTMENTS BY THE PRESIDENT. *By and with the advice and consent of the senate.*

Thomas Lumpkin, to be consul for the port of Buenos Ayres.

Thomas R. Gray, to be consul for the port of Tabasco.

Thomas H. Barker, to be consul for the port of Antwerp.

Joseph Ray, to be consul for the port of Pernambuco.

Charles D. Arfwedson, to be consul for the port of Stockholm.

John G. McCall, to be consul for the port of Tampico.

Charles Garavini, to be consul for the port of Algiers.

Albert Dabadie, to be consul for the port of Venice.

Christian F. Schultz, to be consul for the port of Rostock, and the Grand Duchy of Mecklenburg, Schwerin.

George W. Greene, to be consul at Rome.

Charles S. Sibley, to be attorney for the middle district of Florida.

ADMISSION OF MICHIGAN INTO THE UNION.

[DEBATE CONTINUED.]

Mr. Grundy confessed that he could not see any thing in the whole proceedings calculated to excite alarm. The senator (Mr. Calhoun) had told the senate that a proceeding in Maryland had excited more apprehension in regard to our institutions than any thing that had occurred since the establishment of our government. Now, that was the gentleman's opinion; but he (Mr. G.) had seen the time when there was felt more solicitude with respect to the stability of our union than what had recently happened in Maryland, or in the proceedings which had been adopted in Michigan. In order to determine the question before the senate, it might be as well to take a short review of the facts and circumstances connected with it.

By the ordinance of 1787, it was provided that this territory, and all portions of the territory ceded by the state of Virginia north west of the Ohio, should be admitted as a state, not by conventions called for the purpose of ratifying a proposal made by congress, but upon the fair condition that when their population should have amounted to a certain number. Michigan, at the time she first applied to be admitted into the union, possessed a population of one-third more than was required by the ordinance of 1787. But he should state, that before asking for admission, as she had a right to do, she called a convention, and framed a constitution. The general government had, at that time, a right (without prescribing the terms to be found in the act of the 2d March, 1836,) to receive her into the union. But what did congress do? Did they comply with her request? or with the terms of the ordinance?—No: congress prescribed different provisions from any to be found in the ordinance. Now, according to the view he took of the subject, this sovereign and independent state, having the same right to be represented on that floor as South Carolina or Tennessee, has been for a long time kept knocking at the doors of congress, and still they were shut against them. He would, having said this much, say nothing further on this part of the subject.

At the last session, and for some sessions previous to that, a very serious controversy had arisen between the state of Ohio and the territory of Michigan. What, he asked, did congress do in its great desire to see tranquillity and harmony restored between them? It passed the acts of 1836. And yet the senator from Ohio (Mr. Ewing) now wanted to see no such provision as that contained in the act of 1836, and which he (Mr. G.) believed to have been placed there by the committee in the proper discharge of their duty, and which he thought commendable in them.

Mr. Ewing explained. I contended for the third section. I thought it of no importance then, nor do I now.

Mr. Grundy resumed. He was speaking of the senator's exertions in regard to another bill, or other bills, which were introduced to fix the northern boundary of the state of Ohio; and before that was accomplished, senators insisted that Michigan could not be admitted into the union. Well, what was the objection now to her admission? None that he could see. But when the senate came to pass this act of admission they put in this section:

"That as a compliance with the fundamental condition of admission, contained in the last preceding section of this act, the boundaries of the said state of Michigan, as in that section described, declared, and established, shall receive the assent of a convention of delegates elected by the people of said state, for the sole purpose of giving the assent herein required," &c.

Now that was the provision to which this preamble has a reference. Did that section say that the legislative assembly of Michigan should call a convention to decide on the subject? Not a word did it contain to that effect. Did the constitution of Michigan authorize the calling of a convention on the part of the legislature? Not a word did the constitution contain on the subject. But the legislature did call a convention, and they refused to assent to the conditions contained in the act of congress.

Now, to judge that congress did not intend putting a legal construction on the section, that the intervention of the legislature should be necessary, let him suppose that the legislature should refuse to act, and consequently call no convention, and the

people of Michigan had risen up *una voce*, and given their assent to the meeting in convention, would gentlemen have said "the convention must be called by the legislature?" Now this was the consent of the people of Michigan—of the population entitled to vote, residing there. And shall the legislature of that state have the power to refuse, or grant, that which the people may demand on so important a subject as this? It seemed to him it ought not to be required, and therefore the conclusion he drew from the question was, that the people have a right to convoke their assemblies, the delegates from which have a right to meet in convention, and there, if they deem proper, ratify the conditions prescribed by congress. If he were right in that conclusion, then the preamble was correct; and, if wrong, it ought to be struck out.

He felt no concern in regard to this branch of the subject at all. He was free to admit that, without the preamble, he was ready to vote for the bill. But for the third section of the act of 1836, let him tell the senate, Michigan would have been represented here and in the other house, long ago. Well, now, the people have been called upon in their primary capacity, and have given their assent to the conditions of congress, why should the senate cause further delay in admitting her? The senator from South Carolina had said it would not take long to have another convention. He (Mr. Grundy) admitted it; but every moment did her injury. Senators were, by delay, violating a greater principle than that of which the gentleman had spoken. It was a greater infraction of principle than any known to free government.

He admitted, with the senator from South Carolina, that the testimony establishing the fact of the assent of the people of Michigan was of great importance, and in this case not according to the strict rules of legality; yet the testimony was of such a character, that legislatures would not refuse to act upon it, although courts of justice would reject it, because not duly accredited by the oaths of witnesses. But did not senators do daily many acts upon testimony not on oath, but for which the statements of men of high standing, honor and honesty, guaranteed their truth?

What, he asked, was the amount of the testimony produced? Why, that between five and six thousand votes were given at the election of members for the convention in September last, and that from eight to nine thousand were given for the delegates who formed the convention in December. What was the object in calling upon the people of Michigan? It was to know whether they were willing to come into the union on the terms prescribed by the act of the 2d March, 1836. They have answered, and given their assent. In one county there was given at the first election for the delegates who were elected, 180 votes of a majority. These delegates constituted the majority in the first convention; and by their votes the assent of Michigan was refused. At the first election, about 1,700 votes were cast, including both parties. At the last election 1,900 votes were given in favor of the assenting party alone. The whole thing was changed, and must have been changed by the revolution of opinion.

Without going further into the subject, he wanted the senator from South Carolina to inform the senate how he would do justice to the people of Michigan, and, further, how the passage of the bill was to be obtained in any form. Would he send the people back again to a convention? The delay was unnecessary, and objections would be made of a similar character. Why should the senator not vote for the bill, the preamble being struck out? What difficulty was there in it? For his (Mr. G's) part, he could not see any. He contended that there was nothing of a political character in this matter, either on one side or the other; therefore, it was fairly on principle that a difference of opinion could be said to exist. In answer to the inquiry of the senator from South Carolina, "can congress call a convention in a state?" he answered, "no!" nor did it in this instance; neither does the preamble or bill give such a power, nor imply it. He would conclude his remarks by merely declaring, that whether the preamble should be stricken from the bill or not, he would vote for it.

Mr. Morris, on his first motion to strike out the preamble to the bill providing for the admission of Michigan into the union, said: The gentleman from South Carolina had correctly understood his object, which was to bring the principle contained in the preamble to the bill in a direct form before the senate for its decision. Although he entertained for the talents and ability of the senator from Tennessee the highest respect, yet, on this subject, he had entirely different views from those expressed by that gentleman; still he would say that, on this question, particularly on the doctrine contained in the preamble, the gentleman was unquestionably in error. He, however, agreed with the sena-

tor that Michigan ought to be admitted into the union; his mind had undergone no change on this point, for he was of the same opinion at the last session of congress; he was opposed to the principle contained in the third section of the act for her admission at the time of its passage, though he said nothing on the floor of the senate on the subject; he, at that time, considered this third section not only as unnecessary as it respected the rights of Ohio, but as unconstitutional and dangerous, and as requiring of the people of Michigan an act nugatory in itself, and humiliating in its consequences. He was anxious then, he was anxious now, that Michigan should be admitted without having any restriction or condition whatever imposed on her; he thought then, as he found the fact now, that the people of Michigan would view this provision, requiring their assent to the law of congress, as an act of supererogation, and one which the authority of the constitution did not warrant, and did not reach, and he had found both conventions which had lately been held in Michigan concur on this head, for both had denied the power of congress to require the assent which had been required in the third section of the act for their admission; nor did they submit or agree to give it as matter of right, but as matter of obedience only, and to prove to the country their love and attachment to the union.

Whenever Michigan shall be admitted, it ought to be on that high and elevated ground on which she desires to stand—a repeal of the third section of the act of last session. On this ground, Mr. M. said, he wished most ardently to place her citizens; and the passage of the bill without the preamble would accomplish that object, for he believed that it was a well-settled principle, that if the provisions of an act passed by the legislature be repugnant to the provisions of a former act, the former act is repealed without any express words being used for that purpose. This, then, was his first, though most inconsiderable reason, for wishing to strike out the preamble; for if his doctrine was true, as he verily believed it was, the passage of the act itself, without the lumber and incumbrance of the preamble, would fairly and honorably admit the state of Michigan at once. He had understood the senator from South Carolina (Mr. Calhoun) to say that if both the senators from Ohio were satisfied as to the northern boundary line of that state, he would have no objection to give his assent to the bill, provided the preamble was stricken out, after this declaration. If that were done, as he (Mr. M.) hoped it would be, he had but little doubt of the unanimous vote of the senate in favor of the admission; he could not possibly see any quarter from which objections would be made to it. Gentlemen had argued as if there was a party here who wished to keep Michigan out of the union; he was not one of those; and whatever gentlemen might say in argument, he did not suppose a single member harbored such a wish, but all were anxious for her admission the first moment it could be done without violation of constitutional duty, of principle, or of law. Although it has been attempted to be impressed upon the senate that the controversy which had existed between Ohio and Michigan, with regard to boundary, was one reason why the delegation from that state were opposed to the bill, he begged leave to undeceive gentlemen on this point, by assuring them that that was not the case: the course which Ohio had marked out for herself in that controversy had proved itself to be the correct one. Congress, by their act of last session, had given consent to the constitutional boundary of that state, and it had now become satisfactory, as well as obligatory on all parties, and thus the incumbrance which for so many years had been thrown over the title of Ohio by the act of congress of 1803, establishing the territory of Michigan, had been withdrawn, and the moment this was done the jurisdiction of Ohio over the disputed territory was complete. It is, then, by virtue of the constitution of the state that Ohio has taken jurisdiction over that portion of country; we cannot, for a moment, admit the idea that congress has given us any power to do so. Congress has only recognized the validity of our claim, and removed the difficulty the act of 1803 had created. He, therefore, as one of the senators from Ohio, was perfectly satisfied that the state of Michigan should be admitted without any reference to the Ohio boundary whatever. On this question doubts no longer remain as it respects Ohio, and he felt strongly disposed to remove from the people of Michigan the now unnecessary and humiliating condition which had been imposed on them, which condition he thought, in point of sound policy, was never required, nor did he believe that congress rightfully possessed the power to impose it.

But, sir, (said Mr. M.) the views which I have so far taken of this subject is a very important one,

indeed, with the broad and dangerous principles for the preamble before us. He had for rich presented occupied some humble station in publicmen; no been somewhat acquainted with the legis it, of the country; that branch, more than any other, had occupied his attention, and he could say, in the most perfect sincerity, and with a clear conscience, that he never had heard, nor had he ever expected to hear, doctrines such as were recognized in the preamble to the bill, and such as had been openly and clearly avowed in the senate on the present occasion, and in support of the preamble now under discussion. The facts, as stated by the senator from South Carolina, (Mr. Calhoun), with regard to the proceedings in Michigan, have often been repeated on this floor: they are well known, and need not be again detailed. Congress has recognized, even by the act of the 15th June, 1836, Michigan as a state; in the third section of that act she is no less than four times spoken of as a state. It is the state of Michigan, and not the people of the country, as abstract from the sovereignty of the state, that can rightfully respond to the law of congress; and it is only the voice of the people of the state, collected and expressed as a state, that ought to be received as creating any obligation on the part of congress, or, indeed, any obligation upon the state herself.

But, sir, what are we to understand by this word state? Do we mean an organized, or do we mean an unorganized, community? Do we mean a country governed by known and established laws? or do we mean one where the law shall never be known but when expressed by the public voice, through the medium of county conventions, or by an assemblage of the people at one particular place? If to the word state, or the expression, people of the state, we mean, as I contend is the only correct meaning, an organized community, a people who have associated together and provided, for the safety and security of ALL, written constitutions and laws, and also provided for the exercise of its sovereignty through the instrumentality of constituted tribunals, or a government of any other known and established character; if this be the case, then he contended that a state had but one mode and one medium through which it could express its opinions, or exercise its power; and that, in pursuance of its own constitution and laws, a state can be known or recognized under no other character, and, to use a figurative expression, it can neither think, speak, nor act in any other way. Well, sir, (said Mr. M.) what are the few facts to which this doctrine can be applied in the present case? The sovereign, but it would probably be more appropriate to say the physical or numerical, power of the people of Michigan, exercised in their primary assemblies, without the authority of any law of the state; and not only without the sanction of any constitutional provision, but in direct contravention of constitution and law, and by mere numerical strength, evidenced by a plurality of votes, have understood her to give the assent of the state to an act of congress, which is to remain obligatory upon the state in all time to come, and which the regular constituted authorities of the state have no power to control, and which the people themselves, according to the provisions of their own constitution, can never alter, abridge or amend; and it is the assent thus given that we are now so emphatically called upon to receive as the constitutional and legitimate will of the state.

Sir, (said Mr. M.) I cannot consent thus to humble any one of the sovereign states of this union.—Let it be constantly borne in mind that there have been two conventions assembled in Michigan, for the purpose of considering, or assenting to, the act of congress. The convention which first met was in pursuance of a law of the state especially passed for that purpose; that it was elected and organized according to the provisions of that law; that this convention dissented from the proposition of congress, or rather did not consent thereto; that subsequent to this decision it was that the people met in their primary assemblies, and the result was, that another convention was had. The documents furnished the senate inform us that in two counties no elections were held, and, of course, those counties were not represented in this latter convention, the president of which, in a communication to the president of the United States, says, that "the convention originated through primary meetings of the citizens of the several counties, in ample time to afford notice to the whole state; pursuant thereto elections, kept open for two days, on the 5th and 6th inst. (December), have been held in all the counties except Monroe and Macomb." This (Mr. M. said) was the relation of facts and circumstances to him entirely inexplicable; no time is mentioned as to the notice given, nor what kind of notice was thought necessary, or how the same was promul-

gated. This, as it appears to us, was mere matter of opinion, and might, in Michigan, depend very much on party views and party purposes. But the great principle, and indeed the argument, does not depend on these minor considerations. The question is, will congress recognize as valid, constitutional and obligatory, without the color of a law of Michigan to sustain it, an act done by the people of that state in their primary assemblies, and acknowledge that act as obligatory on the constituted authorities and legislature of the state? Are we prepared to subject all state power and state authority to the test of this principle? Our answer not only concerns Michigan, but ought, and, I trust, will be examined into by every state in the union; and, although Michigan at this moment may be the scapegoat, to bear off this power into the western wilderness, yet it may, and can be found convenient to apply it to other states. Are we prepared for this application? Is the great question now about to be decided? I would most seriously call upon all state rights men to look well to this matter. Do you love and venerate your own constitution and laws, the only guaranty you have for all your personal, social and political rights? Are you willing to subject them all to this tremendous power? Congress may have a favorite measure to accomplish, which may come in collision with state power.—How easy to overcome this power, by doing what is now claimed to be right in Michigan; pass an act requiring the people of the state to give their assent to it, or permitting them, if you please, to do so; send amongst them your agents and emissaries, to induce calls for primary assemblies; to hold a convention to suit your views; obtain the act of assent by such convention, and your whole purpose is answered. The state is under your feet; you are the master-spirit that directs its movements; and you would have the right to call upon the executive power of the country to see that your laws were faithfully executed. Why, sir, but yesterday, and we might have looked on this picture as fancy only; but it is now fast assuming the character of fact, and we may awaken to the reality before we are aware. All that has been suggested, and much more, may take place under the sanction of the broad principle now contended for. Let it not be said that we are unnecessarily alarmed, and that the argument is carried to extremes. We always test principles by the extent to which they can, consistent with themselves, be carried into effect. Suppose congress should have a favorite project to carry through a state, say the state of South Carolina, for instance, a road or a canal, which all would agree could not be done without the consent of the state, and congress should pass an act in terms precisely those used in the act for the admission of Michigan, and the legislature of the state should be convened to consider the proposition, or should provide for the election of a convention, who should meet and reject the same. If, after all this, some person should be found possessing influence sufficient, either with or without the patronage of this government, to obtain a majority of the qualified electors of the state, or even of the whole body of the people, both male and female, no matter how expressed, whether by convention or otherwise, would any man say that this was sufficient authority for congress to proceed with the contemplated work? No! none would be found to avow this at once; yet to this length will the doctrine lead.

Sir, the matter can be brought home to our doors in Ohio; we have had a controversy partaking of this character with the bank of the United States; the legislature of the state denied the power of congress to authorise the bank to send a branch into the state without its consent. Suppose the charter had contained a provision that a branch might be sent into any state by the "assent of a convention of delegates, elected by the said state, for the sole purpose of giving such assent." Suppose, sir, this had been the original charter of the bank, and a convention of delegates had been gotten up, and have forced upon the state the power of the bank, contrary to her own constitution and laws, and against the express will of the legislature. I ask every citizen of Ohio what would have been his opinion and feelings on a state of things of this kind? For my own part, as a citizen of that state, I had rather see Ohio struck at once from the union, than that a doctrine of this kind should be considered orthodox and prevail in practice. We might wander for a while at large, and find a resting place; but when once swallowed up by this government, our power of action would entirely cease. Then, indeed, would we have no government of our own; we would be but mere automata in the hands of those who administer this government. They would be the judges both as to the time and manner of our acting, and of the validity of the records of those acts. Would not this be the condition of the states

if we adopt and maintain this dangerous principle? a principle which admits a state into the union without law and without record, so far as the state has any action in the case. It is true, as was observed by the senator from South Carolina, (Mr. Calhoun), that good precedents are soon forgotten, while bad ones live forever. He (Mr. M.) contended that the principle contained in the preamble to the bill was vicious in the extreme. Shall we then countenance it? Shall we maintain it? He trusted not.

He said he was somewhat surprised, he confessed, to hear the doctrine that had been advanced by the senator from Pennsylvania, (Mr. Buchanan). That gentleman, if he understood him correctly, not only sustained the proceedings of the last convention in Michigan, but contended that, if it had not assented, the people would have gone on, even *ad infinitum*, to elect conventions, until they obtained one which would give the assent. A doctrine so latitudinarian as this (he said) he could by no means admit. It was a doctrine that unloosed all the obligations of society, and dissolved government into its original elements.

In a controversy of this kind he would not fear to meet the gentleman, even in his own state, in which as far as he knew, this doctrine had been first promulgated to the country. He would call the attention of the senator to a public letter from the pen of a very distinguished citizen of that state; that letter had been made public, and of course was public property, and liable to public examination. The doctrine, he contended, contained in it, was revolutionary in its nature; it went to prove, as he understood it, that the right of revolution was a right inherent in the very nature of our institutions; a doctrine which he could not admit as correct, and one which went to prove that we had no stability whatever in our government. This doctrine was broached in a state whose citizens had always proved themselves sound republicans; democratic sons of democratic fathers; and he felt highly gratified in finding that in that state this doctrine had fallen still-born from the press; it was at once rebuked by the good sound democratic sense of the people, and he thought had gone to the tomb of the Capulets; but he feared it was but the precursor of more extensive operations of a system, which, while it flattered the pride and vanity of the people, was stealing from them every vestige of liberty, and undermining the foundation of all their social institutions. The case of Maryland had been mentioned; the plea in that case was, if he understood it correctly, that the legislature of the state having, as some thought, neglected to adopt such measures as the wants of the people required, that the people or rather a majority of the people had the right, by a convention, elected without the authority of any law, to put down the whole frame of government, and establish a new government with new powers and new agents in its stead; that in fact the majority of the people of a state had the right to form a government to suit their own convenience, without any regard to the rights of the minority as secured under the existing government; this he considered the first act in the grand drama, by which he feared that public institutions, made for the safety of all, were to be abolished for the special benefit of a part; it was the mere precursor of more energetic and extensive operations. Suppose a few of the large states should be disposed to think that the senatorial representation in congress was unequal; that it was absurd and derogatory to the rights of the people that New York should have no more power in this body than Delaware, and should wish to change the present order of things. True it is that the constitution of the United States has provided that no state, without its consent, shall be deprived of its equal suffrage in the senate; but what of that? This according to the argument we have heard, is but a subordinate right, always subject to the constitutional power of the people; let conventions be holden, elected by the people in their primary assemblies according to mere numbers, and less than half a dozen of the most populous states would swallow up the twenty smaller ones, who now, by giving their assent to this doctrine, do homage to the larger states for their liberties, and appear willing to rely on them, and not on the constitution, as the security for their rights. It would be well that we should always remember that our fathers did not expend their blood and treasure to establish a government resting alone upon popular breath, but one founded on written constitutions and laws for the security of all, and in the formation of which all had an equal right to participate.

But, sir, suppose all that has been urged against the facts as they appear in this case should be deemed insufficient to show that the principle upon which the admission of Michigan is made to rest is founded in mistaken and erroneous views, yet he con-

tended that there was no certain or conclusive evidence to show that the consent of the people of Michigan had ever been given, as required by the act of congress. Who are the people of Michigan, within the meaning of that act? Surely the qualified voters of that state and none other; no one will contend for an opposite construction; what evidence, then, have we that the convention which gave the assent was elected by the proper persons? None at all; for aught we know, or for aught that appears in any part of the documents furnished the senate, there is no conclusive evidence that the people of Michigan ever did give their assent to the act of congress. That the people of that state are desirous of being admitted into the union he had little doubt; but insisted that certain forms were necessary before that admission could take place. The evidence furnished to prove a compliance with those forms he considered entirely incomplete and unsatisfactory. True, as the senator from Tennessee has said, we have evidence founded on publications in newspapers, the statements of individuals, and copies of the proceedings of the convention itself, but none of these come to us under oath, or under the forms of official proceedings. The gentleman's opinion is, that evidence thus furnished ought to be considered sufficient to found an act of legislation upon; to this he said he agreed; but was the present a mere question of general or local policy, to operate in future? He thought not. It was a question of a judicial character. Deciding upon the proper construction of an existing law, and the facts that were to determine the rights of citizens under that law, we assumed here the character of judges, rather than legislators; and he thought it indispensably necessary that at least the shadow of judicial evidence should be preserved; and he contended that, in this case, even that shadow did not appear. In measures of naked policy, the argument of the gentleman might safely be admitted, but he repudiated its application in the present case. If evidence of a higher nature exists, it is somewhat extraordinary that it has not been furnished the senate. If we are to rely exclusively on the popular vote of the people of the state, we ought to have some evidence of the votes given, and by whom. Does a single gentleman here know, by any evidence furnished, whether the persons who voted on the 5th and 6th days of December for members to a convention were qualified electors or not? No: not one of us has any evidence on that point. How, then, are we to judge of the validity of the vote, or the rights of the convention? None of the proceedings were authorized by a state law, and thus stamping them with the solemnity of state authority; nor have we any parol evidence, even without oath, at all satisfactory on this point. It is most extraordinary that we are not furnished with any evidence as to who the voters were that cast their votes for the election of members to the convention by whom the assent was given; and we may ask, and not without reason, who were they, or by what rule or authority their votes were collected and counted? No one here knows any thing on the subject.

Sir, the history of the day informs us that the tide of emigration into the state of Michigan has for a year or two past been immense: not only citizens of the United States, but foreigners, who have reached our shores in shoals, have found their way into that part of our country. Have we any evidence that this class of men were not the persons, in a good degree, who have thus undertaken to remodel the constitution of Michigan, and with it the very principles of our government? Was it this class of men, or any portion of them, that have undertaken to give the assent of Michigan to her boundaries, as prescribed by congress? Have we, I repeat again, any evidence to prove that this is not the class of persons who elected the second convention? We have no such evidence. There is another view of this subject, not unworthy our notice. The election appears to have been held two days in each county, and he should be glad to be informed who it was that selected the days, and the number of days in which the election was holden; who it was that gave the notice of the place and manner of conducting the elections. Was it proclaimed by one individual or was it made known by an assemblage of citizens in one county to the citizens of another county?—Did the county of A send a special messenger to the county of B, and so throughout the state, or did the people act simultaneously by instinct or impulse? Was the voting by ballot in one county, and *visa voce* in another, and in a third by the holding up of hands or counting of heads? All these facts, he contended, were entirely unknown to the senate; and yet we were called to declare, by the solemn enactment of a law, that the people of Michigan, in proper form, had given their assent to the condition imposed on them by the act of congress. He contended that the senate was about to establish the truth of a fact

about which they had heard but little, except from public rumor, paragraphs in party newspapers, or from the statements and assertions of individuals not under the obligations of an oath. This, he thought, would be a most dangerous decision, pronounced at a very inauspicious time. The condition of the country is at this time peculiar, if not alarming. He said he felt it his duty to express his opinions honestly, as he entertained them; and he regretted much that duty seemed to require him to comment on the existing state of things. Almost every newspaper on which he laid his hands contained the history of crimes almost without number, and strongly impressed upon his mind the idea that men began to think it right to take the administration of justice into their own hands, and dispense what they believed it to be, entirely without any of the forms of law.

He had read of punishments of the highest nature being inflicted by the order of assemblies of the people in some of the states, who had conducted their proceedings with all the formality and gravity no doubt that the convention of Michigan had conducted theirs. He had read, with some surprise as well as regret, advertisements in newspapers in different cities, offering for sale fine duelling pistols, and pistols for the belt and the pocket, Bowie-knives, and like instruments well calculated for the taking of human life, offered as convenient articles, necessary for the convenience or comfort of man. He had no recollection of seeing, until very lately, advertisements of this kind; and the question very naturally pressed itself upon his mind, what does all this mean? Does it not prove to us that men are endeavoring to place themselves entirely above the power of the law, and do that which they think to be right in their own eyes? He thought that it was high time for the whole constituted authorities of the country to use all proper means to circumscribe the entire action of the people within the strict limits of the law, before the restraint of law was lost sight of altogether. Recognize (said Mr. M.) that the people of Michigan may, in this informal manner, dispense with the constitution and laws of their own state, and you at the same time recognize the doctrine that numerical strength alone shall have precedence in point of obligation to the most solemn legal enactments. It seemed to him there was at that moment a powerful responsibility resting on congress, and that they ought to proceed with the most serious deliberation. He had heard for a year or two past much said about the abuse of executive power; but, said he, we are about to change the question, and to establish here dangerous assumptions of legislative power. By the act of the 15th of June, the fact of Michigan having assented to the conditions of that act, is to be ascertained by the president of the United States alone; he is made the sole judge when the assent is given, and is to make the same known by proclamation. Has he found the fact to exist, or has he issued his proclamation? No; he has done neither. He informs us that one convention, elected and convened in pursuance of a law of the state, has not given its assent. He also informs us that another convention had met, and did assent; and he further says that if the proceedings of this latter convention had come to him in the recess of congress, he would have issued his proclamation in conformity with the provision of the act of congress, if he was satisfied that this convention, in all respects, had accorded with the will of the people of Michigan. The president was not satisfied that such facts existed upon which his proclamation ought to issue, and he referred the whole proceedings to congress; and this very reference ought to prove to us that the fact did not exist, and that Michigan had not complied with the conditions required of her, and he referred it in order that the restrictions might be removed; but, instead of removing the restrictions, we are about to find the fact of assent. He was anxious that this question should come to an issue, and that Michigan should come into the union, but was not willing to sacrifice any principle to attain even this desirable end. He thought it would be better for the people of Michigan themselves, and more satisfactory, if they were kept a little longer out of the union, rather than have a principle adopted which both of her conventions had declared to be unconstitutional.—He trusted, however, that the difficulties might be remedied in the way suggested by the chairman of the committee, for he understood the gentleman to say that he viewed the preamble as of little consequence, and would vote for the bill if it was stricken out; yet he would feel himself bound to retain it, although he considered it perfectly harmless and nugatory.

Now, if this was the case, he hoped the gentleman, in courtesy, would at once agree to let it be stricken out by the senate, without his vote, as he believed it to be entirely unimportant, while other gentlemen believed it involved a dangerous princi-

and would compel them to vote against the bill; and he fully believed that if the gentleman would thus give his assent, and the obvious preamble was stricken out, there would be a dissenting voice to the admission of the state into the union. He could see no prejudice that would result in pursuing this course to boundaries of either Ohio or Indiana; their boundaries were already settled, and could not be disturbed, whether the preamble was retained or not. A great deal (said Mr. M.) has been said about Michigan having extended her jurisdiction over part of the territory belonging to Ohio and Indiana; but, if he understood the constitution of Michigan, no definite boundary was established by that instrument. It was in the preamble to the constitution it was to be found, and in that alone. It was there provided that the people inhabiting the territory, as established by the act of congress 1805, formed for themselves a state government; and he considered as creating no difficulty as it respected the question of boundary, either with Ohio or Indiana. He therefore most sincerely hoped the honorable chairman would give his assent to thus striking out the preamble; for, with it, he thought impossible to vote for the bill.

The honorable chairman (he said) had told us at this was not a party or political question. He agreed with him that it was not. He felt that he ought to approach it as a judge; and so far as he was advised of the important principle involved in the case, he would endeavor to decide upon it according to the dictates of his best judgment. He stated that no senator would give his vote on this question under the influence of party or political feelings. However (said Mr. M.) we may be attached to party for the purpose of favoring political views as to future policy, yet, when we come to a question of the magnitude of the one before us, we must decide it upon higher grounds, and suffer ourselves to be influenced by the sound principles of justice only. If Michigan was not a state, when would her existence as a state commence? If she was a state at the time the act of the 15th of June last was passed, she could only speak, or, rather, make known her will as such state, and, therefore, the assent of this latter convention was not her act. If (said he) we recognize her as a state, we must date her existence from the time she adopted her constitution; and if her senators and representatives who have been elected to congress are entitled to seats, then, indeed, was she a state, to all intents and purposes, from that time; and the convention which afterwards met without authority, was in derogation of all her state rights.

No gentleman, he presumed, would deny this; and yet we are about to set up the acts of certain unauthorized individuals as above the constituted authorities of the state. There was one circumstance which he deemed somewhat material, which he wished to notice. The number of delegates which composed the first convention was forty-nine, and he took it for granted that the law of Michigan prescribed this number. But the convention which gave its assent to the act of congress was composed of seventy-two members; how happened this? Was this a movement by which certain gentlemen in the state were to be put up, and others put down? Who apportioned to one county twelve delegates, the sixth part of the whole number, while an adjoining county sent but two?—Where was the power in Michigan to make this discrimination, except the legislative power? Sir, (said Mr. M.) admit the truth of this preamble, and then the legitimate lengths to which it may be carried, and we dissolve the very elements of government, and reduce its power to physical or numerical force. It is through anarchy that we arrive at despotism. Submit this to any state, even to Michigan herself, freed from duress, and no one would agree to it. He was sure it never would be assented to in his own state; her people had no authority to change her political condition, even by the consent or advice of congress, but only through their own legislature, and in the manner and form in which they had bound themselves to each other in their own constitution. It has been said that the first step from correct principles was taken with more difficulty than others which followed; as in morals so in politics. If we once let go our hold on the constitution, for any purpose whatever, we may soon find it convenient to dispense with it on most, if not on every occasion. These (Mr. M. said) were his views on this important question, delivered, to be sure, in a desultory and unconnected manner; and he returned his thanks to the senate for their patient attention.

Mr. Strange said he should detain the senate but a moment or two, for, in his judgment, there was not space for much pertinent argumentation on the subject under consideration. He did not perceive

the alarming consequences from the adoption of the preamble, which presented themselves to the minds of other gentlemen; nor, indeed, did he much care, except so far as it might be gratifying to others to retain it, whether the preamble accompanied the bill or not. The retention of it struck him as being an exceedingly simple matter, involving no assertion either dangerous or untrue. Congress at the last session passed a law constituting Michigan one of the states of this union upon a particular condition therein prescribed, and the preamble merely asserted the performance of that condition. And what was that condition? Why, that the people of Michigan should hold a convention, and agree therein to be bound by the territorial limits prescribed by congress to that state.—Have the people of Michigan complied with that condition? Has she held her convention, and given the assent required? It was not denied, as he understood, that a convention had been holden, but the manner of holding it was objected to. He was not aware that either the common law or any statute prescribed any mode of assembling conventions; and no mode was prescribed in the act of congress imposing upon Michigan the condition of holding this convention; and it was rather hard now, after she had holden her convention, to tell her that she could take nothing by it, because it had not been properly holden, although no landmarks for her guidance were laid down by the common law or statute, and congress herself had neglected to indicate any mode in which a convention might be constituted satisfactory to herself. Michigan was left, as we are still left, to the plain dictates of common sense, that a convention was an assemblage of the people of a community, in person or by their agents or representatives, no matter how assembled; and by that plain principle of common sense she has a right to ask that she shall be tried. How was the government under which we live put in operation, but through the action of the primary assemblages of the people? And who has ever dared to question the propriety of that result? And is Michigan now to be told, in the absence of all law, and in the face of such examples, that there was a particular mode of action, the only legitimate and proper one? The report of the chairman of the judiciary committee shows that Michigan has holden a convention and given her assent, and it is not denied that a convention has been holden, and the assent thereby given; but gentlemen say it is not a legitimate convention, but do not show us what is necessary to constitute a legitimate convention. It has been assumed, in the argument of this matter, that Michigan is a state. If so, there is nothing left, it seemed to him, either to dispute or legislate about. The senators and representatives from that state were entitled to their seats without further action. He was not prepared to admit that she was a state. She was unquestionably once a territory, the property of this union, and could only rise to the dignity of a sovereign state by the consent of congress, properly given. Congress had given this consent, but it was accompanied with certain conditions, which conditions must be performed ere the consent could take effect; and whether these conditions had been performed, was the very matter under consideration. He denied that there was any chrysalis state in which she ceased to be a territory, and yet was not a member of this union. The transition must necessarily be instantaneous from territorial existence to that of membership in the union. Until she became a state, she continued to be a territory, and only ceased to be a territory when she became a state in the union. Her existence as a state, and her membership in the union, were the contemporaneous effects of one action.

If he rightly understood the reason why congress had imposed this condition upon Michigan, it was, that there might be no future difficulty between her and the states of Ohio and Indiana relative to boundary. Congress could never decide the judicial question as to what effect any or all the circumstances should have upon the rights of the several parties. As a matter of prudence, she might ask conditions which might, in her judgment, tend to peace, but it remained to the judicial tribunals of the country only to decide ultimately upon their regularity and effect. A rigid technical course was therefore unbefitting congress, and nothing remained for her at present but to ascertain, upon broad and liberal principles, whether the condition required of Michigan had been performed.

Some reference had been made to the state of Maryland in the course of the argument, which, by the way, he did not think at all parallel to the case of Michigan; but as it had been mentioned, he would say, that if the people of Maryland, or any other state, thought proper at any time, by a convention, however originated or organized, to change her con-

stitution, congress would have no right to interfere, unless she departed from a republican form of government. It was an affair entirely domestic; and the authority of congress to intermeddle in the matter, under any circumstances, could only be by force of the fourth section of the fourth article of the constitution of the United States, by which a republican form of government is guaranteed by the United States to the states respectively. The evil of such a course, if any, would be confined to the citizens of the state itself, and neither the general government, nor that of any other state, would have a right to interfere as long as the republican form of government was preserved. But the case of Michigan fell far short of this, and in his judgment involved no question which could alarm the most apprehensive. It was a case which could only occur on the formation and admission of new states, and could be drawn into precedent under no other circumstances. The simple question, he repeated, was, has Michigan complied with the conditions required of her? The preamble affirmed that she had, and, believing it to be true, he should vote for retaining it.

REPORT OF THE COMMITTEE OF WAYS AND MEANS.

The committee of ways and means, to which were referred the message of the president recommending a reduction of the revenue to the wants of the government; the report of the secretary of the treasury on the finances; a memorial praying for a distribution of the surplus revenue, and many memorials praying for a repeal of the duties on foreign merchandise, submit the following report:

The balance in the treasury on the 1st of January last, as near as it can be now ascertained, of available funds, was \$42,468,859 97. There was probably placed to the credit of the treasurer before that date, of which no account had been received, about one million in addition, and the government held, on public account, \$6,244,600, par value, of stock in the bank of the United States, which at 114 per cent. amounts to \$7,106,804. The aggregate amount of money, and other means possessed by government on the 1st of January, was upwards of fifty millions five hundred thousand dollars.—The appropriations unexpended at the close of the year, and required to complete the service of 1836, amounted to \$13,561,373 35. Of this amount but \$6,000,000 can be properly charged against the surplus, as about seven to eight millions remain unexpended at the end of almost every year. The surplus of means, on the 1st of January, may therefore be estimated at \$44,500,000.

The revenue of the past year from customs, as nearly as it can be ascertained and estimated at the treasury, was \$28,000,000 from customs, and \$24,500,000 from public lands, and from all other sources 620,000 dollars, making an aggregate of \$48,120,000.

The excess of revenue beyond the proper wants of government, though now assuming greater importance than it did formerly, has existed for some years past, and originated in the policy of revising our tariff so frequently since our war with Great Britain, without regard to the condition of the treasury. High rates of duty were levied to protect particular branches of industry, and a very large revenue was raised, which was absorbed in our public debt, till that was extinguished.

Other causes have, however, combined to produce our present redundant revenue, and to give an impulse to trade generally. The sudden and rapid increase during the last five years, may be ascribed, in a measure, to British and American legislation. The former, after prohibiting them for a century, authorized the unlimited creation of joint stock banks, not redeeming their notes in gold or silver, but in the notes of the bank of England, which were made a lawful tender. On our side, we have added since 1829, \$45,083,207 to our metallic currency; and since 1830 we have increased our banking capital from 110,000,000 to about \$330,000,000; thus extending our paper circulation probably \$60,000,000. The currency of no country can be so suddenly increased, without encouraging general speculation, and producing a very considerable expansion of commercial credits. Trade and revenue have been accordingly affected by it. Our exports, which were at fifty millions in 1823, rose in 1835 to one hundred and one millions; and those of 1836 were more than one hundred and twenty millions. Our imports deducting the amount exported, and excluding coin and bullion, were in 1829, 49,500,000 dollars; and in 1835 \$123,000,000, and in the past year probably \$150,000,000.

The annual receipts from the sales of the public land in 1830, were less than two millions and a half; and in 1836, \$24,500,000; and a much larger increase would have occurred in our revenue from

customs, had not the duty on nearly one-half of our imports been repealed. The produce of our agriculture, and one-half in value, if not in extent, of the whole territory of the country, have become objects of speculation, contributing to enlarge very considerably the mass of commercial contracts and credits.

The revenue of forty-seven millions and a half from customs and public lands in the past year, is obviously not to be relied upon as our permanent income. The spirit of speculation is already checked, and the probable embarrassments of the winter will sensibly affect the receipts in the present and the next year. But in the actual condition of our country, sustained as its prosperity is, by powerful and permanent causes, we are not authorised to anticipate the extraordinary decline in our revenue which occurred after the disastrous revulsion in 1819—the consequence of a sudden transition from war to peace. In adjusting our revenue to the future wants of government, we should reflect that this is the first opportunity we have had, since the adoption of our constitution, to enlarge our foreign trade, and develop the resources of our extensive confederacy. At the outset we had but four years of uninterrupted commerce. In the second period but seven, from 1800 to 1807: and even after the close of the war in 1815, the trade of the country was convulsed for six years by the change from war to peace, the sudden increase of state banks, and the fluctuating operations of the bank of the United States. The speculations of 1825 were very much confined in this country to one branch of trade, and were of British, not American, origin. No general prostration of our trade, internal and external, has occurred for sixteen years; and to this, more than to any temporary or legislative cause, the existing prosperity of the country ought to be ascribed.

Our revenue from customs is sustained by permanent causes, and although it will fall off during the present and in the next year, it must increase with the growing foreign trade of the country. The cotton manufactures of Europe are steadily increasing. In Great Britain the average increase from 1834 to 1836, was twenty per cent. In this country, the crop of cotton in the past year, is estimated at 1,570,000 bales; being 210,000 more than was produced in 1835. It must also be observed, that while the spirit of speculation has raised other commodities to extravagant prices, cotton, other articles of export, and foreign merchandise generally, the sources of our revenue, have not been much higher than usual. A crisis in commercial affairs could not, therefore, as in 1819, cause any very considerable reduction, and any decline would be but temporary. The rapid growth too of our wealth and population, and the extension of our settled territory, enlarge the demand for foreign supplies, and in any prospective adjustment of the tariff, the permanent increase of our foreign commerce should be more regarded than a temporary depression resulting from overtrading.

We may anticipate a greater decline in our revenue from public lands, though not to the extent which has been estimated. The receipts in the last quarter, notwithstanding the extraordinary demand for money were, as nearly as they can be ascertained, four millions and a half. The revenue for the present and the next year, will fall far below that of 1836; but in estimating our future income from our public lands, we must not be governed by the annual receipts in former years. Many causes exist now, which must considerably enlarge this source of revenue. We have within six years purchased of the Indians ninety millions of acres within our settled boundaries, and removed the tribes beyond the Mississippi. This must accelerate the sale and settlement of these lands. We have too within a few years rapidly multiplied our internal improvements in the interior, in every direction, and in many instances, through large tracts of the public lands. It is as easy for the emigrant to reach Illinois at this time, as it was to go to Utica in New York twenty years ago. The area of settlement is thus enlarged in the south, and in the west, to an extent very far beyond its former boundaries. The states in the north west are growing with astonishing rapidity; while the laboring population of Maryland, Virginia and North Carolina, is rapidly moving off to the south western states.

Should the sales of our public lands be limited to actual settlers, as is proposed by the committee on public lands, some, though not a very considerable reduction in the revenue, may be anticipated. Nothing short of suspending the sales, a policy which this government never would adopt, can prevent us from receiving a large income from this source.

One, and not the least of the evils resulting from a surplus revenue, is an extraordinary increase of our federal expenses. A part of this increase has

been caused by extinguishing Indian titles, and removing the tribes. We have appropriated for these objects, since the 4th of March, 1829, 26,982,068 dollars; and our Indian wars have and will cost us not less than \$18,000,000, making an aggregate of about \$40,000,000. Such heavy expenditures, for similar objects, cannot be anticipated hereafter, and our federal expenses for all purposes ought not to be estimated at more than twenty millions of dollars. Even that amount is much more than we have hitherto deemed compatible with the necessary wants of an economical government; and a just regard to economy should prevent us at least from making provision, in anticipation, for a larger government expenditure.

Unless, however, prompt measures are taken to reduce our revenue, we may anticipate a rapid increase of our expenses, and the recurrence, in a few years, of another surplus for deposit or distribution. To avoid these evils, the only safe and prudent course is to diminish the income of the government. The committee are of opinion that some unnecessary taxes, not yielding much revenue, may be repealed, and that a general reduction should be made in one or the other sources of our income to the extent of seven millions of dollars.—The actual condition of our finances does not warrant a less reduction.

Without arresting the progress of the settlement of the country, this reduction cannot be made in our receipts from public lands. But even if such an unwise and unjust proposition were made, and the question should be presented whether we should relinquish our income from this source, or reduce our revenue from customs, there are great considerations, involving even the stability of our confederacy, why the latter should be preferred to the former.

Our public lands are the common property of the union in the ratio to representation. No tax can ever be imposed, the burden of which will, in the spirit of our federal constitution, fall in the like ratio among the states. On the contrary, the revenue from customs is the most unequal and unjust plan of taxation that could have been devised; and the design of our constitution will never be fulfilled until it is wholly reformed. The agricultural states should never permit a common fund to be destroyed, or permanently distributed, in order that, by perpetuating our taxes upon manufactures, the chief burden of supporting the federal government should be thrown upon them.

In justice to the new as well as to the old states, the sales of the public lands ought not to be suspended, nor should they be converted into a fund for annual distribution among the states. Whatever reduction is made should fall upon our revenue from customs. In examining the various articles upon which duties are now levied, the committee find very few remaining that do not directly or indirectly come in competition with some branches of our own industry. Those which are exclusively foreign do not yield an aggregate amount of duty exceeding one hundred thousand dollars. Many others, which have been heretofore classed among the non-protected articles, might be included in the favored list, with quite as much justice as those which have been so considered ever since it has been the policy of government to make any such distinction. But if the duties on all that are classed with the non-protected were repealed, it would not reduce the revenue one million of dollars. An adequate reduction cannot be made without diminishing or repealing the duties on what are denominated protected articles; in other words, without modifying the act of the 2d of March, 1833, commonly called the compromise act.

In approaching this question, the committee are fully aware of the importance of the interests involved, and of the anxiety of capitalists who are extensively engaged in the manufacture or production of commodities which may be affected by any reduction of our taxes. But the question whether we shall continue to sustain their income by our laws, must yield to the indispensable necessity of reducing our revenue to the wants of the government. The actual condition of our finances demands this and makes it our duty to examine thoroughly the foundation upon which the claims of our capitalists to exclusive and perpetual protection rest, and to exhibit the very unjust operation of the compromise act upon the people and states of our confederacy.

Prior to 1816, the primary object of every duty was to support government, and pay the public debt; every tariff and every tax originated in a want of money. The duties were levied on imports generally, and the encouragement of manufactures was wholly incidental to the power of collecting a revenue from customs. There was no distinction, then, between protected and non-pro-

TECTED articles; for the latter were generally taxed at the highest rates. When a duty was proposed as a tax, and defended as an incidental encouragement to some branch of industry at home, it was uniformly advocated as a temporary burden upon the consumer, for which he would be indemnified in a few years by a cheaper domestic supply. The government wanted money, the taxes were moderate, and the consumers seldom troubled themselves to inquire into the wisdom of the discriminations, or the soundness of the principles, of congress.

At the close of the war with Great Britain, the manufactures of the country had been protected for eight years by an almost total prohibition of foreign merchandise, and by the sacrifices of agriculture and commerce. When peace returned, the latter interests were destined again to prosper, and there was danger that the sudden renewal of our intercourse with foreign nations, with whom we exchanged productions, would give a blow to manufactures from which they would not recover in many years. There was a general desire to moderate the shock, and the duties levied by the tariff of 1816, were in some instances higher than would have been otherwise adopted; and necessarily much higher than they were before the war, owing to its heavy expenses. From that time a struggle occurred at almost every session, for more protection, and the duties were continually raised till they reached their maximum in 1828. Various expedients were resorted to, to sustain them. Our expenditures were rapidly increased without the least regard to economy, to create a necessity for revenue. The duties on merchandise exclusively of foreign origin were repealed to preserve our protecting duties; and now, when all these expedients have failed, an attempt is made, not only to perpetuate, but to increase them by annually distributing the proceeds of our public lands.

The system was modified by the acts of the 14th July, 1832, and the 2d of March, 1833. This last act, though proposing a reduction of duty, contains some provisions to take effect in 1842, which will probably be repealed. To exact cash duties, and to deny to our foreign trade the privilege of deposit, is a policy which has never yet been introduced into any other civilized commercial country; and to assess the duty on the market value of foreign merchandise, at every port in the United States, would give us as many rates of duties as we have ports, in direct violation of the constitution. But the committee do not propose to anticipate the discussion of these questions, or any of the provisions of the act of 1833, which do not interfere with the proposed reduction of the revenue. They deem it, however, important to examine the principle of the compromise act, and to expose its unjust operation at this time.

The modern innovation upon our ancient plan of levying duties on foreign merchandise, generally by collecting our revenue, exclusively from that portion which comes in competition with our own industry, reverses the whole design of the constitution; which certainly contemplated that our taxes for federal purposes should be levied in a ratio to representation as nearly as it was practicable.

The previous acts, repealing duties on non-protected articles, and the act of March, 1833, are calculated to make our taxes as unequal as possible. There is a wide difference between the operation of a tariff on merchandise similar to our own and on that which is exclusively foreign. When we collect twenty millions on the latter, the duties are general through the union, and the price of no corresponding commodity at home is raised by it. The tariff operates as a tax to that extent, and no further, and the whole amount goes into the treasury for the support of government. No man gains any advantage over another, and no state is made tributary to any capitalist, or corporation. But when twenty millions are collected on protected articles, the tax indirectly extends to the whole mass of our own productions, and manufactures, which are raised in price, and a much greater amount is levied upon the consumers of the country, in addition to the twenty millions for the support of government. In 1835 the merchandise imported for consumption liable to duty, deducting the value exported, amounted to about sixty-six millions, and yielded a duty of twenty millions. The value of similar merchandise of domestic origin in that year, may be estimated at about 250,000,000 dollars. Some of these branches, especially those beyond the mountains, are not so much affected by our duties; but the prices of far the largest proportion are regulated in a great measure by the tax we impose. Assuming that articles of the value of only \$150,000,000, were so affected, and to the extent of 25 per cent. which is less than the actual duty on imported merchandise, the internal tax on the consumers in 1835, amounted to

\$37,500,000, in addition to the twenty millions which went into the treasury. It is impossible to ascertain what amount of tax these protected branches of industry have for their own profit, and to pay the difference between American and European labor, thus indirectly collected from the consumers since 1789. But we know that the latter have paid on foreign merchandise, from 1789 to 1836, inclusive, (see statement A), more than \$682,000,000, besides probably thirty millions for the expenses of collection. More than one-half of this aggregate has been levied on protected articles. Although we cannot ascertain the amount of this internal tax upon the consumers for the last forty-eight years, we can form some estimate of it in late years. At the manufacturers' convention in New York in 1831, they estimated the annual product of their industry, omitting some branches, at more than two hundred millions. From their great and uninterrupted prosperity since then, the annual value of their products at the present time, ought probably to be estimated at \$300,000,000. If the larger proportion of this amount is not raised in value by duties on foreign merchandise, then are they, as protecting duties, wholly inoperative and unnecessary. This indirect tax upon the consumption of our own productions, cannot be estimated at less than twice the amount of duty collected on similar foreign merchandise, or forty millions annually.

The prices of protected produce and manufactures at home and abroad, are regulated by the industry of those countries where labor is uniformly cheaper than it is in the United States. Until our population resembles that of Europe, and our climate is as genial as that of the sugar islands, our consumers must pay for both foreign and domestic merchandise, a price equal to the cost abroad, the charges of importation, the duty and the merchants' profit upon all. How much the aggregate of all these amounts to in the progress of near half a century, it is impossible to calculate. We know, however, that one of the items amounts to more than \$350,000,000; and the princely establishments scattered over the U. States, and the fact that the annual produce of their industry may be estimated at \$300,000,000, afford ample evidence that other treasures than that of the government, have drawn a much larger amount from the labor of the consumers.

Such is the operation of those protecting duties, which it is proposed to continue, for the purpose of dividing our surplus revenue, hereafter. Such the system of taxation which the compromise act, as it is called, makes perpetual in a confederacy of states, three-fourths of which are not engaged to any extent in these protected branches of industry. According to the provisions and indirect operation of that act, we must levy sixty millions annually upon the consumption of the country, in order to collect twenty for the use of government. The entire population of most, and a large majority of all the states, must be forever compelled by our laws to sustain immense and powerful establishments, which are overshadowing all other branches of industry; while our privileged capitalists and corporations are alone to be, in effect, exempt from taxation, well satisfied with a reciprocity of duties so long as they are ultimately indemnified by an indirect tax upon the other interests of the country.

In other countries, with a crowded population and a consolidated government, this system is less expensive, though manifestly unjust and impolitic, wherever it is adopted. But whatever may be its operation elsewhere, it is wholly inconsistent with the equal, just and free basis of our institutions; and can never be perpetuated in a confederacy of states spread over a vast continent, differing in employments, interests, soil and climate.

It is impossible to make a protecting tax equal among the states. It is, as such, wholly inconsistent with the constitutional and political rights of the members of our confederacy. We cannot permanently make twenty of the states of the union tributary, not to the other six, but to a small portion of their population. The produce of the labor of one state should, by law, enjoy no advantages over the produce of labor in another, whatever may be the character of its industry; nor should the foreign trade of any one state in the union be restricted, except from political necessity.

The commerce of a confederacy, internal and external, should be wholly free. The manufactures of Europe, as well as of the United States, require the produce of our agriculture, and we have no constitutional right to restrict the mutual exchange of our commodities exclusively for the purpose of increasing the profits of individuals in other states. The planter of the south and the farmer of the interior, or of the west, cannot be

effectually and perpetually compelled by our laws to purchase his supplies from the manufacturer or producer in some distant state, on terms which give the latter an advantage of thirty, forty or fifty per cent. and in some instances more. This plan of taxation is unjust in any form and to any extent, but to collect, as is proposed, millions beyond the wants of government, merely for the purpose of distribution, would render its inequality and oppression intolerable.

These protecting duties can be no longer defended as temporary taxes upon consumption, for which the country will be indemnified by a cheap and abundant supply of domestic produce and manufactures. It will be seen by examining the statement B, how utterly fallacious have been all such predictions and speculations, from the date of the report of our first secretary of the treasury, in 1790, down to the present day. That statement exhibits the quantity and value of the most important protected merchandise imported in fifteen years to September, 1835, and some for the year ending 30th June last.

Previous to 1821 our laws did not require regular returns, and little reliance can be placed on estimates. So far from redeeming the pledges, so repeatedly given to the country, that foreign merchandise would be excluded, our importations have always been and are now steadily increasing, and almost uniformly in a ratio even greater than our rapid increase of population. Our manufactures, however prosperous, cannot more than keep pace with the growth of the country, so long as our boundaries of settlement continue to be enlarged, and our agricultural population spreads in the south and west. We have never had an adequate supply of labor, and even that is comparatively diminishing, as the spirit and facility of emigration increase, and the theatre of settlement enlarges. Such is the existing demand for labor for our modern improvements and enlarged industry—for our mines, factories, rail roads, and canals, that we can scarce procure sufficient to cultivate the soil. Besides, so long as we supply all Europe with raw materials, and our exports continue to increase, as they will do, we must take her manufactures in return. While peace continues, nations will exchange their surplus productions; and that commerce will constantly increase, in defiance of all our revenue laws. The consumers of this country can expect no relief from the protecting system till this continent shall have become settled, and a dense and impoverished population reduces the price of labor to the European standard. Till then, they must pay an annual tribute of millions, to add to the number, wealth, and power of our capitalists and corporations.

Statement B gives the importations for each year ending the 30th September, from 1821 to 1835. The returns are not complete for 1836, though a few are stated for the year ending the 30th June last. The aggregate imports for that year, including coin and bullion, was \$185,631,410. Had the importations for 1836 been taken into the comparison, a much larger increase would have been exhibited; but the trade of that year was augmented by extraordinary causes, and is therefore excluded. The comparison made is between the seven years ending in 1821, and in 1835—the first and the last seven of the fifteen years. The real increase is much larger than the apparent, in consequence of constant improvements in machinery, and the competition among nations. The value of imports at the present day represents, in many instances, more than double the quantity the same amount would have represented twenty years ago.

In the last seven years, to 1835, the average increase over the first seven—that is, in seven years, is on the following articles, viz:

Brass manufactures	-	-	-	26 per cent.
Glass ware	-	-	-	60
China ware	-	-	-	150
Earthen and stone ware	-	-	-	25
Steel	-	-	-	87

Leather manufactures, the last five over the first five years, from 1826 to 1835 - - - 63½

The only article, the importation of which has not increased, is hemp; and for the very unsatisfactory reason, that the laws of other countries are more friendly to our navigation than our own, and our ships are supplied abroad.

Woollen manufactures. Stuff goods have been admitted free of duty for three years past. Other manufactures of wool have been protected by a high duty; and, more effectually to diminish importations, cash duties are exacted, to take effect from the date of importation. The aggregate increase of worsted and woollens is in the last, over the first seven years, about \$1,700,000, being 22 per cent. in seven years. The greatest amount imported in any one year of the first seven, was \$11,752,595, and in the last,

\$16,831,557; being \$4,000,000 more than had been imported in any one year since these returns were ordered. If the quantities, instead of the values, could be compared, it would exhibit a greater increase. The worsted goods imported in the year ending the 30th of June, 1836, amounted to \$7,099,370; woollens, \$13,614,643; making an aggregate of \$20,714,013.

Cotton manufactures. This branch was protected by a heavy square yard duty in 1816, which has been subsequently increased. The average increase annually in the last over the first seven years is more than a million. The highest amount imported in any one of the first seven years was \$12,509,616; in the last, \$16,090,224. The first year of the sixteen was \$7,788,514, and the last, \$15,367,585. When it is considered how much the price of this fabric has been reduced in every country in the last twenty years, and that the same value now generally represents twice the quantity it did formerly, some idea may be formed of the immense increase in this branch of our importations. The amount imported in the year ending the 30th June last was \$18,927,250.

Iron and steel manufactures. By adopting specific rates of duty on many of these manufactures, the consumers are taxed much more heavily than they are aware of; besides which, the heavy charges of transportation give our own manufactures a great advantage. The importations, notwithstanding, have increased very rapidly. The aggregate amount imported in the first seven years was \$19,141,183; in the last, \$27,824,141; being an increase in seven years of 45 per cent. The highest annual importation, in the first term, was \$3,525,433; in the last, \$4,827,461; and in the first year of the sixteen \$1,630,129; in the last, \$4,827,461. The amount imported in the year ending the 30th June last was \$7,717,910.

Bar iron. The aggregate quantity imported in the first seven years was 3,998,021, and in the last 7,106,381 hundred weight, or about 200,000 tons in the former period, and 355,000 tons in the latter; being an increase of 77½ per cent. in seven years. The consumption of iron was rapidly increasing in every country, owing to the application of it to a variety of new purposes. But another, and much more important source of consumption, has recently grown out of the improvement in rail roads, which promises to give ample employment for years to come to iron works at home and abroad. The demand for this new use cannot even be now supplied, and the price of rail road iron has consequently risen very considerably. By devoting labor to this new and increasing branch of the iron manufacture, other branches have advanced in price. Although our iron-masters find the latter more profitable than rail road iron, the British, by going largely into this new branch, have given an impulse to all others in every country. There will undoubtedly be a rapid increase of rail roads in Europe and America, which must very much enlarge the demand. Whatever may have been the motives, heretofore, for imposing a protecting duty, none is now required; for this modern improvement has created a market for it which affords it a protection far more permanent and effectual than thrice the amount of our existing duty.—As a protection, our duty is rendered wholly abortive; for all the iron-masters of Europe and America cannot, taking a series of years together, supply the demand for rail roads and all other purposes.

Sugar. This is also charged with a specific duty equal to sixty or seventy per cent. on the estimated cost of production abroad. The aggregate quantity imported in the first seven years of the statement, was 536,363,592 pounds, and in the last, 664,371,508 pounds; being an increase of about 24 per cent. in seven years. The highest importation in the first term was 94,378,814, and in the last, 126,039,239 pounds. The importation of molasses has also increased near 20 per cent. in seven years. The greatest quantity imported in the first seven years was 13,543,045, and in the last, 18,971,608 gallons. The culture of sugar is very uncertain in our climate. If the estimate made by the convention in New York be correct, there has been no increase in this branch since 1831. They estimated the crop at 40,000 hogheads in 1828, and at 100,000 in 1831. The crop of the present year has been estimated at 90,000, but, in consequence of an early frost, it is said, will not produce over 75,000 hogheads. Since the acquisition of Louisiana, the consumers have paid about \$76,000,000, for the protecting duty on sugar and molasses, besides about \$90,000,000 probably in the increased price of our domestic sugar. The quantity imported in the year ending the 30th of June last was 174,807,506 pounds.

Salt. The duty on salt was first laid by the tariff of 1789, was afterwards increased, but subsequently repealed by the act of the 3d of March, 1807, when we had an overflowing treasury. It was renewed during the war, as a war duty. The aggregate

gate quantity imported in the first seven years of the fifteen was 32,019,575, and in the last, 38,779,371 bushels; being an increase of about twenty-one per cent. in seven years. Salt has been protected from 1789 to the present time: for although the duty was repealed from 1808 to 1814, our embargo, other restrictions, and war, were much more efficient than the duty. After near half a century we import about as much as is manufactured in the United States, even including those establishments in the interior with which foreign salt cannot interfere.

Coal. The duty on coal commenced with the tariff of 1789, at two cents a bushel. The statement referred to exhibits the importation of coal for fifteen years. The aggregate quantity imported in the first seven years was 6,088,027, and in the last 12,251,642 bushels; being an increase of more than one hundred per cent. in seven years. It is not practicable to obtain a statement of the produce of all the mines in the United States; but it will be sufficient to show the immense increase in the consumption of coal, by referring to the progress of those mines of anthracite coal, (see statement C). The annual produce, in 1820, was 365, and in 1836, 682,429 tons. The increase of all the mines in the same neighborhood, for the present year, is estimated at 250,000 tons. While our importations of foreign coal have increased in seven years, ending in September, 1835, over the seven years ending in 1827, more than one hundred per cent. a new branch of the coal trade has grown up from nothing to 682,429 tons. The whole amount of coal imported in 1821 was but 17,000 tons; and in 1836 it was about 60,000 tons, and has been more. The increased consumption in these branches alone—but a small proportion of the coal trade of the United States—since 1820, is from about 17,000 to 750,000 tons; and, as a writer in defence of the coal duty informs us, we are in the present year to add 250,000, making a million of tons. Without this, however, the consumption in these branches has increased to forty-four times the quantity consumed sixteen years ago. It is very evident that our coal companies have a much more powerful protection than any which the duty affords them. Causes far more effectual and controlling than all our revenue laws, have within a few years, created an extraordinary demand for coal, which must increase permanently. The destruction of our forests, the increase of our population, and the enlarged application of coal to manufacturing and other purposes, must enable the producers, taking a series of years together, not only to regulate the quantity, but the price of this commodity. With such evidence of the rapid and permanent increase of the consumption of coal, the continuance of the duty as a protection cannot be justified. The whole duty in 1835 was but about \$100,000; and although that imported now is more than three times the quantity in 1821, the whole does not equal twice the annual consumption of the town of Wheeling, in Virginia. The statement below, though relating to other countries, will show the immense product of coal, and its various uses, and proves how utterly insignificant our importation of 60,000 tons is, when compared with the aggregate consumption of the United States.—The following is the estimated annual produce of the coal mines in England and Wales, under the different heads of consumption:

By the population	20,804,570 tons.
Iron furnaces	3,000,000
Manufactories	4,550,000
Steamboats	3,000,000
Exported	615,925
Total,	31,970,495

Wheat. A duty of 25 cents a bushel was imposed on wheat, in 1824. Notice is taken of this item in this report, merely for the purpose of proving its insignificance as a protecting duty. It is an insult to the agricultural interest to attach any importance to it as a measure of protection. Statement D shows that the whole quantity of wheat imported into all our Atlantic ports, from the time the duty was laid, in 1824, to the 30th of September, 1835, embracing a term of eleven years, was but 4,832 bushels—about 440 bushels a year. Notwithstanding the extraordinary state of trade, and the display made about Black Sea, Baltic and German wheat, during 1836, the whole quantity imported in the year ending the 30th September last, at all the ports on the seaboard, (except the third quarter of the year, at Boston), was but 317,883 bushels, paying less than \$30,000 duty. In an agricultural country like this, remote as it is from other grain-growing countries, our farmers have nothing to apprehend from importations. There are but two causes that can bring wheat from abroad: a failure of crops, when importations would be desired by all; and the occasional recurrence of a redundant currency.

The importations of wheat in 1836 were not owing to the former cause. Although our crops have par-

tially failed in some of the states, there is not famine, and the deficiency is not the sole cause of the present high price. We have had a redundant currency, which encouraged speculation, and raised the prices of commodities generally so high, as to produce importations in 1836, without regard to the actual wants of the country. A sudden and large addition to our metallic and paper currency has made us importers of wheat; and had it been practicable, the same cause might have made us importers of the soil which produced it.

The duty on wheat is of no consequence in our trade with Europe, or any other branch of our commerce abroad. By referring to the table D, it will be seen that its operation is almost entirely confined to our Canadian frontier. But even there, the importations were of very little consequence till 1835; then the duty did not amount to sixty thousand dollars, and the imports for 1836 were not half the quantity. The duty on wheat operates very injuriously on our trade with Upper Canada. When it was laid in 1824, we were the millers and exporters of the Canadians. By imposing a duty of twenty-five cents, and refusing the drawback on exportation on that frontier, we have destroyed this branch of trade, as far as the law could be executed. That, however, could not be effected on the St. Lawrence and the Niagara. The most serious objection to this duty is, that it enables the British government to carry out a policy which it wisely adopted some years ago. The produce of the United States is not only admitted into Canada free of duty, but enjoys all the advantages of Canadian produce in the consumption of Great Britain. She thus secures the carrying of our produce, while we, by our own laws, deny ourselves the profit of exporting the produce of Upper Canada, and of furnishing that country with supplies. We force trade through the St. Lawrence, instead of encouraging it through our canals, rivers and lakes; into which channels it would have long since flowed, but for our own laws. Such is the whole operation of our duty on wheat: it affords no protection whatever to agriculture, while, with the aid of other laws equally unwise, it almost destroys our commerce with Upper Canada, and increases the navigation of Great Britain.

Such is the present condition and the operation of protecting duties on some of the most prominent branches of our industry. The enlargement and prosperity of our manufactures, and the existence of these duties for near half a century, no longer warrant a continuance of these heavy charges upon the consumption of the country, under the pretended necessity of sustaining against foreign competition, capitalists and corporations, the annual produce of whose mines, factories and plantations is estimated at three hundred millions of dollars. The agricultural and commercial interests might with more justice claim the protection of government; and, as an indemnity for the sacrifices of half a century, ask for a tax upon that capital, nineteen-twentieths of which has been drawn from their labor. With a surplus of fifty millions in money and stock, and an income from customs and public lands beyond the wants of government, they have at least a right to demand that the whole burden of supporting government, and sustaining our capitalists and corporations, should not be thrown upon them. If our protected industry, great, growing, and profitable as it is, cannot now protect itself, it never will; and it is time for every consumer to determine whether he will submit to perpetual taxation for any such purpose. The statements appended to this report prove conclusively that, notwithstanding the extraordinary increase of our own manufactures, our supplies from abroad, through natural and uncontrollable causes, are constantly increasing. We cannot apologise for the continuance of these taxes, by holding out any prospect of relief, now or hereafter. It is time, therefore, that the system, as such, should be gradually reformed; that all branches of our industry should be placed on the same footing; and that our taxes should give no advantage to one man over another. No state nor section of this confederacy should hereafter be made permanently tributary to another by the operation of our revenue laws.

Unequal and unjust as our taxes are, it is not proposed to remove them in a mode which might shock any branch of industry. The immense increase of the consumption of coal, and the comparatively insignificant quantity imported from abroad, clearly show that the prosperity of this branch is wholly independent of the duty. It is required neither for protection nor revenue, and the committee recommend its repeal. They also propose to repeal the duty remaining on salt; one-half was repealed by the act of July 14, 1832, without destroying our salt works, as was predicted; and the remainder may be taken off, with little injury to them and great benefit to the country. Such a tax ought

not to be continued with an overflowing treasury. The committee further recommend a general reduction of our imposts, to the extent of seven millions. For the reasons stated in this report, they have not endeavored to select articles which would not affect our industry: the duties upon all these, of any importance whatever, have already been repealed.—Nor were they disposed to repeal the duties upon articles paying a less duty than twenty per cent. while other branches of industry, with no higher claims, were protected by duties of 80, 50, and upwards of 100 per cent. So long as the principle of protection is continued, justice requires that they should at least be equalized. That is the basis of the adjustment in the act of the 2d March, 1833.—By that act, all duties over 20 per cent. were to be gradually abolished. The committee propose the same measure, but recommend a different process of reduction. By the tariff of 1833, the excess of duties over 20 per cent. were to be reduced one-tenth on the 31st of December, 1833; one-tenth the 31st of December, 1835; one-tenth the 31st of December, 1837; and one-tenth the 31st of December, 1839: the remainder of the excess was to be taken off, one-half on the 31st of December, 1841, and the other on the 30th of June, 1842. Of these, the two first reductions have already been made. In estimating the excess for future years, 1834 is considered a better criterion than 1835 or 1836, when the importations were unusually large. The excess of duty on the gross revenue accruing in the year ending 30th September, 1834, (see statement E), was \$9,400,000; from this is to be deducted the drawback on the quantity exported, which would probably leave the excess of duty over 20 per cent. on the quantity remaining for consumption at seven millions. Assuming that as the net excess, and that the same amount of importations should continue till 1842, the following would be the prospective operation of the act of the 2d March, 1833:

Excess	\$7,000,000
Deduct one-tenth 31st Dec. 1837	700,000
	6,300,000
Deduct one-tenth 31st Dec. 1839	630,000
	5,670,000
Deduct one-half 31st Dec. 1841	2,835,000
	2,835,000
Deduct one-half 30th June, 1842	2,835,000

Thus the act proposes to reduce the excess 1,330,000 dollars in five years, and 5,670,000 dollars in six months. If the state of our finances did not oblige us to anticipate this reduction of our revenue, motives of policy should induce us to change this extraordinary and unequal process of reduction. With a foreign trade constantly, and permanently increasing, our manufactures will be as much affected in 1842 as they will be in 1838.—If they can, as is proposed, stand a reduction of near six millions of this excess in six months, they will certainly be little affected by taking off the third of seven millions every six for eighteen months. The committee, therefore, propose that one-third of the excess should be reduced on the 30th September next, one-half of the remainder on the 31st of March, 1838; and the other half on the 30th September, 1838. Assuming an excess of seven millions, the reduction would be, viz:

One-third, September 30, 1837,	\$7,000,000
	2,333,333
	4,666,667
One-half, March 31, 1838	2,333,333
One-half, September 30, 1838	2,333,333

Such a reduction would increase and diminish with the rise and fall of importations, and could not materially affect these branches of industry, producing annually, as is estimated, three hundred millions, and distributed, as this reduction would be, among them all. Besides, even after these high duties are reduced to twenty per cent. they will still, with the charges of importation, cash duties, and short credits, enjoy a protection of forty to fifty per cent. and, on heavy and cheap merchandise, much more. As to the proprietors of our salt works, iron works and coal mines beyond the mountains, our imposts do not affect them, as they enjoy a natural monopoly, and regulate both the price and the quantity of their productions.

It is the vice of our plan of levying taxes for the support of government, that we can make no change in our revenue laws without affecting some interest. In the progress of our legislation, and of our intercourse with foreign nations for the last half century, with our tariffs, embargoes, non-intercourse and war, the burden and sacrifices have fallen on the non-protected, the profits on the protected, branches of our industry. A period has arrived, when a

measure of an opposite character is demanded by the highest considerations. It is the duty of all interests to yield to the paramount necessity of reducing the revenue of the United States to the wants of the government; and the committee report a bill for that purpose.

A.

Statement of the revenue annually collected from the consumers of the United States by duties on foreign merchandise.

March 4,	In 1818	\$18,224,628 25
1789, to	1814	5,998,772 08
Dec. 31,	1815	7,282,942 22
1791	1816	86,306,874 88
In 1792	1817	26,283,348 49
1793	1818	17,176,385 00
1794	1819	20,283,608 76
1795	1820	15,005,612 15
1796	1821	13,004,447 15
1797	1822	17,589,761 94
1798	1823	19,088,433 44
1799	1824	17,878,325 71
1800	1825	20,098,713 45
1801	1826	23,341,331 77
1802	1827	19,712,283 29
1803	1828	23,205,523 64
1804	1829	22,681,965 91
1805	1830	21,922,391 39
1806	1831	24,224,441 77
1807	1832	23,465,237 24
1808	1833	29,082,508 91
1809	1834	16,214,987 15
1810	1835	19,391,310 59
1811	1836	23,000,000 00
1812		

*682,547,842 84

[The other tables appended to the report are so large that they cannot conveniently be published.

[Eds. Globe.

THE RESTRAINING LAW OF NEW YORK.

To the editor of the *Argus*:

SIR: Having permission of the author of the enclosed letter to make such use of it as I shall deem proper, I send it to you for insertion in your paper. It contains the views of an eminent and able financier in relation to the repeal, in part, of the restraining law. These views are entitled to great consideration. They are the result of many years' observation and experience, and will doubtless be very satisfactory, not only to the members of the present legislature, but to the reading community generally. Yours, &c. LEON'D MAISON.

January 4th, 1837.

New York, 20th Dec. 1836.

SIR: I had the honor to receive your letter of 10th September last, respecting the restraining act of the state, and the conditions on which it might be repealed. You allowed so much time for the answer, that I postponed the consideration of the subject. Subsequently, an indisposition which confined me five weeks, put it out of my power to attend to it, and now I have neither the time nor the strength necessary for a thorough investigation. I pray you to excuse the delay; but the subject is familiar to me; and I feel some confidence in the correctness of the general principles, on which are founded the views which I will submit to your consideration.

Permit me, in the first place, to refer to the opinion which I expressed six years ago, and before I was connected with any bank. In the "Considerations on Currency, and the Banking System of the United States," published 1st January, 1831, I said, "The prohibition (by private persons, &c.) to issue any species of paper, that can be put into circulation as money, is perfectly proper, and indeed necessary; but that of receiving deposits, or discounting notes or bills, must have had some special and temporary object in view, and does certainly require revision. Why individuals should not be permitted to deposit their money with whom they please, is not understood. The advantages, if not the necessity of this accommodation, (discounting notes by private bankers), are such, that it is understood that the law in question is, in that respect, daily disregarded. The prohibition has no other effect than that of enhancing the premium on the discount." (Note C, page 95.)

The practical knowledge, since acquired, by my connection with a bank, of the business of this city, has strengthened the conviction, that severe and efficient restrictions are necessary in order to prevent inordinate or insecure issues of paper currency;

*To which may be added the expenses of collection for 48 years.

and that every other ordinary banking transaction should, like other species of trade or commerce, be permitted to every person or association of persons, (other than bodies corporate not expressly authorized), unrestrained from any provision other than the general laws of the country.

We have, from the general practice in the United States, contracted the habit of considering the issuing of a paper currency as an essential attribute of banking. The opinion is erroneous. Banks and bankers have been in existence long before any paper currency was issued by any private individuals or association. Till very lately, there were, on the whole continent of Europe, but two or three incorporated banks which issued bank notes. There no private banker or association of persons (other than those few banks), had ever issued any species of paper currency. The right of issuing either a metallic or a paper currency, has always been considered on the continent of Europe as an attribute of sovereignty; and it has but very rarely been delegated, even to corporate bodies. Even in the British dominions, bank notes have never been issued by the London bankers, neither by those thus technically called, nor by those houses of general business which carry on banking transactions on the largest scale. The business of exchange and banking has, for centuries, been carried on throughout the whole European continent and in the most important seat of commerce of Great Britain, by capitalists who issued no paper currency.

There will ever be, in every country which adopts or tolerates paper money, an intrinsic difficulty in determining by whom it should be issued, and under what limitations and regulations. It is a subject for direct consideration; and I will, for the present, confine myself to that to which alone you seem to have called my attention, viz: the repeal of those provisions of the restraining act which forbid individuals or associations to keep offices of discount and deposit.

The proper banking business consists, not in making currency, but in dealing in existing currency and in credit; or, as both are generally expressed, bankers are money dealers. They borrow and lend money, discount notes, buy and sell bills of exchange. They are, in all those respects, useful, and often necessary intermediaries in every commercial country. Their capital, that which they bring into action, and their credit, have a tendency to reduce the rate of interest. They lessen the amount of currency wanted for commercial transactions, by increasing the rapidity of its circulation, by that concentration of payments, and by those exchange operations which, both on the spot and between different places, substitute a transfer, or exchange debts and credits, for actual payments and transportation of either specie or paper currency proper. Unlimited competition is as useful and desirable in that, as in any other branch of commerce. No satisfactory reason has ever been assigned, why dealing in money (setting aside the issuing of bank notes), should be confined to certain chartered companies, to the exclusion of every other person or persons. There is not, to my knowledge, any such legal prohibition, either in any other of the United States, or in any foreign country. The usury laws, the propriety of which is admitted to be doubtful, but which nevertheless prevail every where, apply to every money transaction, and not exclusively to bankers or money dealers. This is not one of those insulated instances, from which it may be unsafe to draw general inferences. Private banking has no where been prohibited but in New York; and the absence of such prohibition has no where been attended with any sensible inconvenience.

It seems, however, to be apprehended, that an unlimited repeal, even of that portion only of the restraining act which prohibits offices of discount and deposit, may be attended with danger. It is suggested that depositors should be specially protected; and it is feared that powerful voluntary associations might obtain a dangerous control over the money market.

Whenever the power of issuing a paper currency is vested in a banking company, and restrictions are laid in order to guard against inordinate, or insecure issues, it becomes necessary to take into consideration the amount of deposits, as well as that of bank notes. As the liability of the bank is the same with respect to both, the security of the holders of notes, is as much affected by the magnitude of the debt due to depositors, as by an excessive issue of paper money. But although it may be necessary to protect the country at large, the note-holders, and especially the more ignorant part of the community, against an excessive, depreciated or unsafe currency proper, the same reason does not apply to depositors. Whether the deposits (so called) arise from an actual deposit of currency, from a transfer of credit, or from a discounted note or bill, the

depositors, that is to say, those who keep an account with a bank, require no special provision in their favor. Their transactions, in that respect, are altogether voluntary; they almost universally belong to a class quite competent to judge where to place their confidence: the repeal of the law will increase the facility of making a proper selection. Enjoying the benefit of the general laws for the recovery of debts, those who may choose to deposit their money with private banks, or with any association of persons whatever, require no greater protection in that respect, than in reference to any other commercial transaction. The legislature has probably done all that was necessary and proper on that subject, in providing by the establishment of saving banks, a safe place of deposit, as is supposed for the earnings of the poorer classes.

Provisions, whether requiring the actual payment of a certain capital, limiting its amount, or regulating its application, never have, and cannot, I think, be extended to individuals generally, or if enacted, be properly enforced. Great capitalists will ever have an influence on the money market. No other remedy can be found than in the freest competition. But it may be required that the laws should not encourage any artificial, dangerous concentration of capital in the same hands. A concentration of small capitals for the purpose of banking, (when not carried to excess) is useful, if not necessary, in a country where there is a great disproportion between the demand for capital and the supply. The capitalists were, and still are, probably too few in number, not to render it desirable that associations should compete with them. I do not apprehend, if the restraining law should be repealed to the extent above stated and no alteration is made in the existing law, that any voluntary association will be formed, with such capital as would render it formidable or dangerous. It does not seem, however, that a limitation, in that respect, could be attended with any inconvenience. But, if necessary for that purpose, the same reason would operate with equal, if not greater force against the creation of any chartered bank, with a capital exceeding that generally allowed.—An inference drawn from the late bank of the United States, would be irrelevant. If the present derangement in our domestic exchanges, and the increased rate of premium can, in any degree, be justly ascribed to the expiration of the charter of that institution, some other reason must be assigned besides its large capital, since this, under another sanction, remains unimpaired and actively employed.

The prohibition ought to continue in force with respect to bodies corporate, such only excepted as are or may be expressly authorized by law. Incorporated associations are vested with certain special powers or privileges for certain special purposes, and should always be restricted, in the exercise of those powers, to the special purposes for which they were respectively granted. It would be preposterous to authorize, by a general law, insurance, rail road, and manufacturing companies or municipal corporations, to become bankers or to transact any other business than that for which they were incorporated. Indeed the only reason why they should be excepted in repealing the restraining act, is because the prohibition is, by that act, expressly extended to corporations; a provision which was unnecessary, if, as I think they were, by their charters, confined to the business for which they were incorporated.

Some alterations in the existing laws may perhaps be proposed, in regard to voluntary associations, other than bodies corporate. May they for instance, be vested, as the new English joint stock banking companies, with the power of having a common seal, and of suing and being sued in their joint capacity, and not as distinct individuals? Shall any special provision be made for the shares into which the capital of such associations may be divided, and respecting the responsibility of the stockholders? Shall any alteration be made in the law of limited co-partnerships, which may better adapt it to joint stock companies, consisting of a great number of stockholders or partners?

To the first query I would not hesitate to answer in the negative. The essential and distinctive character of a corporation, is that of being enabled to contract, to sue and to be sued, and generally to do in its joint or corporate capacity and name, all other acts, (for the purposes specified in the incorporating law), as natural persons may perform. All other powers of a corporation are either necessarily derived from that primary character, or incidental and not essential. The right of perpetual succession, or of not being affected by the death of any of the members of the association during its existence, and that of expressing its will, by a common seal, its bye-laws, or in any other way provided for by the law, are inherent to, and neces-

sarily flow from the conversion of an association of persons into an artificial body, acting as a natural person might do. The right of purchasing land, the exemption of personal responsibility, and other incidents, are not essential characters of a corporation. They may be, and by our laws, and those of other countries, have been omitted, or modified, according to circumstances.

The recent act of Great Britain respecting banking joint stock companies, is, as well as any act of an analogous nature, which might be passed by the state of New York, a general act of incorporation, which gives the essential character of a body corporate to every voluntary association formed for the purpose of carrying on banking business. The modifications and conditions annexed to such a general act, would not divert it from its primary and essential character. A general law of that nature, multiplying indefinitely bodies corporate, in fact, for the purpose of banking, appears to me, in every respect, liable to great abuses, and highly dangerous. But it is not necessary to dwell on that topic, since such a general law is forbidden by the constitution of the state. No law, creating a moneyed corporation, can be passed without the assent of two-thirds of the members of both branches of the legislature. This provision of the constitution has been uniformly construed to mean, that a majority of two-thirds was necessary for the creation of each distinct moneyed corporation. It clearly follows, that no general law, giving the essential character of a corporate body to every voluntary banking association, or joint stock company, that would avail itself of the provisions of that general law, can be passed consistent with the constitution.

I think, however, that all the questions, without exception, which may arise, respecting any modification whatever in the existing laws of the land connected with the subject under consideration, and beyond a simple repeal of the restraining act in the manner heretofore stated, may be satisfactorily solved by recurring to a general principle.

It is asked that the ordinary and proper banking business, (setting aside, for the present, the question respecting the issue of bank notes,) should be left as free and open to every person, or association of persons, as any other branch of commerce whatever; but not that it should be placed on a better, or different footing. There is no reason why persons, or associations of persons, should not be permitted to apply their capital and credit as freely to the dealing in promissory notes and bills of exchange, as to the purchase and sale of merchandise, of land, or of any commodity whatever. Nor is there any reason why any special provision should be made in favor of that particular branch. Let, therefore, every person, or association of persons, disposed to carry on that business, be permitted to avail themselves, without restriction of the general laws of the land. But if any modification of the existing laws, (beyond the simple repeal above stated,) is suggested, either in order to guard against any danger apprehended from the repeal, or for the purpose of facilitating banking, let the propriety of such modification be tested by the general principle, and none be adopted in reference to banking, which may not properly be applied, and which shall not, at the same time, be extended to every branch of commerce, and thus become part of the general law of the land.

Should my health and time permit, I will try, in a subsequent letter, to state the reasons, which seem to me imperiously to forbid the repeal of the prohibition to issue bank notes; and will also submit to you some modifications in the formations of banks, and further restrictions on their operations which appear to me necessary, both in order to remove some of the well founded objections against those institutions, and for the purpose of arresting the progress of excessive or unsafe issues of paper. Be pleased to state whether any part of what I have now written requires further explanation. You are at liberty to make any use you may think proper of this letter.

I have the honor to be, very respectfully, sir, your most obedient serv't, ALBERT GALLATIN.
To the hon. Leonard Mason, state senator, Albany.

TWENTY-FOURTH CONGRESS, SECOND SESSION—SENATE.

January 12. In our brief notice of this day's proceedings of the senate, inserted in our last, we were compelled to omit the following—

The special order, being the bill to limit the sales of public lands to actual settlers, was called up.

Mr. Calhoun thought this a very important bill, and he had not the slightest expectation that it would have been taken up to-day. He hoped the bill would be at least postponed until Monday.

Mr. Buchanan said he would, so far as his vote would go, show that he was disposed to hear the gentleman from Ohio; (Mr. Ewing), but he thought

it the best course to permit the chairman of the committee on public lands to express his views to-day, and then postpone the further consideration of the bill until Monday.

Mr. Clay said he was willing to pursue the course pointed out by the senator from Pennsylvania, provided it was understood generally that after the senator from Mississippi, (Mr. Walker), had delivered his sentiments, the subject should be postponed until Monday.

Mr. Benton stated that he would not consent to the postponement. He would not sanction the delivery of one speech a day, and then an adjournment. He would vote against all adjournment.—The friends of the administration had a majority, and if they did not carry out the measures before them, the public would be at liberty to draw such inferences as they may think fit.

Mr. Calhoun said he asked for time for every important measure to be examined, and he was not disposed to adjourn for any other purpose than to give time for the examination.

Mr. Buchanan said he professed to be one of the friends of the administration, and he knew his responsibility, and did not need to be reminded of his duty on this floor. He did not know how he himself should vote on this bill. He would not give a party vote to exclude purchasers of public lands who were buying lands for their children, and thereby sending the best settlers to the west. He would take the course which his judgment indicated as the best, without suffering himself to be directed by any other guide.

Mr. King, of Alabama, said he was always ready to give any reasonable time for examination of every subject, and whether he was in a majority or minority, he should be always prepared to evince the same disposition to accommodate. He was willing that the remarks of the senator from Mississippi should be heard, and that the subject should then be postponed until Monday to wait for the return of the senator from Ohio, whose opinions he was desirous to hear.

After some further consultation, the further consideration of the subject was agreed to be postponed until to-morrow, and to be made the special order for to-morrow, when it is understood that Mr. Walker will submit his views, and that then the further consideration of the subject will be postponed until Monday.

The bill, with some amendments offered by Mr. Walker, was then ordered to be printed.

The next special order, being the expunging resolutions, was taken up, when Mr. Benton advocated its passage. He was replied to by Mr. Crittenden. Mr. Dana remarked briefly on the subject, in compliance with the expectations of his own state, which had passed resolutions on the subject, but gave way—and on motion of Mr. Grundy the senate adjourned.

January 13. The chair presented the credentials of Thomas Clayton, elected a senator from Delaware, in the place of the hon. John M. Clayton, resigned.

Also, a communication from the treasury department, in answer to a senate resolution of the 12th inst. in relation to a breakwater and artificial harbor in Delaware bay. The communication stated that the subject belonged to the war department.

A number of petitions were presented and referred, and several bills reported and ordered to a third reading—all of which, of general interest, will be noticed hereafter, when

The following resolutions, which by rule lie over one day, were offered:

By Mr. Robbins. *Resolved*, That the committee on the library be instructed to inquire into the expediency of procuring suitable books for the blind.

By Mr. Davis. *Resolved*, That the president of the United States be requested to send to the senate, if not incompatible with the public interest, any communication received by, or correspondence had between, the executive of the United States and general Santa Ana, or any other person claiming to act in behalf of Mexico, respecting the independence or future disposition and civil condition of Texas, if any such communications have been made, or any such correspondence has been had. Also, such communications, if any, as have been made from any other foreign government or governments, touching the same subject.

By Mr. Tipton. *Resolved*, That the judiciary committee be instructed to inquire into the expediency of granting to the corporation of Michigan city a strip of land along the shore of Lake Michigan, within the limits of the corporation, and situated between the surveys of the lands sold by the United States and the water of the lake.

By Mr. Crittenden. *Resolved*, That the secretary of war be directed to communicate to the senate any report or letter of explanation of the military

operations of the army in Florida, under the command of the governor of that territory, made by him to that department, since the report of the secretary which accompanied the president's message.

[Mr. Crittenden, in rising to offer the above resolution, said that, before doing so, he would read from that part of the president's message which relates to the Indian war in Florida, the following passage: "The result of the first movement made by the forces under the direction of governor Call, in October last, as detailed in the accompanying papers, excited much surprise and disappointment. A full explanation has been required of the causes which led to the failure of that movement, but has not yet been received."

Mr. Crittenden then stated that he had been informed that, since that, the explanation required had been received from governor Call. He hoped it had been satisfactory to the president, and would be so to the public. The object of his resolution was to bring it before the public. He had known governor Call long; he had always believed him to be a true man and a true soldier, and trusted he would so appear when his explanation and justification was made known. Mr. C. then offered a resolution requesting the president to communicate to the senate any report or letter of explanation received from governor Call.]

The resolution offered yesterday by Mr. Preston was taken up and adopted.

The bill for the relief of William East was considered as in committee of the whole, and ordered to be engrossed for a third reading.

The senate proceeded to the further consideration of the special order, the expunging resolution of Mr. Benton.

Mr. Dana concluded his remarks on this subject. Mr. Preston spoke on the subject generally, and in reply to Mr. Dana. Mr. Rives followed, chiefly in reply to Mr. Preston, and in vindication of the present conduct and opinions of Virginia. Mr. Preston responded, mostly on several new topics, introduced by Mr. Rives. Mr. Rives spoke again in reply to Mr. Preston. Mr. Moore, remarking that several senators were now absent who would doubtless wish to record their vote on this question, moved to postpone the subject till Monday. Negatived, 14 voting in favor, noes not counted.

Mr. Moore then addressed the senate, chiefly in vindication of the votes which he had given, and the one which he was about to give on this question. Mr. Niles spoke at great length.

Mr. Moore, seconding a supposititious invocation of Mr. Niles, suggested the propriety of so amending the resolution as to order fire to be brought from heaven by a sun glass, to consume the obnoxious portion of the senate journal, as, he said, had been once done by a legislature of Georgia. Mr. Southard, having expressed a wish to speak on this subject at a proper time, and when the minds of senators were not exhausted, moved that the senate do now adjourn. Negatived, by yeas 20, nays 21; the yeas and nays having been ordered on the call of Mr. Benton.

Mr. Southard then declined speaking at so late an hour. Mr. Moore moved and urged an adjournment, that proper opportunity might be given for further debate. Negatived, yeas 20, nays 22. Mr. Calhoun addressed the senate briefly on the subject. Mr. Clay inquired whether the question involved both the preamble and the resolution. The chair said it embraced the whole subject-matter.

Mr. Clay having enumerated some of the topics on which he had designed to speak, relating to this resolution, gave way to Mr. Moore, who again moved an adjournment, yeas 22, noes not counted.

So the senate adjourned until to-morrow.

January 14. The chair presented a communication from the treasury department, with an accompanying report, relating to the insolvent debtors of the United States.

Also, from the war department, with a statement of the names and compensation of the clerks employed in that department for 1836. Both communications were ordered to be printed.

[Communications similar to the above were received yesterday by the house.]

Mr. Tallmadge presented a memorial from the board of trade of New York through a committee of that board, praying the establishment of a national bank at the city of New York, and representing the establishment of such a bank by congress as the only remedy for the present and past deranged state of the currency and exchanges of the country, and praying congress to create such an institution according to the plan laid down in the president's message of 1832. [Mr. T. while he testified to the high character of the gentlemen composing the board of trade, and the committee through whom he received the memorial, said he

wished it to be distinctly understood that he did not concur with them in their views on this subject.—His own views had been already expressed here and elsewhere.]

A number of petitions were presented, and several bills reported, read a first time and ordered to a second reading.

The resolution offered yesterday by Mr. Davis, calling on the president of the United States for copies of any correspondence which may have passed between him and gen. Santa Ana, or any other of the authorities of Mexico, in relation to the independence of Texas, being under consideration,

Mr. Grundy suggested the propriety, under existing circumstances, of letting it lie for a few days, unless the honorable mover had some special reason for urging its immediate adoption.

Mr. Davis remarked, that as gen. Santa Ana was said to be now on his way to this city, with some purpose relating to the independence of Texas, it was to be presumed that some communications on the subject had passed between him and other authorities of Mexico and the president. It was desirable that such correspondence, if any had taken place, should be seasonably in the possession of the senate; but he was willing to let the resolution lie till Monday; and it was accordingly laid on the table.

The other senate resolutions on the table, and heretofore published, were severally taken up and agreed to.

Several bills of private or local interest having been ordered to a third reading—on motion of Mr. King, of Alabama, the senate proceeded to the consideration of the bill prohibiting sales of the public lands, except to actual settlers, and in limited quantities, as amended by the committee on public lands.

Mr. Walker spoke at large on the subjects relating to the bill, and in explanation of its various provisions.

Mr. Clay said he was gratified to hear from the chairman of the committee on public lands the assurance that the treasury order of July, 1836, would, in some way, be dispensed with. He wished to ask the chairman when the committee would probably report on this subject.

Mr. Walker could not certainly tell; but probably by Tuesday next. On motion of Mr. Morris, the bill, with the amendments, was postponed till Monday.

The expunging resolution of Mr. Benton now coming up for further consideration, and Mr. Clay having the floor, on motion of Mr. Kent, the senate adjourned—yeas 22, nays 18.

January 16. The chair presented a communication from the treasury department, in compliance with a resolution of the senate, with a statement of the amount of unexpended appropriations remaining in the treasury on the 1st of January instant. Laid on the table, and ordered to be printed.

Mr. Grundy, from the committee on the judiciary, reported a bill to establish a board of three commissioners, to be appointed by the president and senate, to hear and examine claims against the U. States.

On motion of Mr. Davis, the resolution offered by him, calling on the president of the United States for copies of such correspondence as may have taken place between the executive and Santa Ana, or any other person, in relation to the independence of Texas, was taken up, and adopted without debate.

The bill for the relief of Samuel Miller was read a third time and passed;

Also, the bill altering the time of holding the circuit court of the United States for the fifth district of North Carolina;

The bill to authorise the East Florida rail road company to construct a rail road through the public lands;

And the bill to authorise the Washington county turnpike company of Missouri to construct a rail road through the public lands.

The senate proceeded to the farther consideration of the expunging resolution, offered by Mr. Benton.

Mr. Clay addressed the senate at length in opposition to the expunging resolution, and in vindication of the principles involved in the resolution of the senate censuring the president. Mr. Buchanan followed, in vindication of the expunging resolution, and in reply to Mr. Clay. He insisted that the meaning of *expunge*, as used in the resolution, was not literal, but metaphorical, merely implying that the passage in the journal operated upon would not be obliterated, but that its force as an act of the senate would be annihilated. Mr. Dana made a few remarks, and was followed by Mr. Buchanan, who spoke at some length in favor of the resolution. Mr. Bayard next took the floor, and delivered a speech in opposition to it. After Mr. B. had concluded, Mr. Hendricks arose and gave his reasons for opposing the resolution.

[Mr. Hendricks voted against the resolution of 1834 which Mr. Benton's resolution proposes to expunge—his remarks shall be inserted at length in our next.]

Mr. Strange addressed the senate at considerable length in its favor, and in conclusion moved several verbal amendments in the preamble of the resolution, the import of which was to declare that the senate resolution of 1834, censuring the president, was "not warranted by the constitution, illegal," &c. instead of declaring that it was "unconstitutionally adopted."

Mr. Ewing, of Ohio, spoke in opposition to the resolution, dwelling especially on the severe and unqualified language of reprobation which had been used by the advocates of expunction, and friends of the president.

Mr. Calhoun made some inquiries as to the design of the amendments of Mr. Strange, who was understood to reply that they were designed to render the language of the preamble less severe.

Mr. Benton expressed his acquiescence in the proposed amendments. He thought it a matter of little consequence which form should be adopted.

The amendments of Mr. Strange were then agreed to.

The debate having closed, and the question being about to be taken, Mr. Webster rose, and addressed the senate as follows:

MR. PRESIDENT: Upon the truth and justice of the original resolution of the senate, and upon the authority of the senate to pass that resolution, I had an opportunity to express my opinions at a subsequent period, when the president's protest was before us. Those opinions remain altogether unchanged.

And now, had the constitution secured the privilege of entering a PROTEST on the journal, I should not say one word on this occasion; although, if what is now proposed shall be accomplished, I know not what would have been the value of such a provision, however formally or carefully it might have been inserted in the body of that instrument.

But, as there is no such constitutional privilege, I can only effect my purpose by thus addressing the senate; and I rise, therefore, to make that PROTEST in this manner, in the face of the senate, and in the face of the country, which I cannot present in any other form.

I speak in my own behalf, and in behalf of my colleague; we both speak as senators from the state of Massachusetts, and, as such, we solemnly PROTEST against this whole proceeding.

We deny that senators from other states have any power or authority to expunge any vote or votes which we have given here, and which we have recorded, agreeably to the express provision of the constitution.

We have a high personal interest, and the state whose representatives we are, has also a high interest in the entire preservation of every part and parcel of the record of our conduct, as members of the senate.

This record the constitution solemnly declares shall be kept; but the resolution before the senate declares that this record shall be expunged.

Whether subterfuge and evasion, and, as it appears to us, the degrading mockery of drawing black lines upon the journal, shall or shall not leave our names and our votes legible, when this violation of the record shall have been completed, still the terms "to expunge" and the terms "to keep," when applied to a record, import ideas exactly contradictory; as much so as the terms "to preserve" and the terms "to destroy."

A record which is expunged, is not a record which is kept, any more than a record which is destroyed, can be a record which is preserved. The part expunged is no longer part of the record; it has no longer a legal existence. It cannot be certified as a part of the proceeding of the senate for any purpose of proof or evidence.

The object of the provision in the constitution, as we think, most obviously is, that the proceedings of the senate shall be preserved in writing, not for the present only, not until published only, because a copy of the printed journal is not regular legal evidence; but preserved indefinitely; preserved, as other records are preserved, till destroyed by time or accident.

Every one must see that matters of the highest importance depend on the permanent preservation of the journals of the two houses. What but the journals show that bills have been regularly passed into laws, through the several stages; what but the journal shows who are members, or who is president, or speaker, or secretary, or clerk of the body? What but the journal contains the proof, necessary for the justification of those who act under our authority, and who, without the power of producing

such proof, must stand as trespassers? What but the journals show who is appointed, and who rejected, by us, on the president's nomination; or who is acquitted, who convicted, in trials on impeachment? In short, is there, at any time, any other regular and legal proof of any act done by the senate than the journal itself?

The idea, therefore, that the senate is bound to preserve its journal only until it is published, and then may alter, mutilate, or destroy it at pleasure, appears to us one of the most extraordinary sentiments ever advanced.

We are deeply grateful to those friends who have shown, with so much clearness, that all the precedents relied on to justify or to excuse this proceeding, are either not to the purpose, or, from the times and circumstances at and under which they happened, are no way entitled to respect in a free government, existing under a written constitution. But, for ourselves, we stand on the plain words of that constitution itself. A thousand precedents elsewhere made, whether ancient or modern, can neither rescind, nor control, nor explain away these words.

The words are, that "each house shall keep a journal of its proceedings." No gloss, no ingenuity, no specious interpretation, and much less can any fair or just reasoning reconcile the process of expunging with the plain meaning of these words, to the satisfaction of the common sense and honest understanding of mankind.

If the senate may now expunge one part of the journal of a former session, it may, with equal authority, expunge another part, or the whole. It may expunge the entire record of any one session, or of all sessions.

It seems to us inconceivable how any men can regard such a power, and its exercise at pleasure, as consistent with the injunction of the constitution. It can make no difference what is the completeness or incompleteness of the act of expunging, or by what means done; whether by erasure, obliteration, or defacement; if by defacement, as here proposed, whether one word or many words are written on the face of the record; whether little ink or much ink is shed on the paper; or whether some part, or the whole, of the original written journal may yet by possibility be traced. If the act done be an act to expunge, to blot out, to obliterate, to erase the record, then the record is expunged, blotted out, obliterated and erased. And mutilation and alteration violate the record as much as obliteration or erasure. A record, subsequently altered, is not the original record. It no longer gives a just account of the proceedings of the senate. It is no longer true. It is, in short, no journal of the real and actual proceedings of the senate, such as the constitution says each house shall keep.

The constitution, therefore, is, in our deliberate judgment, violated by this proceeding in the most plain and open manner.

The constitution, moreover, provides that the yeas and nays, on any question, shall, at the request of one-fifth of the members present, be entered on the journal. This provision, most manifestly, gives a personal right to those members who may demand it, to the entry and preservation of their votes on the record of the proceedings of the body; not for one day or one year only, but for all time. There the yeas and nays are to stand, forever, as permanent and lasting proof of the manner in which members have voted on great and important questions before them.

But it is now insisted that the votes of members, taken by yeas and nays, and thus entered on the journal, as matter of right, may still be expunged; so that that, which it requires more than four-fifths of the senators to prevent from being put on the journal, may, nevertheless, be struck off and erased the next moment, or at any period afterwards, by the will of a mere majority; or if this be not admitted, then the absurdity is adopted of maintaining, that this provision of the constitution is fulfilled by merely preserving the yeas and nays on the journal, after having expunged and obliterated the very resolution, or the very question, on which they were given, and to which alone they refer; leaving the yeas and nays thus a mere list of names, connected with no subject, no question, no vote. We put it to the partial judgment of mankind, if this proceeding be not, in this respect also, directly and palpably inconsistent with the constitution.

We protest in the most solemn manner, that other senators have no authority to deprive us of our personal rights, secured to us by the constitution, either by expunging, or obliteration, or mutilating, or defacing, the record of our votes, duly entered by yeas and nays; or by expunging and oblittering the resolutions or questions on which those votes were given and recorded.

We have seen, with deep and sincere pain, the legislatures of respectable states instructing the senators of those states to vote for and support this violation of the journal of the senate; and this pain is infinitely increased by our full belief, and entire conviction, that most, if not all these proceedings of states had their origin in promptings from Washington; that they have been urgently requested and insisted on as being necessary to the accomplishment of the intended purpose; and that it is nothing else but the influence and power of the executive branch of this government which has brought the legislatures of so many of the free states of this union to quit the sphere of their ordinary duties for the purpose of co-operating to accomplish a measure, in our judgment, so unconstitutional, so derogatory to the character of the senate; and marked with so broad an impression of compliance with power.

But this resolution is to pass. We expect it.—That cause, which has been powerful enough to influence so many state legislatures, will show itself powerful enough, especially with such aids, to secure the passage of the resolution here.

We make up our minds to behold the spectacle which is to ensue.

We collect ourselves to look on, in silence, while a scene is exhibited which, if we did not regard it as ruthless violation of a sacred instrument, would appear to us to be little elevated above the character of a contemptible farce.

This scene we shall behold, and hundreds of American citizens, as many as may crowd into these lobbies and galleries, will behold it also; with what feelings I do not undertake to say.

But we protest, we most solemnly protest, against the substance and against the manner of this proceeding, against its object, against its form, and against its effect. We tell you that you have no right to mar or mutilate the record of our votes given here, and recorded according to the constitution; we tell you that you may as well erase the yeas and nays on any other question or resolution, or on all questions and resolutions, as on this; we tell you that you have just as much right to falsify the record, by so altering it as to make us appear to have voted on any question as we did not vote, as you have to erase a record, and make that page a blank, in which our votes, as they were actually given and recorded, now stand. The one proceeding, as it appears to us, is as much a falsification of the record as the other.

Having made this PROTEST, our duty is performed. We rescue our own names, character and honor from all participation in this matter; and whatever the wayward character of the times, the headlong and plunging spirit of party devotion, or the fear or the love of power, may have been able to bring about elsewhere, we desire to thank God that they have not, as yet, overcome the love of liberty, fidelity to true republican principles, and a sacred regard for the constitution, in that state whose soil was drenched, to a mire, by the first and best blood of the revolution. Massachusetts, as yet, has not been conquered; and while we have the honor to hold seats here as her senators, we shall never consent to a sacrifice either of her rights, or our own; we shall never fail to oppose what we regard as a plain and open violation of the constitution of the country; and we should have thought ourselves wholly unworthy of her if we had not, with all the solemnity and earnestness in our power, protested against the adoption of the resolution now before the senate.

She question being on the adoption of the resolution, as amended,

Mr. Benton demanded the yeas and nays; which were ordered.

He then moved that the blanks in the resolution be filled by inserting the 16th day of January. It was agreed to; and, having been done,

The question was taken, by yeas and nays, on the adoption of the resolution in the following form: *Resolution to expunge from the journal the resolution of the senate of March 28, 1834, in relation to president Jackson and the removal of the deposits.*

Whereas, on the 26th day of December, in the year 1833, the following resolve was moved in the senate:

"Resolved, That, by dismissing the late secretary of the treasury, because he would not, contrary to his own sense of duty, remove the money of the United States in deposit with the bank of the United States and its branches, in conformity with the president's opinion, and by appointing his successor to effect such removal, which has been done, the president has assumed the exercise of a power over the treasury of the United States, not granted him by the constitution and laws, and dangerous to the liberties of the people;"

Which proposed resolve was altered and changed by the mover thereof, on the 28th day of March, in the year 1834, so as to read as follows:

"Resolved, That, in taking upon himself the responsibility of removing the deposits of the public money from the bank of the United States, the president of the United States has assumed the exercise of a power over the treasury of the United States not granted to him by the constitution and laws, and dangerous to the liberties of the people;"

Which resolve, so changed and modified by the mover thereof, on the same day and year last mentioned, was further altered, so as to read in these words:

"Resolved, That the president, in the late executive proceedings in relation to the revenue, has assumed upon himself authority and power not conferred by the constitution and laws, but in derogation of both;"

In which last-mentioned form the said resolve, on the same day and year last mentioned, was adopted by the senate, and became the act and judgment of that body, and, as such, now remains upon the journal thereof:

And whereas the said resolve was not warranted by the constitution, and was irregularly and illegally adopted by the senate, in violation of the rights of defence which belong to every citizen, and in subversion of the fundamental principles of law and justice; because president Jackson was thereby adjudged and pronounced to be guilty of an impeachable offence, and a stigma placed upon him as a violator of his oath of office, and of the laws and constitution which he was sworn to preserve, protect, and defend, without going through the forms of an impeachment, and without allowing to him the benefits of a trial, or the means of defence:

And whereas the said resolve, in all its various shapes and forms, was unfounded and erroneous in point of fact, and therefore unjust and unrighteous, as well as irregular and unauthorized by the constitution; because the said president Jackson, neither in the act of dismissing Mr. Duane, nor in the appointment of Mr. Taney, as specified in the first form of the resolve; nor in taking upon himself the responsibility of removing the deposits, as specified in the second form of the same resolve; nor in any act which was then, or can now, be specified under the vague and ambiguous terms of the general denunciation contained in the third and last form of the resolve, did do or commit any act in violation or in derogation of the laws and constitution, or dangerous to the liberties of the people:

And whereas the said resolve, as adopted, was uncertain and ambiguous, containing nothing but a loose and floating charge for derogating from the laws and constitution, and assuming ungranted power and authority in the late executive proceedings in relation to the public revenue; without specifying what part of the executive proceedings, or what part of the public revenue was intended to be referred to; or what parts of the laws and constitution were supposed to have been infringed; or in what part of the union, or at what period of his administration, these late proceedings were supposed to have taken place; thereby putting each senator at liberty to vote in favor of the resolve upon a separate and secret reason of his own, and leaving the ground of the senate's judgment to be guessed at by the public, and to be differently and diversely interpreted by individual senators, according to the private and particular understanding of each: contrary to all the ends of justice, and to all the forms of legal or judicial proceeding; to the great prejudice of the accused, who could not know against what to defend himself; and to the loss of senatorial responsibility, by shielding senators from public accountability for making up a judgment upon grounds which the public cannot know, and which, if known, might prove to be insufficient in law, or unfounded in fact:

And whereas the specification contained in the first and second forms of the resolve having been objected to in debate, and shown to be insufficient to sustain the charges they were adduced to support, and it being well believed that no majority could be obtained to vote for the said specifications, and the same having been actually withdrawn by the mover in the face of the whole senate, in consequence of such objection and belief, and before any vote taken thereupon; the said specifications could not afterwards be admitted by any rule of parliamentary practice, or by any principle of legal implication, secret intendment, or mental reservation, to remain and continue a part of the written and public resolve from which they were thus withdrawn; and, if they could be so admitted, they would not be sufficient to sustain the charges therein contained:

And whereas the senate being the constitutional tribunal for the trial of the president, when charged by the house of representatives with offences against

the laws and the constitution, the adoption of the said resolve, before any impeachment preferred by the house, was a breach of the privileges of the house; not warranted by the constitution; a subversion of justice; a prejudication of a question which might legally come before the senate; and a disqualification of that body to perform its constitutional duty with fairness and impartiality, if the president should thereafter be regularly impeached by the house of representatives for the same offence:

And whereas the temperate, respectful, and argumentative defence and protest of the president against the aforesaid proceeding of the senate was rejected and repulsed by that body, and was voted to be a breach of its privileges, and was not permitted to be entered on its journal or printed among its documents; while all memorials, petitions, resolves, and remonstrances against the president, however violent or unfounded, and calculated to inflame the people against him, were duly and honorably received, encomiastically commented upon in speeches, read at the table, ordered to be printed with the long list of names attached, referred to the finance committee for consideration, filed away among the public archives, and now constitute a part of the public documents of the senate, to be handed down to the latest posterity:

And whereas the said resolve was introduced, debated and adopted, at a time and under circumstances which had the effect of co-operating with the bank of the United States in the partricial attempt which that institution was then making to produce a panic and pressure in the country; to destroy the confidence of the people in president Jackson; to paralyze his administration; to govern the elections; to bankrupt the state banks; ruin their currency; fill the whole union with terror and distress; and thereby to extort from the sufferings and the alarms of the people, the restoration of the deposits and the renewal of its charter:

And whereas the said resolve is of evil example and dangerous precedent, and should never have been received, debated or adopted by the senate, or admitted to entry upon its journal: Wherefore,

Resolved, That the said resolve be expunged from the journal; and, for that purpose, that the secretary of the senate, at such time as the senate may appoint, shall bring the manuscript journal of the session 1833-'34 into the senate, and, in the presence of the senate, draw black lines round the said resolve, and write across the face thereof, in strong letters, the following words: "EXPUNGED BY ORDER OF THE SENATE, THIS 16TH DAY OF JANUARY, IN THE YEAR OF OUR LORD 1837."

On agreeing to this resolution, the vote was as follows:

YEAS—Messrs. Benton, Brown, Buchanan, Dana, Ewing, of Illinois, Fulton, Grundy, Hubbard, King, of Alabama, Linn, Morris, Nicholas, Niles, Page, Rives, Robinson, Ruggles, Sevier, Strange, Tallmadge, Tipton, Walker, Wall, Wright—24.

NAYS—Messrs. Bayard, Black, Calhoun, Clay, Crittenden, Davis, Ewing, of Ohio, Hendricks, Kent, Knight, Moore, Prentiss, Preston, Robbins, Southard, Swift, Tomlinson, Webster, White—19.

So the resolution was agreed to.

Mr. Benton, observing that nothing now remained but for the secretary to carry into effect the order of the senate, moved that that be forthwith done.

The secretary thereupon produced the record of the senate, and opening it at the page which contained the resolution to be expunged, did, in the presence of such of the members of the senate as remained, (many having retired), proceed to draw black lines entirely round the resolution, and to endorse across the lines the words "Expunged by order of the senate, this 16th day of January, in the year of our Lord 1837."

No sooner had this been done, than hisses, loud and repeated, were heard from various parts of the gallery.

The chair, (Mr. King, of Alabama). Clear the galleries.

Mr. Benton. I hope the galleries will not be cleared, as many innocent persons will be excluded, who have been guilty of no violation of order. Let the ruffians who have made the disturbance alone be apprehended. I hope the sergeant-at-arms will be directed to enter the gallery, and seize the ruffians, ascertaining who they are in the best way he can. Let him apprehend them, and bring them to the bar of the senate. Let him seize the bank ruffians. I hope that they will not now be suffered to insult the senate, as they did when it was under the power of the bank of the United States, when ruffians, with arms upon them, insulted us with impunity. Let them be taken and brought to the bar of the senate. Here is one, just above me, that may easily be identified—the bank ruffian!

The order to clear the galleries was revoked, and the sergeant-at-arms directed to proceed into the

galleries and apprehend the persons who had created the disorder. In a very few minutes the sergeant-at-arms returned, and reported to the chair that he had apprehended an individual and had him in custody.

Mr. Benton moved that he be brought to the bar of the senate.

Mr. Morris opposed the motion, and demanded the yeas and nays; which, being ordered and taken, stood yeas 17, nays 8. So the motion was carried.

It was suggested by Mr. Moore that there was not a quorum present, and the chair at first so decided. But, on being reminded that one of the senators from Louisiana had resigned, 25 was a majority of the 49 remaining. He declared that a quorum was present.

Mr. Moore now moved an adjournment; but the motion was lost.

The sergeant-at-arms now produced and presented an individual at the bar of the senate.

[He was a tall, well dressed man, wrapped in a black over-coat.]

Mr. Benton said that, as the individual had been taken from among the respectable audience in the gallery and had been presented in this public manner, with all eyes fixed upon him, he had perhaps been sufficiently punished in his feelings. Mr. B. was not disposed to push the proceedings any further, and therefore moved that he be discharged from custody.

Mr. Morris considered the whole proceeding as very extraordinary. If the individual had been worthy of an arrest, he ought to have an opportunity of defence. A citizen had been brought to the bar of the senate, and not informed for what reason, nor of what offence he stood charged and now it was moved that, without a hearing, he be discharged from custody. Call you this (said Mr. M.) the justice of the senate of the United States? Is it in this manner that citizens are to be treated? It appears to me a most extraordinary proceeding.

Mr. Sevier moved an adjournment; but the motion did not prevail.

Mr. Robinson, near whose seat the person apprehended then stood, proposed that the individual have an opportunity to purge himself by oath from the contempt. The senate were not to presume him guilty, and if he was willing to swear that he intended no contempt, he ought to have an opportunity to do so.

Mr. Morris demanded the yeas and nays on the motion for his discharge; and they were ordered accordingly.

Mr. Benton observed that if the individual was ready to go to the clerk's table, and there, by oath, to purge himself of the contempt, he had no objection. Let him do so.

Mr. Robinson now stated, on behalf of the person apprehended, that he was willing and ready to answer interrogatories.

Mr. Benton thereupon withdrew his motion for his discharge.

The chair reminded him that he could not do this, inasmuch as the yeas and nays upon it had been ordered.

Mr. Morris was strongly opposed to having the individual suddenly, without warning, and without opportunity to consult counsel, brought forward to take his oath, and undergo interrogatories. It would be better to give him until to-morrow, that he might have some leisure for reflection. He had been brought up here before the senate of the United States, and before the people of the United States, and to require him thus suddenly to be put upon oath in his defence was wrong.

He concluded by moving an adjournment.

The yeas and nays were demanded and ordered on the motion to adjourn.

Mr. Strange thought that if the individual was willing now to be sworn, and to undergo interrogatories, he was certainly the best judge of his own rights. He best knew what he could undergo, and there was no need that senators should become his advocates.

Mr. Benton said that if the man wished to purge himself on oath, now, here, in presence of the senate, it was very well. Let him do so. But if he wanted to go away and consult a lawyer, if he must ask a lawyer to-morrow before he could tell whether he meant to insult the senate to-night, he was opposed to it. If he was ready to swear, let him do it, but no consulting with lawyers.

The chair stated to Mr. Morris that the individual in custody was not brought up without a charge, as that senator seemed to intimate. He was charged with disorderly conduct in the presence of the senate, and the law gave the senate, as it gave a court of justice, power to protect itself in all such cases, by a summary proceeding, and on the evidence of its own senses.

Mr. Robinson again said that the individual in custody wished for an opportunity of purging himself from the contempt.

Some confusion prevailed. But the motion for his discharge being pressed, the question was put, and decided as follows:

YEAS—Messrs. Benton, Brown, Buchanan, Dana, Ewing, of Illinois, Fulton, Grundy, Hendricks, Hubbard, King, of Ala. Linn, Nicholas, Niles, Page, Rives, Robinson, Ruggles, Sevier, Tallmadge, Tipton, Walker, White, Wright—23.

NAY—Mr. Wall—1.

The individual was accordingly discharged from custody.

The individual referred to thereupon advanced, and addressing the chair, said:

"Mr. President, am I not to be permitted to speak in my own defence?"

Chair, to the sergeant-at-arms, "Take him out!"

The senate now adjourned.

January 17. The journal having been read, Mr. While said he had voted against bringing to the bar of the senate the individual arrested last night, and not in favor as had been read from the journal. A correction of the journal was made accordingly.

Mr. Calhoun said he had always understood the constitution to require a majority of the entire number of senators to make a quorum, and he suggested it as an important question which ought now to be decided, whether 26 made a quorum of the senate, or 24, as had been understood last night. The question, however, not being now formerly proposed, was not decided.

A message was received by the president of the United States, by Andrew Jackson, jr. his private secretary, with certain communications from the secretary of the treasury, and from the district attorney of the United States for the District of Columbia, relating to the difficulties of bringing to conviction the persons concerned in burning the treasury building, and earnestly recommending a revision of the laws relating to this subject. Referred to the committee for the District of Columbia, and ordered to be printed.

The chair presented a communication from the secretary of the treasury, in compliance with a senate resolution of the 29th ult. (offered by Mr. Calhoun), with statements of the amount of exports, imports and avails of the public lands, for the year 1836, under various distinctions specified in the resolution; and also the amount of money remaining in the treasury at the end of the year. Laid on the table and ordered to be printed.

Mr. Kent presented the remonstrance of the grand jury of the county of Washington against petitions to congress from abolition societies, in various parts of the country, and the numerous memorials presented to congress praying the abolition of slavery in the District; and praying congress to apply such remedies as might be within their power. Mr. K. moved that the remonstrance be read, laid on the table and printed.

The memorial was then read, when a discussion took place on the question of printing an extra number of copies of this document, which were, in the end, ordered.

A number of petitions and memorials were presented—various reports, joint resolutions and bills brought in from different committees—and several bills from the house, read twice by the chair and committed, after which the senate proceeded to the order of the day, which was the consideration of Mr. Walker's land bill.

Mr. Morris made an effort to have the consideration of the bill postponed, but without success. He then went at length into a statement of his objection to the bill as reported by the committee on public lands, and his reasons for preferring it in the form in which he had himself introduced it into the senate. He compared the two, section by section, and having concluded, Mr. Ewing moved the postponement of the further consideration of the bill to Friday next. Mr. Walker opposed this, lest the passage of the bill might be endangered, and demanded the yeas and nays, which being taken, were yeas 14, nays 18. So the senate refused to postpone the bill.

Mr. Morris then offered an amendment, embracing the principle of graduation in the price of land in proportion to the time it had been offered for sale; which, after some brief discussion, was agreed to—yeas 19, nays 18. Mr. Morris proposed a further amendment, on which much desultory debate took place, and several modifications were suggested, and in part agreed to; but before any thing was decided respecting them, the senate, on motion of Mr. Buchanan, went into executive business, and afterwards adjourned.

January 18. A number of bills and resolutions were reported, which will be duly noticed next

week. Among the former was a bill reported by Mr. Walker, from the committee on public lands, to regulate and restrict the payments for public lands. [This bill in effect rescinds the treasury order, and provides that the payments for lands shall be in notes of banks, which do not issue notes of a less value than five dollars.] It was read a second time and made the special order for Friday.

The special order, being the bill to prohibit sales of public lands except to actual settlers was taken up. Mr. Clay, with a view to relieve the friends of the bill from some embarrassment, occasioned by his vote on the preceding day, given under misapprehension, in favor of a graduation clause introduced as an amendment, moved the reconsideration of the vote on that amendment, in order that he might change his vote, (which happened to produce a majority for the amendment.)

After some desultory conversation it was finally agreed to postpone this motion, together with the bill itself, until Friday next; yeas 24, noes 12.

On motion of Mr. Wright, the previous orders were postponed, and the senate proceeded to consider the bill for anticipating the payment of indemnities accruing to citizens of the United States, under the convention with France, of the 4th of July, 1831, and that with the Two Sicilies of the 14th October, 1832.

The bill was advocated by Mr. Wright, and opposed by Messrs. Clay, Calhoun and others, and finally rejected by a vote of 22 to 19.

HOUSE OF REPRESENTATIVES.

Thursday, Jan. 12. [The following is a more detailed statement of this day's proceedings of the house on Mr. Cambreleng's bill to reduce the revenue, than we could find room for in the last "REGISTER."]

The house resumed the consideration of the bill to reduce the revenue of the United States to the wants of the government; there being two motions pending, one for commitment, and the other for indefinite postponement.

Mr. Corwin, of Ohio, addressed the house for an hour and an half, in strong opposition to the provisions of the bill, and the principles promulgated in the report.

Mr. Cushman, of N. H. supported the bill and the principles of the report.

Mr. Galbraith, of Pa. with a view to give time for a better consideration of the bill and report, moved to postpone the further consideration of the subject until Tuesday next, and that the bill and report be printed.

Mr. Muhlenberg, of Pa. believed that the continued discussion of the bill would occupy the whole residue of the session, without any object being obtained. He moved to lay the whole subject on the table, and to print the bill and report.

Mr. Patterson, of Va. called for the yeas and nays, which were ordered.

Mr. A. Mann moved a call of the house.

Mr. Owens, of Ga. called for the yeas and nays on that motion, which were ordered; and were yeas 105, nays 91. The call was accordingly commenced, but had not been far proceeded in, when, on motion of Mr. Love, of N. Y. it was dispensed with.

The question recurred on the motion to lay the bill and report on the table.

Mr. Cambreleng hoped that the bill would be read by its title, before the vote was taken, in order that gentlemen might distinctly understand on what they were about to vote.

Mr. Cambreleng was called to order.

Mr. McKeon desired to know if it was not in order for him to inquire, whether he was not about to vote on a bill to reduce the revenue of the United States to the wants of the government.

The chair said, the gentleman from New York could not make the inquiry as a matter of right.

Mr. Wise said, he had been absent when the bill was read, and he wished to know, what was the bill on which he was about to vote?

The speaker said, that the title of the bill was a bill to reduce the revenue of the United States to the wants of the government.

Mr. Wise wished to know, from the bill itself, whether its contents corresponded with its title.

After some objection, the bill was read.

And the question on the motion to lay the bill and report on the table, was taken and decided in the negative; yeas 94, nays 119, as follows:

YEAS—Messrs. Adams, C. Allan, Heman Allen, Anthony, Ashley, Bailey, Beaumont, Bell, Black, Bond, Borden, Briggs, Buchanan, John Calhoun, Wm. B. Calhoun, George Chambers, John Chambers, Chetwood, Childs, Clark, Crane, Cushing, Darlington, Denny, Evans, Everett, Fowler, French, Galbraith, Rice Garland, Granger, Grennell, Hiland Hall, Hard, Harlan, Harper, S. S. Harrison, Hazeltine, Henderson, Heister, Hoar, Howell, Hubley,

Hunt, Ingersoll, Ingham, Jones, Jenifer, Richard M. Johnson, Henry Johnson, Kilgore, Lansing, Laporte, Lawrence, Thomas Lee, Lincoln, J. Mann, Sampson Mason, Maury, McKennan, Mercer, Miller, Milligan, Morris, Muhlenberg, Parker, Dutée J. Pearce, J. A. Pearce, Pearson, Pettigrew, Phelps, Phillips, Pickens, Potts, Reed, Russell, Schenck, Wm. B. Shepard, Slade, Spangler, Sprague, Steele, Storer, Sutherland, Toucey, Turner, Vinton, Wagener, Wardwell, Washington, Elisha Whittlesey, T. T. Whittlesey, Young—94.

NAYS—Messrs. Ash, Barton, Bean, Boon, Bouldin, Bovee, Boyd, Brown, Burns, Bynum, Cambreleng, Campbell, Carr, Carter, Casey, Chaney, Chapman, Chapin, Nathaniel H. Claiborne, John F. H. Claiborne, Cleveland, Coles, Connor, Craig, Cramer, Cushman, Davis, Dawson, Deberry, Doubleday, Drumgoole, Dunlap, Elner, Elmore, Fairfield, Forester, Fry, Fuller, J. Garland, Gholson, Gillett, Glascock, Graham, Grantland, Grayson, Griffin, Haley, J. Hall, Hamer, Hannegan, Albert G. Harrison, Hawkins, Haynes, Halsey, Holt, Hopkins, Howard, Huntington, Huntsman, Jarvis, C. Johnson, J. W. Jones, B. Jones, Klingensmith, Lane, Lawler, J. Lee, L. Lea, Leonard, Lewis, Logan, Love, Loyall, Lyon, Abijah Mann, Martin, W. Mason, Moses Mason, McComas, McKay, McKeon, McKim, McLene, Montgomery, Moore, Morgan, Owens, Page, Parks, Patterson, Patton, Franklin Pierce, Peyton, Pinckney, Rencher, John Reynolds, Joseph Reynolds, Richardson, Robertson, Rogers, A. H. Shepperd, Shields, Shinn, Smith, Standefer, Taliaferro, Thomas, John Thompson, W. Thompson, Turrill, Vanderpoel, Ward, Webster, Weeks, Lewis Williams, Wise, Yell—119.

So the bill was not laid on the table. [By this vote, the bill and report again come up first in order of business to-morrow morning.]

Mr. Halsey, of Georgia, obtained the floor, when the house adjourned.

Friday, Jan. 13. Mr. E. Whittlesey asked the indulgence of the house to postpone the further consideration of the bill to reduce the revenue of the United States to the wants of the government, in order that reports of committees might be received. If this motion should prevail, Mr. W. said it was his design, after the committees had made their reports, to ask the house to take up and dispose of such private bills as could be disposed of in the course of the day, and as would elicit no debate.

This motion caused considerable discussion, at the termination of which (Mr. Lawrence having withdrawn his motion to postpone the consideration of the bill indefinitely) the bill to reduce the revenue was committed to the committee of the whole on the state of the union.

Some time was spent in the reception and disposition of reports upon private claims.

Mr. Howard, from the committee on foreign affairs, reported a bill fixing the compensation of public ministers and consuls general, and for other purposes.

Mr. Smith, from the committee of ways and means, reported the following resolution.

Resolved, That 10,000 extra copies of the report of the committee of ways and means, in relation to the tariff, be printed for the use of the house.

This resolution, by the rule, would lie over one day; Mr. Smith moved that it be now considered.

Objections having been made, Mr. Lawrence expressed his hope that no objection would be made to considering the resolution at this time. It was important that the country should see the report.

Mr. Lawrence moved to suspend the rule to consider the resolution at this time; which motion prevailed. Ayes 111, noes not counted.

Mr. A. Mann moved to amend the resolution by striking out "ten" and inserting "fifteen" thousand; which motion was lost.

Mr. Williams, of N. C. moved to strike out "ten" and insert "five;" which motion was also lost.

Mr. Briggs moved to amend the resolution by causing it to read "bill" and report; which motion prevailed.

And the question recurring on the adoption of the original resolution, the same was taken and carried. So ten thousand extra copies of the bill and report were ordered to be printed.

Mr. A. Mann made an ineffectual motion to suspend the rule to enable him to submit a resolution fixing the hour of eleven, after this week, for the time at which the house would meet.

Mr. E. Whittlesey asked the consent of the house to submit a motion, that the house would take up and consider the private bills on the speaker's table, which would elicit no debate; and then go into committee on similar bills, and under a similar restriction.

Objection was made, and, after some desultory conversation,

Mr. E. Whittlesey moved to suspend the rule to enable him to submit his motion; which first motion was agreed to—ayes 98, noes 30. So the rule was suspended.

And, thereupon, the motion of Mr. E. Whittlesey was taken, and decided in the affirmative—ayes 124, noes 44.

The house then proceeded to the consideration of private bills in which it was engaged until the hour of adjournment.

Saturday, Jan. 14. Mr. Adams rose and said that, on the third day of last June, a resolution reported from the committee for the District of Columbia had been adopted by the house, requesting the secretary of state to ascertain and report to the house the number of persons imprisoned for debt since the year 1820, in the District of Columbia; the time during which they had been imprisoned; the amounts of their respective debts; the portions thereof which had been paid in consequence of their imprisonment; the expense to the creditors of maintaining them, &c. &c. Mr. A. wished to inquire from the chairman of the committee for the District of Columbia, or from some other member of it, whether there had been any report from the secretary of the treasury in answer to the resolution.

[It appeared from a statement made by the clerk of the house, and Mr. W. B. Shepard, that such a report had been made during the present session of congress, that it had been placed in the hands of the official printer, but that, being very long, copies of it had not yet been furnished to members.]

Mr. A. said his reason for making the inquiry was, that amongst the prisoners was one of his constituents. The individual was confined there during the last session, at the time this resolution was adopted. He was there still, for debt; and it was Mr. A.'s firm belief that he was there only for having been too zealous in the discharge of his duty as an officer of the government; for debts vastly inferior in amount to what was due to him from the nation, if justice was done.

Mr. Pickens rose to make an inquiry from the chairman of the committee on foreign affairs. He wished to be informed at what time a report might be expected on the message of the president of the United States, which had been referred to that committee in relation to Texas? Or, whether any report at all was to be expected?

Mr. Howard was understood to say that he would cheerfully reply to the inquiry of the gentleman from South Carolina, though he (Mr. H.) did not know that it was the practice to make such inquiries in relation to the unfinished business before the committee of the house.

The committee had met several times, and had been diligently engaged in the investigation in relation to Texas. As yet, however, they had not been able to come to any conclusion.

After the reception of reports, and the house had refused to suspend the rules to permit Mr. Harlan to submit a resolution that on Monday next the states should be called for petitions in reverse order—viz: that petitions from the new states should be called first.

Mr. Bell gave notice that he would renew his motion for leave to bring in a bill to secure the freedom of elections. He had forborne to urge this subject on the consideration of the house, because he had expected that the resolution proposed by the gentleman from Kentucky (Mr. C. Allan) in relation to grants of the public lands to such states as had not heretofore received them, would be disposed of this morning. But if the house would persist in these abortive motions to suspend the rule for partial purposes, he should be compelled to press his motion. He would waive it now, if the house would resume the consideration of that resolution.

The house resumed the consideration of the resolution heretofore offered by Mr. C. Allan, of Kentucky, providing for grants of the public lands to such states as had not heretofore received them; together with the amendments thereto pending.

Mr. Lane, who held the floor when the subject was last under consideration, resumed and concluded his remarks.

Mr. Bell said he rose more for the purpose of submitting a few remarks on the propriety of bringing this discussion to a close, than for any other purpose, although the subject was of great interest, and though he had himself been perfectly willing it should be sent to a committee. He thought, however, that the proposition was too narrow for the time at which it was brought forward; and he thought that the necessity of broader action must have become apparent to every man. If there was one question, above all others, on which prompt action was required, it was that of disposing permanently of the various questions which had arisen in relation to the public lands. If they were to be distributed in any degree to any extent, let it be done. If it was not the sense

of the country that this should be done, let congress declare that sentiment by a vote which would give proof of its permanence.

The question of graduation, for instance, was intimately connected with this subject. But he did not consider even that of so much importance, as that the question should be settled one way or another. He would give his voice at once in favor of the graduating system, provided the question could be settled permanently. Mr. B. then alluded to the question of pre-emption rights. Justice required that the inhabitants of the country should know what was to be our established policy; and that, if it was not intended to give these pre-emption rights, congress should at once declare so. He regarded the permanent settlement of these questions, however, as of far less importance than the mode by which they should be settled. He was ready to reduce the price of public lands, if such should be the sense of the house. He believed it to be for the interest of the country that it should be done, and he should hereafter, at a proper season, have something to say on this topic. He would move to postpone the further consideration of the subject until this day fortnight, in order that the states might be called in their turns for resolutions; or, if any member would suggest it, he would move to lay the whole subject on the table.

Mr. Bond moved that the same be laid on the table. Mr. C. Allan called for the yeas and nays on this motion; which were ordered. Mr. Hunnicutt inquired of the chair whether, if the motion to lay on the table prevailed, the effect of that vote would be the final rejection of the resolution. The speaker said it would be in order to move to take up the subject at any time when motions of similar import were in order. Mr. C. Allan moved that the house proceed to the private orders of the day. Mr. Bell hoped the subject would be disposed of now.

Mr. Allan objected, and the speaker thereupon announced the private orders of the day, being engrossed private bills,—twenty two of which were severally read a third time, passed, and sent to the senate for concurrence.

The speaker laid before the house a communication from the secretary of the navy, transmitting a statement of the names of the officers of the navy who have, during the year 1836, received orders for service, and have asked to be excused, together with the reasons offered by them for such indulgence.

And the house adjourned.

Monday, Jan. 16. The unfinished business of the morning hour was the petition, presented on Monday last, by Mr. Adams, from 40 inhabitants of the town of Dover, in the county of Norfolk, in the state of Massachusetts, praying for the abolition of slavery and the slave trade in the District of Columbia; the pending question being on the motion of Mr. Lawler that the petition be not received.

Mr. Bynum was entitled to the floor. Mr. Howard requested the gentleman from North Carolina, (Mr. Bynum), to yield the floor with a view to enable him (Mr. H.) to make another effort to give the states a chance of getting in their petitions. There were more than half the states in the union that could not have the opportunity. He proposed to suspend the rule, to enable him to offer a resolution that the states be called for petitions in reverse order. Mr. Bynum said he would have great pleasure in yielding the floor for that purpose, if it should be understood that he would be entitled to the floor when this petition should next come up. He thought the house should suspend the rule, to enable the member from Maryland to submit his resolution. Mr. Adams said he hoped the rule would not be suspended. He begged the house and the speaker to recollect that this state of things—Mr. W. B. Shepard rose to a question of order. A motion to suspend the rule he understood not to be debatable, and he hoped the chair would enforce the rule. The speaker said the motion could not be debated. Mr. Adams called for the yeas and nays on the motion to suspend the rule; which were ordered, and were—yeas 123, nays 58. So the rule was suspended.

Mr. Howard then offered the following resolution:

Resolved, That in calling the states for petitions on this day, the speaker do call in the reverse order, beginning with the youngest territory.

Mr. J. Q. Adams called for the yeas and nays on the adoption of the resolution; which the house refused to order.

And the question was then taken and decided in the affirmative; ayes 125, noes 33.

So the resolution was adopted.

Petitions and memorials were now called for in the reverse order of states and territories.

Mr. Jones, of Ohio, presented the memorial of the managers of the Colonization society of Fredericksburg, Ohio, praying congress to further their objects in the District of Columbia.

Mr. Adams called for the reading of the memorial; which was read accordingly.

Mr. Pinckney moved to lay the memorial on the table, and asked for the yeas and nays on that motion, which were ordered; and were—yeas 130, nays 49; [Mr. Wise refused to vote.] So the memorial was laid on the table.

Petitions and memorials from Ohio having been further presented by Messrs. McLene, Webster and Whittlesey,

Mr. E. Whittlesey said, it having been the sense of the house that petitions relating to the abolition of slavery should not be discussed to-day, he begged to state that he had several such in his possession, but that he refrained from offering them, under the hope that, when he did offer them, he might be heard for a few moments, in relation to the direction which he thought should be given to them by the house.

The speaker presented a memorial from the grand jurors of the county of Washington, in the District of Columbia, soliciting that hereafter no petitions may be received or entertained by congress from societies or inhabitants of the non-slaveholding states, for the abolition of slavery in the District of Columbia.

Mr. Pinckney moved to lay the memorial on the table. Mr. Washington called for the reading; and it was read accordingly. Mr. Graham called for the yeas and nays on the motion of Mr. Pinckney; but the house refused to order them. And the question was then taken, and decided in the affirmative. So the memorial was ordered to lie on the table. Mr. Jenifer moved that the same be printed. The speaker said the motion was not now in order.

Mr. R. M. Johnson made an ineffectual motion to suspend the rule to enable him to offer the following resolution.

Resolved, That the committee on the post office and post roads report to this house a joint resolution making it the duty of the postmaster general to require the postage on express mail letters to be paid in advance.

Mr. J. complained of the burden imposed on members of congress in the course of their official duties on account of postages by this mail.

Mr. Wise presented the memorial of David Melville, of Newport, Rhode Island, former weigher and gauger, complaining that he had been unjustly removed from his office; asking congress to consider his case, and to adopt such measures as would protect citizens in office from arbitrary power and wanton oppression.

The petition, without having been read, was referred to the committee on commerce.

Mr. Jenifer made an ineffectual motion to suspend the rule to enable him to offer a resolution providing that the memorial of the grand jurors of the county of Washington, in the District of Columbia, protesting against congress either receiving or in any way entertaining memorials for the abolition of slavery in said District, as interfering with the rights of others, and endangering the peace and tranquillity of the citizens, be printed.

Mr. Heister presented the petition of 240 females of his congressional district, praying for the abolition of slavery in the District of Columbia, and moved that the same be referred to the committee on the said District.

Mr. W. B. Shepard objected to its reception. Mr. S. said that, whenever a proper opportunity presented itself, it was his intention to offer a few remarks on this subject. He did now feel disposed now to violate the agreement which had been made with his colleague, (Mr. Bynum), that this discussion should lie over; and he moved, therefore, that the further consideration of the petition be postponed until Monday next.

Mr. Davis moved to lay the preliminary motion of reception on the table. Mr. Storer inquired if the effect of the motion to lay on the table, should it prevail, would not be to reject the petition for the time being. The speaker said the effect of the motion would be to suspend all action, and to leave the petition exactly where it was. And the question was taken, and decided in the affirmative; yeas 89, noes 37. So the preliminary question was laid on the table.

Mr. Lawrence presented the memorial of George Hallett, and four hundred merchants of the city of Boston, praying congress to establish steam and other vessels for the protection of the navigation of ships of the United States coming on our coast in the winter.

Mr. L. adverted briefly to the fearful loss of life and property which had taken place on our coast during the last year, to an extent unprecedented in our history. This loss was to be attributed in part to the want of a good system of pilotage, but mainly to the fact that vessels coming, after very long

voyages, on a bleak and wintry coast, and short of provisions, required some protection and assistance which their own crews were not able to render. He moved that the petition be referred to the committee on commerce, and expressed a hope that some action would be speedily had upon the subject. The petition was referred accordingly.

[During the day, a number of petitions praying for the abolition of slavery in the District of Columbia were presented; which were, in every instance, met by the motion to lay the preliminary motion of reception on the table; and which motion prevailed.]

A number of resolutions of inquiry, chiefly relating to the claims of individuals, were offered and several bills received their first reading.

On motion of Mr. G. Lee,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so far extending the jurisdiction of the courts of the United States as to include therein all cases of robbery, larceny and theft, on property driven on shore, (or illegally taken), from vessels or wrecks of vessels on the coasts of the United States, whether above high water mark, or below that line.

On motion of Mr. Parker, the house adjourned.

Tuesday, Jan. 17. Mr. Underwood asked the consent of the house to submit a resolution, which he desired might be read for the information of the house. Mr. Jarvis objected to the reception of the resolution, and to its reading. Mr. Underwood said, if the clerk would return the resolution, he (Mr. U.) would state briefly its substance to the house.—Mr. Adams said if the gentleman from Kentucky was permitted to read the resolution, he (Mr. A.) hoped no more objection would be made to members reading papers in their places.

The speaker said the question could not be debated. Mr. Underwood inquired if it was in order to make a brief statement of the contents of the resolution? The speaker said it was in order so to do, but it was not in order to read the resolution itself.

Mr. Underwood said his object was to submit a series of resolutions, declaring the sense of this house that it was not competent, under the constitution of the United States, to change, alter, expunge, mutilate, or destroy the journals of either house of congress; that the preservation of the journals of either house of congress was a subject of national importance, and a fit subject of national legislation; that, after these journals had been faithfully kept and preserved—Mr. Cushman called the gentleman from Kentucky to order. Mr. Underwood declared that he had not yet completed the brief statement of the contents of the resolution, though he had nearly done so. The chair said he must request the gentleman from Kentucky to submit his motion to the house. Mr. Underwood said his motion was to suspend the rule to enable him to offer this resolution. Could he not read what was the purport of that resolution?

The chair said he thought not; the reading of the resolution having been specially objected to. A member could not himself read what the clerk was not permitted to read.

After a few further remarks on the point of order, Mr. Jarvis, with a view to save the time of the house, withdrew his objection to the reading of the resolution.

The same was accordingly read, and is as follows:

Resolved by the house of representatives, That the 3d clause of the 5th section of the 1st article of the constitution, in the following words, to wit: 'each house shall keep a journal of its proceedings, and, from time to time, publish the same, excepting such parts as may, in their judgment, require secrecy; and the yeas and nays of the members of either house on any question shall, at the desire of one-fifth of those present, be entered on the journal,' confers no power whatever on either house of congress, at a subsequent session, to change, alter, deface, expunge, or destroy its journal, or any part thereof, when the same has been regularly and faithfully kept during a previous session, and duly published.

Resolved, further, That the journals of both houses of congress, kept and published as aforesaid, after the adjournment *sine die*, become national archives, and that all attempts and acts of either house separately, or of both by joint resolution, to change, alter, deface, expunge, or destroy, either journal, or any part thereof, are violations of the constitution.

Resolved, That the preservation of the national archives from mutilation, disfigurement, and destruction, is a fit subject of legislation.

Wherefore resolved, That the committee on the judiciary be directed to report a bill, providing for the deposit of the original journals of each house after their adjournment *sine die*, in the office of the secretary of state; and for the punishment of every and all persons, their aiders and abettors, who shall alter, change, deface, expunge, or destroy, any part of either journal after such adjournment."

Mr. Morgan called for the yeas and nays on the motion to suspend, which were ordered, and were, yeas 77, nays 118. So the rule was not suspended.

A number of reports were received from different committees on the petitions of individuals, and appropriately disposed of, and some business transacted which will be noticed in its progress, after which the house proceeded to the unfinished business of the morning hour, being the resolution of Mr. C. Allan, providing that certain grants of the public domain be made to such states as have not yet received them; together with the several amendments thereto proposed.

The pending question was on the motion heretofore submitted by Mr. Boyd, to lay the resolution and amendments on the table, on which motion the yeas and nays had been heretofore ordered, and having been now taken, were—yeas 114, nays 82.—So the resolution and amendments were laid on the table.

Mr. Thomas moved to postpone the orders of the day, for the purpose of taking up at this time the bill from the senate to provide for the admission of the state of Michigan into the union on an equal footing with the original states.

Mr. Culhoun, of Massachusetts, called for the yeas and nays, which were ordered; and were—yeas 127, nays 71. [Two-thirds not voting in the affirmative.] So the rule was not suspended.

The house proceeded to the consideration of the following resolution, heretofore offered by Mr. Wise:

Resolved, That so much of the president's message as relates to the "condition of the various executive departments, the ability and integrity with which they have been conducted, the vigilant and faithful discharge of the public business in all of them, and the causes of complaint, from any quarter, at the manner in which they have fulfilled the objects of their creation," be referred to a select committee, to consist of nine members, with power to send for persons and papers, and with instructions to inquire into the condition of the various executive departments, the ability and integrity with which they have been conducted, into the manner in which the public business has been discharged in all of them, and into all causes of complaint, from any quarter, at the manner in which said departments, or their bureaus or offices, or any of their officers or agents of every description whatever, directly or indirectly connected with them in any manner, officially or unofficially, in duties pertaining to the public interest, have fulfilled or failed to accomplish the objects of their creation, or have violated their duties, or have injured or impaired the public service and interest; and that said committee, in its inquiries, may refer to such periods of time as to them may seem expedient and proper.

To which resolution it will be recollected Mr. D. J. Pearce offered an amendment; for which Mr. French had offered a substitute.

Mr. McKee addressed the house at some length in opposition to the resolution, and in favor of the amendment of Mr. D. J. Pearce. Mr. Jenifer also spoke at great length in favor of the original resolution, and in reply to the remarks heretofore made by Mr. Hamer. Mr. Vanderpoel said he took it for granted that those gentlemen who had made speeches in favor of the appointment of this committee, and those who proposed it, were in earnest; and were desirous to have it done immediately, in order that the work of investigation might go on, and something effectual might be done before the termination of the session.

We shall talk (said Mr. V.) to the end of the session, and then, what would those who originated the resolution say? They would say, you made your long speeches to the end of the session, and we had no time allowed us. For the purpose of obviating these objections, and in order to give to the friends of this investigation the broadest power that they could wish, and also for the purpose of doing justice to the administration party, and of saving them from the imputation that would rest upon them if this inquiry were not allowed, he would move the previous question.

After some little conversation between Mr. Wise and Mr. Vanderpoel, the latter gentleman withdrew his motion, on the pledge of the former that he would renew it.

Mr. Wise then briefly addressed the house against the course which had been pursued in relation to this resolution, and concluded by renewing the motion for the previous question—which was ordered. The main question was then taken, and the resolution carried; yeas 165, nays 9.

Mr. Bell gave notice that he intended to renew the motion he had heretofore made for leave to bring in a bill to secure the freedom of elections. On motion of Mr. Graves, the house adjourned.

Wednesday, Jan. 18. After receiving reports and resolutions, the house proceeded to dispose of the unfinished business on the speaker's table.

A resolution, offered by Mr. *Hawes*, providing that all memorials, &c. on the subject of the abolition of slavery, should be laid on the table, without being referred or printed, and that no further action should be had thereon, was adopted (debate having been cut off by the previous question), by the following vote: yeas 129, nays 69.

Several engrossed bills were read a third time, and passed; and the consideration of sundry other bills, on their second reading, was postponed until to-morrow.

The bill to regulate the pay and mileage of members of congress coming up in its order,

The previous question was moved and seconded. The main question, being on the engrossment of the bill, was put, and the bill was ordered to be engrossed for a third reading: yeas 186, nays 16.

The house, by a vote of yeas 86, nays 110, refused to commit the bill providing for the admission of Michigan into the union; and the same comes up in the order of business to-morrow.

THURSDAY'S PROCEEDINGS.

In the senate. Hon. *Thomas Clayton*, senator elect from the state of Delaware, appeared, was qualified, and took his seat.

The following message was received from the president of the United States, through *Andrew Jackson, jr.* his private secretary:

To the senate of the United States:

In compliance with the resolution of the senate dated the 16th instant, I transmit a copy and a translation of a letter addressed to me on the 4th July last, by the president of the Mexican Republic, and a copy of my reply to the same on the 4th of September. No other communication upon the subject of the resolution referred to, has been made to the executive by any other foreign government, or by any person claiming to act in behalf of Mexico.

ANDREW JACKSON.

Washington, January 18, 1837.

[TRANSLATION.]

The president of the Mexican Republic to the president of the United States.

To his excellency general Andrew Jackson, president of the United States of America. Columbia, (in Texas), July 4, 1836.

MUCH ESTEEMED SIR: In fulfilment of the duties which patriotism and honor impose upon a public man, I came to this country at the head of six thousand Mexicans. The chances of war, made inevitable by circumstances, reduced me to the condition of a prisoner, in which I still remain, as you may have already learned. The disposition evinced by general Samuel Houston, the commander-in-chief of the Texian army, and by his successor, gen. *Thomas J. Rusk*, for the termination of the war—the decision of the president and cabinet of Texas in favor of a proper compromise between the contending parties, and my own conviction, produced the conventions of which I send you copies enclosed, and the orders given by me to general *Filisola*, my second in command, to retire from the river *Brassos*, where he was posted, to the other side of the river *Bravo del Norte*.

As there was no doubt that gen. *Filisola* would religiously comply, as far as concerned himself, the president and cabinet agreed that I should set off for Mexico, in order to fulfil the other engagements; and, with that intent, I embarked on board the schooner *Invincible*, which was to carry me to the port of *Vera Cruz*. Unfortunately, however, some indiscreet persons raised a mob, which obliged the authorities to have me landed by force, and brought back into strict captivity. This incident has prevented me from going to Mexico, where I should otherwise have arrived early in last month: and in consequence of it, the government of that country, doubtless ignorant of what has occurred, has withdrawn the command of the army from gen. *Filisola*, and has ordered his successor, gen. *Urrea*, to continue its operations. In obedience to which order that general is, according to the latest accounts, already at the river *Nueces*. In vain have some reflecting and worthy men endeavored to demonstrate the necessity of moderation, and of my going to Mexico, according to the convention; but the excitement of the public mind has increased with the return of the Mexican army to Texas. Such is the state of things here at present. The continuation of the war, and of its disasters, is therefore inevitable, unless the voice of reason be heard, in proper time, from the mouth of some powerful individual. It appears to me that you, sir, have it in your power to perform this good office, by interfering in favor of the execution of the said convention, which

shall be strictly fulfilled on my part. When I offered to treat with this government, I was convinced that it was useless for Mexico to continue the war. I have acquired exact information respecting this country, which I did not possess four months ago. I have too much zeal for the interests of my country to wish for any thing which is not compatible with them. Being always ready to sacrifice myself for its glory and advantage, I never would have hesitated to subject myself to torments or death, rather than consent to any compromise, if Mexico could thereby have obtained the slightest benefit. I am firmly convinced that it is proper to terminate this question by political negotiation; that conviction alone determined me sincerely to agree to what has been stipulated; and, in the same spirit, I make to you this frank declaration. Be pleased, sir, to favor me by a like confidence on your part; afford me the satisfaction of avoiding approaching evils, and of contributing to that good which my heart advises. Let us enter into negotiations by which the friendship between your nation and the Mexican may be strengthened, both being amicably engaged in giving being and stability to a people who are desirous of appearing in the political world; and who, under the protection of the two nations, will attain its object within a few years.

The Mexicans are magnanimous when treated with consideration. I will clearly set before them the proper and humane reasons which require noble and frank conduct on their part, and I doubt not that they will act thus as soon as they have been convinced.

By what I have here submitted, you will see the sentiments which animate me; and with which I remain your most humble and obedient servant,
ANTONIO LOPEZ DE SANTA ANA.

The president of the United States to the president of the Mexican republic.

Hermilite, September 4, 1836.

To gen. Antonio Lopez de Santa Ana:

SIR: I have the honor to acknowledge the receipt of your letter of the 4th of July last, which has been forwarded to me by general Samuel Houston, under cover of one from him, transmitted by an express from general *Gaines*, who is in command of the United States forces on the Texian frontier. The great object of these communications appears to be to put an end to the disasters which necessarily attend the civil war now raging in Texas, and asking the interposition of the United States in furthering so humane and desirable a purpose. That any well-intended effort of yours in aid of this object should have been defeated, is calculated to excite the regret of all who justly appreciate the blessings of peace, and who take an interest in the causes which contribute to the prosperity of Mexico in her domestic as well as her foreign relations.

The government of the U. States is ever anxious to cultivate peace and friendship with all nations. But it proceeds on the principle that all nations have the right to alter, amend or change their own government, as the sovereign power, the people, may direct. In this respect, it never interferes with the policy of other powers, nor can it permit any on the part of others with its internal policy. Consistently with this principle, whatever we can do to restore peace between contending nations, or remove the causes of misunderstanding, is cheerfully at the service of those who are willing to rely upon our good offices as a friend or mediator.

In reference, however, to the agreement which you, as the representative of Mexico, have made with Texas, and which invites the interposition of the United States, you will at once see that we are forbidden, by the character of the communications made to us through the Mexican minister, from considering it. That government has notified us that, as long as you are a prisoner, no act of yours will be regarded as binding by the Mexican authorities. Under these circumstances, it will be manifest to you that good faith to Mexico, as well as the general principle to which I have adverted, as forming the basis of our intercourse with all foreign powers, make it impossible for me to take any step like that you have anticipated. If, however, Mexico should signify her willingness to avail herself of our good offices in bringing about the desirable result you have described, nothing could give me more pleasure than to devote my best services to it. To be instrumental in terminating the evils of civil war, and in substituting in their stead the blessings of peace, is a divine privilege. Every government, and the people of all countries, should feel it their highest happiness to enjoy an opportunity of thus manifesting their love of each other, and their interest in the general principles which apply to them all as members of the common family of man.

Your letter and that of general Houston, commander-in-chief of the Texian army, will be made the basis of an early interview with the Mexican minister, at Washington. They will hasten my return to Washington, to which place I will set out in a few days, expecting to reach it by the 1st of Oct. In the mean time, I hope Mexico and Texas, feeling that war is the greatest of calamities, will pause before another campaign is undertaken, and can add to the number of those scenes of bloodshed which have already marked the progress of their contest, and have given so much pain to their Christian friends throughout the world.

This is sent under cover to gen. Houston, who will give it a safe conveyance to you. I am, very respectfully, your obedient servant,

ANDREW JACKSON.

The message and documents having been read,

Mr. *Preston* made some remarks upon the present condition of affairs in Texas and Mexico, and urged the propriety and justice of immediately recognizing the independence of Texas. Mr. *Walker* concurred with Mr. *Preston*. Mr. *Calhoun* also expressed himself willing to vote for the independence of Texas, and the earlier the better.—The message and documents were then laid on the table, and ordered to be printed.

The remainder of this day's sitting was chiefly devoted to private bills.

In the house of representatives, after the expiration of the hour devoted to the reception of bills, resolutions, &c. the house proceeded to the consideration of the bill for the admission of Michigan, the question being on ordering it to a third reading. Mr. *Thomas* then addressed the house in favor of and Mr. *Hardin* against the bill—after which the house adjourned.

DOMESTIC CHRONICLE.

Morris canal and banking company. It is stated in a communication in the "New York American," that the directors of this company have made an arrangement with another incorporated company, whereby they will secure an income of six per cent. upon the entire cost of the canal and the works connected with it for the next five years, and provisionally for ten.

Attempt to rob the mail. The United States mail between Washington city and Georgetown, is carried on horseback, by a boy of about 17 years old.—On Friday evening the 13th inst. he was attacked by robbers, who seized the mail bag and would have made off with it had they not been frightened off by the arrival of a young man who most seasonably "came to the rescue."

Mortality in New York. The total number of deaths in the city of New York during the year 1836, was 8,009, being 917 more than in the year 1835. Precisely one-eighth of the whole number took place at the public institutions. There were 89 deaths by apoplexy, 40 by burning, 9 by cancer, 114 casualty, 1,514 by consumption, 90 by drowning, 503 by scarlet fever, 8 by hydrophobia, 73 by intemperance, 10 by lock-jaw, 453 by measles, 173 by small pox, 83 by suicide, &c. &c.

In 1835 the deaths, according to the population, were one out of every thirty-eight, and in 1836 one out of every thirty-four.

Mortality in Baltimore. According to the report of the health office, the number of interments in the city of Baltimore for the year 1836, was 2,374. Among them there were two white women, one aged 102 and one 112 years! Also six free colored women aged 120, 111, 105, 100, 100, 100 years.

Express mail. The editor of the New York "Courier and Enquirer" has established a private express mail between that city and Washington. This liberal enterprise is undertaken as a small return for the unprecedented patronage bestowed on that paper.

Maryland finances. The revenue proper of this state for the year 1836, amounts to \$414,650 72, to which may be added for revenue accruing before 1826, but actually received within the last fiscal year, the sum of \$31,029 46. The actual expenses of the state (including \$4,065 97 to the sinking fund and \$11,218 80 to the public buildings, and including stocks purchased in rail roads and canal companies) amount to \$379,819 75.

Fires in Boston. There were in 1836, two hundred and eight alarms, seventy of which were false—twenty-seven out of the city, and twenty-nine caused by the burning of chimneys. Forty-four fires and attempts to fire, are supposed to have been caused by incendiaries. The estimated amount of property destroyed is \$151,000, on which there was \$62,800 insured.

NILES' WEEKLY REGISTER.

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BALTIMORE, JANUARY 28, 1837.

[Vol. LI.—Whole No. 1,322.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED, BY WILLIAM OGDEN NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

63-In the senate of the U. States a bill was passed on Thursday last, by a vote of 25 ayes to 18 nays, (see page 352) which virtually repeals the late obnoxious treasury order relative to payments for the public lands. The bill was reported from the committee on public lands by Mr. Walker, and provided that the United States should receive the paper of such banks only as from this time issue no notes of less than \$5, and of none issuing less than \$10 after the 30th of December 1839—but was amended on its final passage, on motion of Mr. Rives, by extending the prohibition to the notes of banks issuing notes of less than \$20 after the 30th of December, 1841. It also places certain restrictions upon the deposit banks, under the direction of the secretary of the treasury.

That this bill will pass the house, we cannot permit ourselves to doubt—and we may therefore, in advance, congratulate the country upon the prospect of a speedy removal of those difficulties which have embarrassed every honorable branch of industry and enterprise.

64-We have published the memorial of William B. Lloyd, esq. of Ohio, (the individual who was arrested in the gallery of the senate at the instigation of Mr. Benton, on the charge of having "hissed" on the passage of the expunging resolution) and his card complaining of the refusal of Mr. Morris, of Ohio, to present it to the senate. We have also, in justice to the latter gentleman, published his explanation of the reasons which induced him to decline the request—see page 248.

Another communication from Mr. Lloyd has been received for publication by the editors of the "National Intelligencer," in which he replies to the statements made on the floor of the senate by Mr. MORRIS, reaffirming what he had before said in reference to his communication with the senator, and his refusal to present his memorial: stating that his statement and Mr. MORRIS', closely examined, do not in fact conflict, only appearing to do so from the ambiguity of the language in that gentleman's explanation. In reference to the invitation from another quarter, to persist in presenting the memorial, he says—"As to the proposition of the honorable Mr. BENTON to the senate, for a further investigation of the matter, I have nothing to do with it. That body will do as it deems fit, and if senators wish me to answer any questions under oath, I am ever ready; but so far from attempting again to demand a hearing, the recollection of the specimen I witnessed on Monday night of their mode of administering justice, is sufficient to show me that I have erred in hoping for any thing of the kind."

MICHIGAN. On Wednesday last the bill for the admission of Michigan into the union, passed the house of representatives, and on the following day received the sanction of the president, and became a law of the land. On the same day Messrs. Lyon and Norvell the senators, and Mr. Cray the representative, of the new state took the oaths of office and their seats in the respective houses. The union now comprises twenty-six states, precisely double the number on the Declaration of our Independence.

DEPARTURE OF SANTA ANA. This officer and suit, arrived in Baltimore on Thursday last, and in the afternoon departed for Norfolk in the steamboat, from whence, it is said, he is to proceed to Vera Cruz in one of the U. States' vessels. During his stay in Washington he had several interviews with the president and was treated with much courtesy. It is not known, however, whether any thing was settled in relation to the object of his visit; but his departure was not expected a few days since; for we see it stated in the "Intelligencer," that it was understood he was to dine at the president's on Thursday in company with a large official and diplomatic party. It is presumed, however, that he departed with the knowledge of the president; or he could not be conveyed from the country in a public vessel.

It is probable that Santa Ana's departure has been hastened by the peculiar condition of affairs in Mexico; as by the last accounts, Bustamente had been called to the head of affairs, and Santa Ana declared an outlaw, and all persons invited to shoot him should he again appear in the Mexican territory.—

Vol. LI.—Sic. 22.

The last report is, probably, unfounded; but it is certain that Bustamente dreads the arrival of Santa Ana, whose party is still powerful. In the last "REGISTER" we announced the arrival of Gorostiza at the city of Mexico. On his arrival judge Ellis, the minister of the United States, demanded his passports and left the city on the 28th ult.—according to one account, without them. If they were withheld, it is rightly inferred that the Mexican government was in possession of the fact that the troops of the United States had been ordered to repossess into our own territory, and hence was unwilling further to interrupt the relations of the two countries; for it is not to be supposed that that government, with a knowledge of that fact, would increase the difficulties with which she is surrounded, by creating a new belligerent enemy.

Great preparations were making in Mexico to open the spring campaign against the Texans with vigor. The troops amount to about 16,000, well clothed and amply provided for. General Bustamente at a procession of monks, priests, &c. swore extermination to every being he could find in Texas, without regard to age or sex.

A letter, under date of January 3, from Vera Cruz, states that California has declared her independence of Mexico. If true the Mexican troops may be diverted from the contemplated campaign in Texas.

Filasola had been tried, and would have been condemned if the common people had not shown a disposition to protect him at all hazards.

By an arrival from Tobasco we learn that Gutierrez of the federal army, was about entering that place with a force of about 1,600 men. It was believed that he would meet with but a slight resistance. The American consul at Tobasco had arrived at New Orleans, having left it in consequence of the misunderstanding with Mexico.

P. S. Mr. Ellis has arrived at Pensacola in the U. S. ship Boston.

RECOGNITION OF THE INDEPENDENCE OF MEXICO BY SPAIN. The *Courier des Etais Unis*, (of New York), contains an article from the Paris Sun, which is thus translated in the N. York Evening Post, and is at this moment of a good deal of interest:

"SPAIN has done an act of justice and wisdom in determining to recognise, at length, the independence of her ancient colonies in South America.—The assembly of the cortes, in the discussion which took place on this important question, offered a spectacle of the highest interest. Never had it been so full; one hundred and forty deputies were present, and the resolution was adopted without a single voice raised against it. The treaty with MEXICO had been already prepared and signed, subject to the ratification of the cortes. This measure had been taken to avoid all delay. It is not generally known that the negotiations with the diplomatic agents of VENEZUELA have been broken off, the Spanish government not being willing to renounce the indemnities justly due by those of the American states, which, like VENEZUELA, have confiscated Spanish property during the war of the revolution. The case was different with Mexico, the independence of which is therefore declared without any condition."

GEN. SCOTT has completed his defence before the military court at Frederick, which has been laid before the public through the "National Intelligencer," whose reporter was present at its delivery.—It is an eloquent and able production, and though of great length shall be speedily inserted.

The court will now proceed regularly with the case of gen. Gaines, whose defence, when delivered, shall also have a place in our pages.

We have purposely abstained from noticing the highly graphic sketches of the personages and proceedings of the court of inquiry which have appeared in the Baltimore papers; but will, on the conclusion of the trial, present an abstract from the official account of the testimony for the information of our readers.

FLORIDA. In addition to the information contained in the letters from general Jesup, we learn that he was in close pursuit of the Indians, but as yet has not fallen in with them. Some negroes

had been taken by the friendly Indians, after a skirmish in which some of the hostiles are supposed to have been killed. A white man named Jesse Bandy is stated to have been killed, and another named Sistrunk wounded. There was much sickness among general Jesup's volunteers, and the friendly Indians were completely broken down.

CUBA. The government paper of Havana of the 21st December contains the official account of the surrender of the revolted troops under the late governor Lorenzo, the departure of Lorenzo in a British ship of war, and the restoration of tranquility in that city and throughout the whole island, from the energetic measures of the captain general Tacon. The blockade of St. Jago de Cuba by the Spanish squadron is officially announced to be raised.

BURNING OF THE TREASURY. We learn from the "Intelligencer" of yesterday that immediately on the opening of the circuit court on Thursday morning, the court proceeded to deliver its decision in the case of *Richard H. White*. It will be remembered that in this case the jury had brought in a verdict of *not guilty*, on account of the statute of limitations, though they stated they believed him to have been guilty of the charge contained in the indictment of burning the treasury building. On this verdict the counsel for *R. H. White* had moved for the discharge of his client, and had been opposed by Mr. KEY, the prosecuting attorney, on the grounds that the verdict was not conclusive, it being argumentative, &c. Judge MORSELL first delivered his opinion, stating his reasons why he thought the verdict should be set aside. Judge THRUSTON next read his opinion, and concurred in sentiment with the abovementioned judge, that the verdict should be set aside, and a "*venire facias de novo*" should be ordered. Judge CRANCH then delivered his opinion, differing from his two learned colleagues. The majority of the court, however, being in favor of a "*venire facias de novo*," judge CRANCH concluded by stating the decision of the court to be that the verdict be set aside.

In consequence of this decision, *Richard H. White* remains still in prison, and his case will be tried over again.

Case of *Harry White*. This was the decision of the court on the motion, made on a former day by Mr. Brant, for an arrest of judgment for reasons apparent on the record.

Judge Morsell delivered his opinion in favor of the motion; judges Cranch and Thruston then delivered severally their opinions, with the reasons thereof, against the motion. The majority of the court therefore decided against the motion, and consequently the verdict of *guilty* against Harry White remains undisturbed. The prisoner, who was present in the court, was then remanded to prison, and will be brought up this morning to receive judgment.

THE TARIFF. Resolutions have been introduced into both branches of the legislature of Pennsylvania deprecating, in strong terms, a repeal of the duties established by the compromise act. They will pass, of course, by large majorities—but will be little heeded by those politicians of the day, who consider the triumphs of a party of more importance than the welfare of the country.

EXECUTIVE DEPARTMENTS. The following gentlemen compose the committee appointed by the speaker of the house of representatives in pursuance of Mr. Wise's investigating resolution: Mr. Wise, Mr. Pearce, of Rhode Island, Mr. Muhlenberg, Mr. Campbell, Mr. Hannegan, Mr. Parks, Mr. Lincoln, Mr. Mann, of N. York, Mr. Chaney.

U. STATES BANK. A preamble and resolution appointing a committee to investigate the manner in which the bank of the United States obtained its charter, and to inquire if it has not violated said charter, passed the house of representatives of Pennsylvania on Saturday last. The resolution was passed by a vote of 82 to 11; but the preamble, which strongly intimates that unfair means were used to obtain the charter, was passed by a much less majority, many of the Van Buren members voting against it.

GOLD COINAGE. *Treasury department, Jan. 20, 1837.* Notice is hereby given, that, under the provisions of an act of congress, approved the 18th January, 1837, all coins of the United States, both of gold and silver, bearing the date of 1837, and subsequent years, will have the standard such, that of one thousand parts by weight, nine hundred will be of the pure metal, and one hundred of alloy; that the weight of the gold coins will be the same as established by the act of June, 1834, the eagle having the weight of two hundred and fifty-eight grains, and the parts in proportion; and the weight of the silver coin will be reduced, so as to retain the same quantity of pure silver as heretofore, the dollar having the weight of four hundred and twelve and one-half grains, and the pure parts in proportion.

LEVI WOODBURY,
Secretary of the treasury.

OHIO SENATOR. *William Allen* (formerly a representative in congress, and a friend of the present administration) has been elected a senator of the United States from the state of Ohio for six years from the 3d of March next, to succeed Mr. Ewing, whose term of service will then expire.—There were thirteen ballotings, on the last of which Mr. Allen received 55 votes, and Mr. Ewing 52.

LOUISIANA SENATOR. *Alexander Mouton*, esq. has been elected, by a majority of six votes, to the U. S. senate from the state of Louisiana in place of judge Porter, resigned. Mr. Mouton was one of the Van Buren electors of that state.

THE NEW SENATE. The senate of the United States after the fourth of March next, will stand as follows:

VAN BUREN.

Maine—Messrs. Ruggles and Dana.
New Hampshire—Messrs. Hubbard and Pierce.
Connecticut—Messrs. Niles and Smith.
New York—Messrs. Tallmadge and Wright.
New Jersey—Mr. Wall.
Pennsylvania—Messrs. McKean and Buchanan.
Virginia—Messrs. Rives and Parker.
North Carolina—Messrs. Brown and Strange.
Georgia—Messrs. King and Cuthbert.
Alabama—Messrs. King and McKinley.
Louisiana—Messrs. Nicholas and Mouton.
Mississippi—Mr. Walker.
Tennessee—Mr. Grundy.
Ohio—Messrs. Morris and Allen.
Indiana—Mr. Tipton.
Illinois—Messrs. Robinson and Young.
Missouri—Messrs. Benton and Linn.
Arkansas—Messrs. Fulton and Sevier.
Michigan—Messrs. Norvel and Lyon—34.

OPPOSITION.

New Jersey—Mr. Southard.
Delaware—Messrs. Bayard and Clayton.
Maryland—Messrs. Kent and Spence.
South Carolina—Messrs. Calhoun and Preston.
Vermont—Messrs. Prentiss and Swift.
Rhode Island—Messrs. Robbins and Knight.
Massachusetts—Messrs. Webster and Davis.
Mississippi—Mr. Black.
Tennessee—Mr. White.
Kentucky—Messrs. Clay and Crittenden.
Indiana—Mr. Smith—18.

HONORABLE TESTIMONIALS. We have seen the swords manufactured in pursuance of the resolution of congress passed Feb. 18th, 1835, for presentation to the officers engaged under col. Croghan in his gallant and memorable defence of Fort Stevenson.—They are six in number, being intended for the oldest male representatives of lieut. Benjamin Johnson, captain James Hunter, lieutenant Cyrus A. Baylor, John Meeks, and ensign Joseph Duncan, and the nearest male representative of the late ensign Edmund Shipp, and were made by Mr. Robert Keyworth, of Washington city, who has reflected great credit on the state of art in this District, by the very handsome manner in which he has executed these costly presents.

The swords, with the exception of the names, are of a similar pattern. The handle and scabbard are of solid gold, richly chased. In form, the handle resembles a cross, with flat sides; on of which is the word "Sandusky," surrounded by rays in bright relief. On the obverse is a plain scroll for the inscription, and on the sides thirteen stars on a ground of frost-work. The knob at the end, has on one side a shield of the United States, and the figures "1818;" and the other a military scroll surrounding the letters "U. S." The guard is formed of rich foliage-work; and on an ivy leaf in the centre appears the word "Croghan," in relieved letters. The similar leaf on the opposite side being inscribed in like manner with

the name of the officer for whom the sword is intended. The blade is richly ornamented, and bears in bright letters the name of each officer, with appropriate ornaments. Though the work has neither all the high finish nor elegance of design about it which we have observed in similar presents, it has the appearance of plain yet costly solidity, in good taste, and characteristic of the purpose and the occasion.

We understand that these splendid swords have cost the manufacturer near \$1,000 each; a sum which has considerably exceeded that appropriated; but which, however, there can be no doubt that congress will make good to him, as the work could not be executed in a manner suitable to the dignity of the body ordering them to be presented, for less.

The same resolution ordering these swords, directed colonel Croghan to be presented with a gold medal, to which we think, in these matter-of-fact days, there should have been added a tract of land, or some other national reward suitable to the importance of the service performed, to make all these congressional rewards proportioned to the responsibility and agency of the commander and his officers.

[Georgetown Metropolitan.

THE BANKS OF PENNSYLVANIA. We publish to-day a carefully compiled abstract of the report of the auditor general in relation to the condition of the banks of this commonwealth. It presents a picture calculated to inspire entire confidence in the solvency of the institutions enumerated, and indeed we may well question if any banks in the union are better managed, or are safer as places of deposit than the banks of Pennsylvania. They all yield large dividends, and are conducted by men of high character and superior intelligence.

There are 17 banks in the city and county of Philadelphia, and the number of country banks is 32, making in all 49, and the aggregate of the whole number is as follows:

	City and county.	Country.	Whole amount.
Capital stock,	\$51,180,205	\$7,046,680	\$58,226,835
Notes in circulation,	89,261,327	7,887,333	47,148,630
Due to depositors,	10,674,214	3,514,537	14,188,753
Due to other banks,	40,644,166	1,560,425	42,204,590
Specie on hand,	5,123,113	1,487,766	6,610,879
Due by other banks,	42,682,843	2,156,160	44,839,103
Notes of other banks,	23,731,517	1,156,829	24,888,336
Notes discounted,	82,375,646	14,155,508	96,531,150
Unclaimed dividends,	564,947	210,839	775,806
Conting. funds,	3,069,228	1,028,559	4,097,787
Real Estate,	1,747,286	402,571	2,149,857
Due to commonwealth of Pennsylvania,	1,153,237	40,040	1,193,277

[Philadelphia paper.

THE PATENT OFFICE. By the report of Mr. Ruggles in the senate, it appears that the destruction of this great national repository may be in a good degree repaired. The number of patents granted is about 10,000, and the commissioner believes that most of these may be obtained and recorded again. The whole number of models burnt was 7,000 and 3,000 of the most important of them it is believed may be replaced. The importance of these models, both for the protection of the rights of patentees, and as the most intelligible record of the history of inventions, to enable the proper officers to judge of the originality of new inventions, is distinctly spoken of by the committee.

There were also destroyed 168 large folio volumes of records; 26 large port folios, containing 9,000 drawings, many beautifully executed, and very valuable; 10,000 original descriptions of inventions, besides caveats and many other documents. There were also 230 volumes of scientific books. The report says the office contained the largest and most interesting collection of models in the world. No model had been preserved of Fulton's first steamboat, but there was deposited in the office a volume of drawings executed by his own hand, embracing, besides the various parts of his machinery, three beautiful representations of his steamboat passing interesting points on the Hudson, with sketches of the scenery. There were about 1,500 agricultural models; upwards of 2,000 in factory machinery; and 1,000 relating to navigation.

The sum required to replace the 3,000 models, which would include the most desirable, is estimated at \$33 each, or \$100,000 in the whole; the ex-

pense of procuring drawings, descriptions, &c. at \$53,000, so that, with sundry incidental expenses, the whole expense of thus restoring the office would not exceed \$156,100. This the committee think the government may well afford to pay, as this office has paid into the common treasury \$156,906 more than its expenses. The commissioner believes a complete list of all patents issued can be procured. For the purpose of thus restoring this important establishment the committee report the bill which is now before the senate.

A WOMAN BURIED ALIVE. The Philadelphia Ledger gives an account of the burial of a mulatto woman in that city whilst still living. She was supposed to be dead, and about twenty hours after her supposed death, her body was conveyed to a burying ground. The mourners departed; and the grave digger, a white man, proceeded to his task of filling up the grave. He had thrown a few shovels full of clay upon the coffin when he thought he heard a noise within the grave; he listened awhile, then threw in a few more shovels full—but now he distinctly heard a groan proceed from the corpse.—Seized with a panic, he dropped his shovel and fled for assistance. The coffin was after some time disinterred, and the lid was found to be partly forced off. It was immediately unscrewed, and the corpse discovered, not in the position in which it had been placed, but turned round upon the side, and showing other evidence of having been alive while in the grave. It was taken into the church and kept there until the next morning, when no signs of life appearing, it was again interred.

WRECK OF THE MEXICO. In the present sheet we have published the report of the grand jury of New York on the wreck of the Mexico, which presents a melancholy picture of the sufferings of the passengers and crew. A subscription has been opened at all the newspaper offices in New York, for the benefit of Mr. Smith, who with his sons and grandsons, so gallantly plunged into the sea at Rockaway, in their little skiff, and took off the only persons saved from that awful disaster. Speaking of that noble act, the Philadelphia National Gazette says:

The patriarch, with his sons and grandsons, who, after dragging their boat for miles, launched it into such a surf under such an atmosphere as is described by those who witnessed the wreck of the Mexico, and rescued eight human lives at the risk of their own, would have earned statues from an ancient state, and poets would have made them immortal. The daily press can do little, perhaps, for such purposes, but it ought not to suffer their exploits to pass without emphatic and reiterated commendation. The spirit that prompts such exertions is of the best and brightest character—noble, brave and disinterested. Happily for the honor of our nature it is not often wanting when occasion demands its exercise, though it is seldom called into action under circumstances so appalling as those to which we allude. That boat's crew deserve to have their names enrolled as public benefactors, and to receive the thanks of every philanthropic society throughout the union.

LETTER FROM THE PRESIDENT. The following letter from the president of the United States to Mrs. Donelson, was received by her a few days previous to her death.

Washington, Nov. 27, 1836.

MY DEAR EMILY: Your kind and acceptable letter of the 11th inst. was received on the 23d, whilst I was confined to my bed by a severe hemorrhage from the lungs, which threatened a speedy end to my existence; but with sincere thanks to a kind Providence, who holds our existence here in the hollow of his hand, I have so far recovered as to be able to write you this letter, to acknowledge the receipt of yours, and to offer up to Him who made us, my most sincere and hearty thanks for his kindness to you in restoring you to health again, and with my prayers for your perfect recovery, and that you may be long spared to superintend the bringing up and educating of your dear children, and be a comfort to your dear husband, who has a great solicitude about you, and great anxiety to speedily return to you, but my sudden attack has detained him.

I rejoice, my dear Emily, to find your spirits are good, and that you are able to take exercise daily. This is necessary to your perfect recovery; and I trust in a kind Providence, that in time, you will be completely restored to your health. You are young, and with care and good treatment, will outgrow your disease; but you must be careful not to take cold this winter, and as soon as Dr. Hunt's prescription reaches you I would advise you to pursue it. The digitalis, I fear, is too exciting to the pulse.

The doctor tells me I lost from the lungs, and by the lancet and cupping, upwards of 60 ounces of blood, which stopped the hemorrhage, without the aid of that potent, but pernicious remedy to the stomach, *sugar of lead*. I am now mending as fast as I could expect, and if I can keep clear of taking cold this winter, I hope to be spared, and be able to return to the *Hermite* in the spring, and again have the pleasure of seeing you and your dear children, to whom present me affectionately.

My dear Emily—this chastisement by our Maker we ought to receive as a rebuke from him, and thank him for the mildness of it—which was to bring to our view, and that it may be always before us, that we are mere tenants at will here. And we ought to live daily, so as to be prepared to die; for we know not when we may be called home. Then let us receive our chastisement as blessings from God, and let us so live that we can say with the sacred poet:

"What though the Father's rod
Drop a chastising stroke,
Yet, lest it wound their souls too deep,
Its fury shall be broke.

Deal gently, Lord, with those
Whose faith and pious fear,
Whose hope, and love, and every grace,
Proclaim their hearts sincere."

I must close with my blessing to you and the children. May God bless you ALL. Emily farewell. Affectionately,

ANDREW JACKSON.

COMMERCE OF NEW YORK. The "*New York Sunday Morning News*," of a late date, contains the following statement prepared by Mr. George Sibley, boarding officer at the United States revenue barge office.

	Ships.	Barques.	Brig and gallots.	Schrs.	Sloops.	Total.
Americans,	527	84	701	269	2	1,533
Austrian,	2	4	14	-	-	20
British,	32	46	150	137	1	366
Bremen,	11	16	29	-	-	56
Brazilian,	-	1	4	-	-	5
Columbian,	-	-	5	1	-	6
Dutch,	-	-	32	-	-	32
Danish,	2	1	28	3	-	34
French,	4	7	18	-	-	29
German,	-	-	1	1	-	2
Greek,	-	-	1	-	-	1
Hamburg,	6	9	10	-	-	25
Hanoverian,	-	-	1	-	2	3
Haytian,	-	-	3	1	-	4
Lubeck,	-	-	1	-	-	1
Mexican,	-	-	2	2	-	4
Mecklenburg,	-	-	1	-	-	1
Norwegian,	-	-	3	-	-	3
Portuguese,	-	-	3	-	-	3
Prussian,	1	2	12	-	-	15
Russian,	1	1	4	-	-	6
Swedish,	11	18	37	-	-	66
Spanish,	2	8	5	-	-	15
Sicilian,	-	1	6	-	-	7
Sardinian,	-	-	1	-	-	1
Armed vessels,	599	193	1,072	414	5	2,288
						2,296

No. of passengers for 1836.	Passengers in
January 1,014	1835 35,303
February 535	1834 48,111
March 726	1833 41,752
April 3,353	1832 48,589
May 14,968	Vessels arrived from foreign ports in
June 9,494	1835 2,043
July 5,595	1834 1,933
August 8,702	1833 1,926
September 6,600	1832 1,810
October 4,846	
November 3,686	
December 1,022	
	60,541

THE GREAT RAIL ROAD. The project of extending the rail road from Harrisburg to Sunbury, and from Sunbury to Erie, is one of the noblest, most useful and practicable of any of the day.—One-third of the whole distance is nearly completed. The whole length from Philadelphia, by the state rail road to Lancaster, the Middletown rail road to Harrisburg, and a rail road by the way of Sunbury and Williamsport to Lake Erie, will not exceed 400 miles. The whole of this distance can be

made without a single inclined plane where stationary engines must be used, and following the waters of the Susquehanna, the Sinnemahoning, the Tioga, the Allegheny and the Brokenstraw, three-fourths of the whole distance there will not be a plane of any kind of an inclination of 50 feet to the mile. The state rail road from Lancaster to Philadelphia, will have the highest grades upon the whole route. This alone will give the Pennsylvania rail road the advantage over every other rail road from the Atlantic to the lakes, that has ever been, or can be projected. Its length, too, is one-fifth less. Besides, it will run through one of the richest mineral regions in the world. The products and trade of the great lakes will not only seek an outlet to the ocean by this route, but the great iron, as well as the bituminous coal region of the West Branch, and the anthracite mountains and rich agricultural valleys of the Susquehanna, will swell the vast stream of wealth, that will pour into the lap of our commercial metropolis, when this great work shall have been completed.

¶ We have lately read the report of the engineer that surveyed the New York rail road, through the southern counties of that state, from Dunkirk, on Lake Erie, to Tappan, 24 miles from the city of New York, on the Hudson river. The following is its length:

Western part,	260 miles.
Eastern part,	222 do.
From the eastern termination, to the city of New York,	24 do.

Whole length, 506 miles.

¶ Thus, it will be seen, that the route through Philadelphia, and then across New Jersey, will be nearer to New York itself, from her own termination, Dunkirk, than on her own rail road, when it is finished. But this is not all the advantage we have in distance. Dunkirk is about 40 miles farther down the lake than the town of Erie, and this distance, added to the New York road, will show, that no passengers from the western states will take the New York road, when our road is finished, when Philadelphia can be reached through Pennsylvania, by a route 150 miles shorter, and New York itself is 50 miles nearer, than on her own contemplated rail road. But even this great saving of distance is not our greatest advantage. The New York rail road has a number of inclined planes. By the report now lying before us we perceive, that there are eleven planes, with an inclination of 50 feet to the mile. Six planes with inclinations varying from 50 to 60 feet per mile, and five having inclinations from 50 to 70 feet per mile. Twelve miles have a grade of 70 feet inclination to the mile.—Four miles and nearly one-half ascend at the rate of 72 feet per mile. Three-fourths of a mile, at 100 feet per mile; and more than one mile and a half at 316 feet per mile. The following are only a few of the planes, with their grades, length and distance from Tappan on Hudson river, 24 miles from New York:

Distance from Hudson river.	Length of the planes.	Inclination per mile.
Miles.	Miles. Chains.	Feet.
76	278	100
188	5	60
193	5	70
194	1	61
203	7	70
207	3	65
348	4	72
349	1	25
473	1	60
		316

[Harrisburgh Int.]

AMERICAN ENTERPRISE. A writer in the London Morning Chronicle says, "active measures must be resorted to, or commerce in the Archipelago will be at an end. We have active and enterprising rivals in the Americans, who will be glad to take advantage of the disuse of our manufactures to introduce their own. The trade of the west coast of Sumatra is almost entirely in their hands, and their knowledge of the Archipelago is superior to our own, for while we trust to the natives to bring the produce to market, they trade in their own ships, the commanders of which are generally experienced merchants. With the easternmost islands they are particularly well acquainted, owing to their ships having formerly been much employed by the Dutch, and they frequently call there for the purpose of picking up articles for the China market; but their profits cannot at present be very great, as from the want of a depot, they are obliged to go from place to place to collect them, which takes up a considerable time."

AMERICAN COLONIZATION SOCIETY. The hon. Henry Clay, of Kentucky, has been unanimously

electd president of the American Colonization society, in the room of ex-president Madison, deceased. Annexed is Mr. Clay's note to the secretary, accepting the appointment.

Washington, Dec. 22, 1836.

Dear sir: I have the honor to acknowledge the receipt of your note of the 19th inst. informing me that, at the last annual meeting of the American Colonization society, in this city, I was unanimously elected its president. I receive, with very great sensibility, this distinguished proof of the confidence of the society, and request you to communicate my acceptance of the office, and my respectful acknowledgements to those who have bestowed it.

Regarding the American Colonization society as the only practical scheme ever presented to public consideration for separating, advantageously to all parties, the European descendants upon this continent from the free people of color, the descendants of Africans, with their own consent, and of ultimately effecting a more extensive separation of the two races, with the consent of the states and individuals interested, I shall continue to cherish the highest interest in the success of the society, and will contribute whatever is in my power to promote its prosperity. I am, with great respect, your obedient servant,

H. CLAY.

The rev. R. R. Gurley, &c.

WAR IN FLORIDA.

We lay before our readers extracts from two letters, dated 23d December, recently received at the war department from maj. gen. JESUP: [Globe.

Fort Brooke, Dec. 23, 1836.

SIR: After writing to you on the 18th instant, I ascertained from my Indian scouts and spies, whom I had kept constantly employed in scouring the country, that not a sign of hostile Indians could be discovered at or near any of their strongholds on the Wythlacoochee. All the trails are in a south easterly direction, and Powell, if he has not been deserted by his followers, has probably determined to draw the war into the neighborhood of Micanopy, Jumper and Philip, to compel them to adhere to him with their warriors.

As the enemy could not be found where we expected him, and the term of service of the Tennessee volunteers having expired, I determined to avail myself of the movement of that corps to send the wagon train to Tampa Bay, for supplies for the depots which I had found necessary to establish.

I left brigadier general Armistead in command of the forces on the Wythlacoochee, with orders to scour the country from Fort King to that river, and to take the most active measures to find the enemy; and I came through with a small escort to Fort Foster, for the purpose of designating the point to be occupied as depots, in addition to those already established.

I have ordered lieutenant colonel Foster to erect a work on the Wythlacoochee at the place where the Fort King road crosses it. It will be completed in a few days, and a wagon train will leave here to-morrow to supply it with subsistence, forage, tools, &c.

Learning by express from colonel Henderson of the arrival of commodore Dallas, I came hither to arrange with him a plan of combined operations for the campaign. He is several miles below, but I expect him here to-day.

I have established an abundant depot at Fort Foster, twenty five miles in advance of this place; the fort which lieut. col. Foster is erecting on the Wythlacoochee, is twenty nine miles in advance of Fort Foster. Fort Armstrong is fifteen miles further north, near the point where the road from Volusia unites with the road to Fort King; the two last posts command the principal retreats of the enemy on the Wythlacoochee. These posts, with that near the mouth of the Wythlacoochee, and that at Volusia, will be sufficient for the present.

I have the honor to be, sir, your obedient serv't,
(Signed) T. S. JESUP.

HEAD QUARTERS, ARMY OF THE SOUTH,
Fort Brooke, Tampa Bay, Dec. 23, 1836.

Sir: Since I wrote to you this morning, com. Dallas has arrived, and has offered to furnish men from the ships of war under his command, to defend my depots, and to perform any other service at the posts, or in water expeditions, which the public interests may render necessary.

The commodore has acted on this occasion with the same disinterested and magnanimous zeal which distinguished his conduct during the Creek campaign.

His co-operation, which I most readily accept, will relieve me from many embarrassments, and will enable me to take the field several days sooner than

I had hoped. He will send an officer, with a party of sailors, to ascertain the practicability of navigating the Wythlacoochee, and will furnish the force to garrison Fort Clinch, on that river.

You shall not be disappointed in my efforts, though you may be in their results. The country is so extensive, and contains so many hiding places for large as well as small parties, that the enemy may escape from me.

Major Nelson, with a battalion of four companies of mounted volunteers from Georgia, arrived, and reported this evening. He came through direct from Fort Clinch to this place. Two companies of his battalion were retained by brig. gen. Wool in the Cherokee country. The four companies here amount to about two hundred men; these, with the Alabama volunteers, will make my mounted force near five hundred men.

I am greatly embarrassed by the difficulty of obtaining laborers, drivers and artificers. If the war should not be brought to a close in a few weeks, I shall send to Cuba for mule drivers, and to New Jersey for artificers and laborers.

I have the honor to be, sir, your obedient servant,
TH. S. JESUP.

The hon. B. F. Butler, sec. of war, Washington city.

A valedictory letter from governor *Call* to gen. *Armstrong*, commanding the Tennessee troops lately serving in Florida, appears in the southern papers. It seems to be due to the governor to publish the following extract from it:

Volusia, Dec. 8, 1836.

GENERAL: In retiring from the command of the army of Florida by order of the president of the U. States, there is nothing which I more regret than a separation from yourself and your brave companions in arms.

The important services rendered by you, general, and by them to the territory, which it has been my lot to govern, has imposed on me an obligation of gratitude which a lifetime of efforts could not repay.

To leave you, then, still struggling in the field, and laboring, by your manly efforts, to render further and still more important services, fills me with a regret which I cannot express.

Deprived of my command, and covered with the reproaches of the highest authority of the country, it was my fixed determination to follow where I could not lead, and participate with you in the remaining dangers and privations of the campaign.—But here, too, fate has decreed against me, and I must submit to my destiny.

My health, feeble as it was at the commencement and as it continued throughout the campaign, is now rendered more precarious and distressing by an attack of the lungs, from which I should not only be useless in the field, but by which I am admonished of the necessity of seeking relief without delay.

I must confess there are other causes of regret with which I retire from the field. I have been superseded in command, with deep and wounding censure.

I complain not of the act of depriving me of command, but of the manner and the cause for which it is alleged to have been done.

I complain that I was condemned unheard, and on rumor unsustained by truth.

To have been superseded in command in courteous terms by the government would have been no disgrace; as you will find in my successor a more able and experienced general, and one who has cut his way to distinction on the blood-stained and glorious fields of Chippewa, Bridgewater and the Thames. But the act was done by a rude and unfeeling hand, and, as I conceive, with the greatest injustice.

Here, however, are my own wrongs, general, and as such I will not dwell upon them. My object is not to excite your generous sympathy: I must stand or fall on the facts hereafter to be exhibited. My intention is to express my deep sense of gratitude, and to take an affectionate farewell of you, and through you of the brave officers and men of your command.

GENERAL SCOTT.

From the Richmond Enquirer.

We lay before our readers, the following card from gen. Scott, with great satisfaction. It serves to correct some of the errors which have been set afloat concerning the interesting scenes which are now exhibited at Fredericktown. We did not decline as the general states, the republication of the sketches which have appeared of the evidence before the court—but we republished them with some caution as to certain political allusions. From all that we can hear, we entertain no doubt of general Scott's honorable discharge of all blame or censure in the events of the southern campaign:

Frederick, Md. Dec. 29, 1836.

To the editor of the Enquirer:

SIR: Amidst laborious occupations, a paragraph in your paper of the 24th instant, has just been pointed out to me, in which you decline republishing, for reasons, the reports which, I understand, have, from time to time, been given in the public papers of the proceedings of the court of inquiry at this place. I thank you for that forbearance; for, with the *Enquirer*, another paper was shown me, containing the report of major Kirby's evidence, in connection with which, I am made to speak in terms both disrespectful and injurious of a high functionary, his excellency, the governor of Alabama. I assure you, that this is an error. Not a syllable of that character escaped my lips; nor have I uttered a political sentiment before this court. I did, however, on the occasion alluded to, regret or complain that his excellency had not condescended to acknowledge either of my letters to him of the 31st of May last—both of which, as I stated, were conceived in respect, and expressed in the language of courtesy; and I showed, by major Kirby, that they were sent in duplicate and by two several conveyances.

Who the reporter in question may be, I do not certainly know. I think it probable, however, that he was introduced to me a few days ago at the court room. I had never known that person before, or have had any other communication with him in any form. From two or three of the printed reports that I have seen, the writer evidently entertains for me the sentiments of good will, for which I am duly thankful; but in those particular reports, he has certainly given my language but very partially, and in several cases, like that noticed above, has made me speak disrespectfully, and even harshly, when no disrespect was expressed or intended. This may, in a great degree, be accounted for from the fact, that the supposed writer has never been seen, as I learn on inquiry, to make a note in court.

I pointed out to the court some embarrassment that I had experienced in my operations, (owing to a combination of untoward circumstances), from the non-reception of any answer, and added that, if I had thought of it in time, I might have caused an interrogatory to be sent to his excellency; but that, possibly, he might in that case, have treated my interrogatory as he had treated my letters. In this, I may have done an injustice rather to myself than the governor, and which I may sincerely regret on better information. With him I have not the honor of being personally acquainted, and know of no reason in the world why I should not entertain for his private, as well as his public character, the highest respect. Probably, it occurs to me, on reflection, he came to the conclusion, that the information I sought for, from him would be, or had been, obtained through another channel, but that also having failed me, it became important to me to show to the court that I took every measure to ensure the reception of my letters. Hence the questions to major Kirby.

At the commencement of the court, a friend, every way qualified, intimated to me a desire on his part to report the proceedings from time to time, for one of the public journals. At my urgent solicitation he promised to abstain, and I know from him, that he has made not a single report or note.

You are at liberty to make such use of this note as you may please, and if published, it will be the first line from me which has been printed by my permission or procuration, in a twelve month—save a letter to my friend, capt. Robinson of Augusta, on the subject of troops of long and short periods of service. In haste, I remain, sir, with great respect, your obedient servant, WINFIELD SCOTT.

LIBERATION OF SANTA ANA.

To the editor of the Natchez Courier:

SIR: The Mexican general Santa Ana and his friend and aid-de-camp, colonel Almonte, have been released from their captivity in Texas, and passed up the river a few days ago on their way to the city of Washington. They are escorted on behalf of the Texian government by col. Hockley, inspector general of the army, col. Bee, late secretary of the treasury, and capt. Patton. I accompanied them from this place to Vicksburg, and the views which have induced the visit of Santa Ana to our capital have been placed in my possession with the request that I should make public so much of them as might be interesting to the people of this country.

In view of a speedy and pacific adjustment of the sanguinary war which has existed between Mexico and Texas, the captive general solicited permission, from the Texian government to throw himself upon the protection of the United States, and claim the interposition of the mediatory offices of their chief magistrate. He proposed to acknowledge the republic of Texas as an independent and sovereign na-

tion—or to agree to the incorporation of her territory into the North American union if the other parties interested should so determine. Being a prisoner of war—and the Mexican government having expressly declared that it would hold no negotiation with Texas through gen. Santa Ana while he so remained in duress, it became necessary, if his authority and influence were to be made available at all, that he should at once be placed in a different attitude, in which he might,—set free and untrammelled, unbiassed by any disparaging circumstances, but according to his unquestioned legal right—that he should, in fact, be restored to the full and complete possession of all his lawful authority and power as president of Mexico. To effect this his immediate and unconditional release by the government of Texas was indispensably requisite—and under the peculiar circumstances which exist in connection with his captivity, it was deemed advisable that the pacificatory offices should be invoked of some neutral power, friendly to both of the belligerent parties, and impartial between them. General Santa Ana therefore proposed to visit Washington, and solicit the mediation of the president of the United States, and his proposal was acceded to by the executive of Texas, who believed that nothing could possibly be gained by detaining him longer. On the first of March next the term of his presidency will expire, after which time he would be utterly valueless as a prisoner.

The people of Texas are anxious to terminate the war. They wish to live at peace with Mexico.—They desire most heartily to establish their government, and if possible to annex themselves to our own union. They could hardly hope to attain their object while they held the chief of their enemy in the bonds of imprisonment. They have therefore, in a spirit of magnanimity deserving of all praise, voluntarily surrendered him to his liberty, on the pledge of his word of honor that the war shall be terminated, that peace shall be restored, that the relations of amity and friendship shall be cultivated and cherished. Respectfully, your ob'd servant,
JNO. M. ROSS.

Natchez, 21st December, 1836.

The following has allusion to an article in the last "REGISTER" under the head of "Texas and Mexico."

To the editors of the "National Intelligencer."
Washington, January 21, 1837.

MESSRS. GALES & SEATON: I have this moment observed in your paper of this morning an extract from the Philadelphia Gazette, well calculated to have an injurious effect on the interests and character of Texas, and therefore requiring at my hands an immediate correction. It seems that the extract alluded to, originally appeared in the New Orleans Standard, and "furnishes," as the editor says, "a curious account of the action of the different branches of the Texian government in relation to the release of Santa Ana." It happens, however, that this "curious account" is more curious than true. I was a member of the senate of Texas at the time spoken of, and can therefore speak from my own knowledge. A resolution, (as is correctly stated), was passed by the senate, requiring that the president should not release general Santa Ana and colonel Almonte, without the consent of that body; which resolution was immediately vetoed by president Houston.—Thus far the newspaper account is true, but here a total perversion of the real state of the case takes place, in representing president Houston as releasing Santa Ana in violation of law. When the president returned the resolution, with his objections, the senate did not attempt to repass it with the constitutional majority of two-thirds, but without a dissenting voice acquiesced in the views of the president, and admitted his right to release the prisoners without the consent of either house of congress.

The house of representatives also passed a special resolution, in which they stated that the custody and release of the prisoners belonged exclusively to the president. It is due to truth to state that many in both houses disapproved the policy of the measure.

The "extract" which has called forth this communication, also conveys the idea that the president used the army for the purpose of overawing congress. Now, the truth is, the army was not within 150 miles of the seat of government, nor was the transaction known at head quarters for a fortnight afterwards. Respectfully, yours, &c.
WM. H. WHARTON.

[The paragraph above referred to was, by an error of the press, credited to the Philadelphia Gazette, instead of the Alexandria Gazette, from which we took it. The same news in substance has, however, been published in nearly all the

public journals, and it is proper that, so far as it is erroneous, it should be corrected.] [Editors.]

The New Orleans Courier, speaking of Santa Ana's liberation in Texas, and his condition here says:

"It is evident that Santa Ana is still in duress, virtually, if not actually; for being liberated conditionally, on going under an escort, as a guard, to Washington, to ask the mediation of the United States government, cannot be considered legal and uncontrolled freedom."

There is not the slightest pretext for the assertion that Santa Ana "is still in duress, virtually, if not actually;" that he is "liberated conditionally," and comes "under an escort, as guard, to Washington." The two or three gentlemen who, on the part of the Texian authorities, have attended Santa Ana, and his secretary, Almonte, to this place, did so at his request, and doubtless for the purpose of smoothing his way through the United States, and introducing him to the public authorities here. The idea that two or three citizens of Texas would be permitted to make the United States a prison for those who have fallen into their power in Texas, is in itself preposterous. No prisoner of war to a foreign power could, after having come within our neutral limits, be considered longer a prisoner. The moment Santa Ana touched our soil, he was as free as the air he breathed.

The suggestion that he is still in duress becomes the more ridiculous, when the absolute manner in which he has been absolved from the existing government of Texas is understood. He is liberated by the Texians, as we understand, not merely that he may be restored to perfect personal freedom, but that he may be restored to his official station in Mexico before the term of his office expires. Their object doubtless is to enable him to bear home a thorough knowledge derived from actual observation, of the condition of things in Texas, and of its posture as it regards Mexico and this country, and that he may do this under circumstances to put a stop to the unnecessary effusion of blood, if his opinion in regard to the profitable character of the war should lead him to that course. [Washington Globe.]

WRECK OF THE MEXICO.

To the honorable the court of general sessions in and for the city and county of New York.

The grand inquest in and for the body of said city and county upon their oaths present—

That they have felt themselves bound by the great excitement produced by the recent fatal shipwrecks in this vicinity, to inquire into the causes thereof, for the purpose of ascertaining how far they could be attributable to any culpable neglect on the part of the pilots of this port, and in the hope that such inquiry might in any event be conducive to the public good.

Their investigation has been particularly directed to the loss of the barque Mexico, as bearing more directly on the question of negligence; and although they were unable to procure the attendance of the captain in consequence of his absence from the city, they believe they have obtained every important fact from the witnesses examined.

It appears that the vessel made the light house at Sandy Hook on the 31st of December; that on Sunday she was standing off and on, firing and making signals for a pilot without success, and part of the time with a signal of distress flying, although it was not observed by the steamer, which came within five miles of her. On Monday her position is a matter of some doubt; it being alleged by the captain that she was cruising within a short distance of the Hook, while the pilots say that on that day they went out to sea many miles and saw nothing of her.

On that night she was blown off by a severe gale from north west, and on Tuesday, 3d January, she regained her station, and encountered the catastrophe which has so deeply wounded the public sensibility.

It is evident that both in the case of the Bristol and Mexico, that their loss is not attributable to the wind, which was moderate and off shore, and the grand inquest feel bound to state their conviction that both these casualties might have been avoided by the exercise of a suitable degree of caution on the part of the officers and crews of these vessels.

It appears the Mexico approached Sandy Hook, [December 31.] The pilot boat whose turn it was to be at that station, having exhausted her stock of pilots, returned to the city, and that her place was to have been supplied by another boat, which relied upon being towed out on Sunday by a steamer, but was disappointed, and attempted to go down without her, and got among the ice in the

Narrows, and was unable to get to the Hook until next morning.

So that during the whole of Sunday their being from 12 to 15 sail of vessels waiting for pilots, and only one ship (the George Washington) got supplied, and that was obtained from the steamboat New Brighton, which having towed a ship to sea, brought the Geo. Washington up to the city, and the captain of this steamboat is positive that no signal of distress was exhibited by the Mexico while he was in sight of her, nor any guns fired until she had taken the other ship in tow.

The grand inquest believe the preceding statement of facts is a fair analysis of the extensive examination entered into by them in relation to this unhappy event.

Desirous, however, of prosecuting their inquiries in the hope of eliciting information, calculated to promote the security of the lives and property of their fellow citizens, the grand inquest required the attendance of many of our most active ship owners, ship masters, port wardens and pilots from whom the following was obtained.

It appears, that forty years since the number of pilots actually in service in this port, was about 30; in the year 1819, when the existing laws regulating the pilot system were enacted there were thirty-eight, and the number now limited by law to sixty, although from various incidental causes, those actually fit for duty do not exceed fifty, and probably on an average the number is less, which the grand inquest feel constrained to say from the information before them, is wholly inadequate especially during the quarantine season to the wants of this port.

It appears that there are but six pilot boats in commission, to each of which are attached, exclusive of the licensed pilots, from three to five apprentices to the profession, who constitute the crew.

These apprentices are bound by law to serve five years before qualified to act as pilots, and as they generally enter at an early age, this qualification is generally attained at or before the period of majority.

Taking these data and the probable period of their subsequent services as pilots, to be thirty years, it shows that nearly 150 are fitted for the calling, while not more than sixty being eligible by law, it follows that three-fifths of the number fitted for employment by the devotion of several years of their lives to obtaining information so important to themselves and their fellow citizens are prohibited by law from the service of their vocation; an abridgment of natural rights, which, in the opinion of the grand inquest, is not only prejudicial to the public interest, but is wholly inconsistent with the spirit of our government and the clearest principle of public policy.

It further appears that there are several partners to each boat, but that the total amount of pilotage paid on vessels arriving at, or leaving this port, is treated as a common fund and divided equally among all the branch and deputy pilots; this dividend is stated by the pilots to amount on an average to 1,200 a 1,300 per annum, to each, and it is contended by the pilots, as the grand inquest conceived with much reason, that this is not more than a fair compensation to men who lead lives of great exposure and responsibility.

The grand inquest are compelled to state that, without exception, the testimony of every merchant and ship master, examined by them, was such as to reflect great discredit on the vigilance and activity of the pilots of this port, as compared with the pilots of any other port of our own coast, as well as of the principal ports of Europe.

It seems to be the inevitable result of a system which selects so small a number for so great a work, and which secures to them, by legislative provisions of the strictest character, the exclusive enjoyment of these offices, and in certain cases giving them a moiety of the compensation where no service is performed.

And to the combination before alluded to, the greater portion of the existing evils may be fairly attributed; for being secure of a rateable proportion of the entire income of the profession, the indolent are placed on a footing with the enterprising and moral, and every incitement to emulation is completely paralyzed.

It is true that the wardens of the port are by law authorised to interfere in case of any mal-conduct or neglect of duty on the part of the pilots; but the natural reluctance to become an accuser, and thereby invite the hostility of the party accused, as well of the transient character of those who would be the complainants, and the formalities requisite to produce effect, occupying time and trouble, has seldom placed the charges before that body in any specific shape. That there is room at present for their in-

terference, by causing the dismissal from office of members of this body, whose general habits render them notoriously unworthy of so high a trust, was made too palpable before the grand inquest to admit of a doubt, and in their opinion calls for the exercise of authority in some quarter to apply a remedy, which is due not only to the welfare of society but to the character of the otherwise respectable association upon whose habits and conduct they are a reproach.

So sensible have the pilots been of the necessity of greater discipline in their own body, that they have from time to time established regulations for their government, and especially as to the stationing of their boats; and have imposed penalties on their infraction, but not being legally authorised to enforce them, they have proved nugatory and ineffectual.

The grand inquest feel that they have dwelt sufficiently long on a topic fraught with such painful interest to every member of the human family, and especially to every citizen of the metropolis of the commerce of the western hemisphere, whose reputation and prosperity are so deeply involved in the question now before them.

That great abuses exist in the operation of the present system they think has been fully demonstrated, and that the system itself is at war with the fundamental principles of a government which professes to cherish a fair competition in every branch of industry, leaving the community to extend their patronage in proportion to the merits of the competitors.

Various suggestions have been made, having in view an improvement of the present system, and of affording relief to vessels approaching the coast, among which have been proposed the erection of a light house and artificial harbor outside of Sandy Hook—throwing open the business to the licensed pilots of New Jersey, &c. but the grand inquest do not consider this a subject within their province to discuss. To the wisdom of a more competent tribunal must be left the selection of a remedy, and they cannot doubt that the rigid investigation which the subject is now undergoing in the minds of the whole community, will cause such an organization as shall place our city on a footing with the proudest seaport of the old world, and make the approach to her shores a matter of security to the millions whom the glorious institutions of our country invite to visit them.

Signed in behalf of, and by the unanimous order of the grand inquest.

JAMES B. MURRAY, foreman.

DANIEL H. TOMPKINS, secretary.

CINCINNATI PORK MARKET.

The following interesting account of the manner in which hogs are slaughtered in the great pork market of the west, is from a letter to the editors of the New York Express, dated

Cincinnati, Dec. 31.

Some of the items I gave you in my letter of the 9th inst. on the subject of pork, and particularly on the slaughtering, I had collected sometime since.—Having visited the packing and slaughtering houses within the last day or two, I found additions and improvements had been made this year, I was not before aware of. I will therefore give you another letter on pork, and go somewhat into particulars. Less is doing this winter in pork, than was anticipated during the past summer. It was known that hogs were plenty throughout the country, and it was believed that the prices would consequently be low—or lower than last year—but the uncommonly high prices paid last winter, induced the drovers to scour the country and purchase all the hogs they could find, and on driving them to the city, they demanded what our packers thought an exorbitant price—say for hogs weighing 200 to 250 pounds, \$7 00 per hundred—the consequence was, that the packers generally declined purchasing, and the drovers would not sell for less, so that but few hogs were packed for the first three weeks of the season. In fact, up to this time, only about 50,000 hogs have been slaughtered, whereas two years ago, at the same time, more than 120,000 were slaughtered and packed. Some of our pork merchants are not packing at all, others are doing a little, and none to an extent of former years. Hogs, however, remain firm at the prices demanded by the drovers, and sales were made yesterday at \$7 25 per hundred pounds, for hogs weighing about 250 pounds. The pork season generally lasts about eight or ten weeks—last year it closed in less than eight weeks—in fact, but few hogs were slaughtered after the first of January. Eighty thousand was the number packed last winter. (In the publication of my letter of the 9th, by a typographical error, the number is set down at 60,000.) It is supposed that there will not be more packed in the city this winter than last, and about a half of the number of winter

before last. Hogs are driven to this market from the interior of Ohio, Indiana and Kentucky. I will now give you the *modus operandi* of slaughtering, which is performed with such expedition at the slaughtering houses of John W. Coleman, esq. who has made a large fortune at this business. I find, on visiting these houses, which are situated on the north east extremity of the corporation line, and bordering on a small stream called Deer creek, or, as it would more properly be called at this season of the year, *Bloody Run*, that the number of slaughter-houses now amount to nine, the largest of which is 160 feet long by 80 wide. The others average 100 feet long by 60 wide; Mr. Coleman has also another slaughter-house at Covington, on the Kentucky shore, which makes in all, *ten houses*. At each of these houses, he has now employed, 36 to 40 men—making altogether, about 380 men, to whom he pays \$1 25 to \$2 per day each. Near these houses are pens of various sizes, and covering altogether, about forty acres of ground—into these pens are driven the different droves of hogs by their respective owners, as they come into the city, preparatory to the operation of slaughtering. These pens hold from 100 to 1,000 each. In these slaughtering houses there are large kettles at each end, filled with water, which is kept constantly boiling, and the operation of killing, scalding, dressing, &c. goes on simultaneously at both ends of the several houses—the hogs are hung up in the centre to be dressed, before removing them to another part of the building to cool. Attached to each end of these houses is a small pen that will hold about 50 to 60 hogs—into these pens the hogs are driven until they are so compact, that the executioner walks in on their backs, bearing in his hands a large sledge hammer with which he “deals death and destruction” all around him. When they are all knocked down, they are removed within the building where the knife is passed into the throat. After bleeding, they are thrown into the kettle of water (one at a time) and thence, after sufficient scalding, removed to a bench, when the bristles are scraped off by iron scrapers, made expressly for the purpose, and thence hung up, when the “gutter,” as he is called, passes his knife from one end of the hog to the other, and removes the offal, and completes the dressing; and so scientific have these surgeons become, that any one of them can complete the inside dressing, removing all within, washing out, &c. of *three hogs within the minute*—and, as I stated in my letter of the 9th—each set of men, at each kettle and bench, at either of these houses, will knock down, bleed, scald, remove the bristles, and complete the inside dressing of *fifty hogs within the hour*—which would be one hundred hogs at each house, or one thousand at all the 10 houses, in a single hour. I learn they now work about eight hours per day, and were it necessary—to such perfection has Mr. Coleman brought this science of “hog killing”—that he could at this time at his ten houses, slaughter, and have completely dressed and hung up to cool, *eight thousand hogs in one day*. I will venture to say, there is no place in the world, out of Cincinnati, where this can be done, and here it can be done. In past years, before Mr. Coleman had arrived at such perfection in the art, he has slaughtered, dressed and hung up, in *four houses*, and some of them not in double operation, as now—*twenty-seven hundred in a day*—say 8 or 9 hours work. The same ratio for *ten houses*, would make 6,750. Mr. Coleman has no competition in this line of business, and I am now informed, that the gut lard, soap grease and bristles (which is the only compensation received for slaughtering) is worth about 50 cents for each hog—which would amount to *fifty thousand dollars* for slaughtering a hundred thousand hogs. No mean business, this—and all accomplished within 8 or 10 weeks.

When the hogs become cool, they are conveyed on large wagons made expressly for the purpose, to the packing-houses, which are the largest and most splendid warehouses in the city—there they are cut up and packed, the lard rendered and put in kegs, and the hams cured for smoking.

In the winter and spring of 1835, we exported about sixty thousand barrels of pork! and one hundred thousand kegs of lard! Last winter and spring we exported about half that quantity, and the winter and spring of 1837, we may possibly export more than last year, although it is somewhat doubtful.—The quality of the hogs this year is better than it was last, and consequently more clear pork will be packed than then. There is so far a good demand for all the new pork and lard; sales have been made, and are now making, at the following prices;—clear pork \$22; mess \$20; prime \$18; lard 12 cents. Two weeks since, sales were made at prices *ten per cent.* lower than these. These prices are higher than this time last year, and it is thought they will be maintained.

In the article of hams, our pork merchants (those who turn their attention to it,) furnish better hams

than can be found in any other part of the country. I will venture the assertion, that the *sugar hams*, cured by William M. Walker, and Miller & Lee, cannot be surpassed in flavor and goodness of quality, generally, in the United States. I am aware that the Virginia hams are good. I am also aware, that the hams cured in or about Boston are good—very good—and there is a reason for it. The hogs are fed wholly on corn, the meat is solid, and the hogs generally fat; but still they cannot match the *family hams* put up by Mr. Walker, and Miller & Lee, of this city—they know how to cure them—and that is the great secret, and a secret known but to few. Others of our pork merchants cure most excellent hams, and perhaps equal to any. I have not had an opportunity of knowing. One thing is certain, not only the hams, but the pork and lard, exported from Cincinnati, stands high in all the southern and eastern markets.

POLITICS OF THE DAY.

The anniversary of the battle of New Orleans was celebrated by the democratic citizens of Philadelphia at the Old Masonic Hall, in Chesnut street, on Monday the 9th inst. *George M. Dallas*, esq. presided, assisted by nineteen vice presidents.

After the regular toasts, the following letters from the president and president elect, were read by colonel Henry Simpson, on behalf of the committee of invitation.

Washington, Jan. 4, 1837.

GENTLEMEN: The kind manner in which you have addressed me, inviting me to meet my friends of the city of Philadelphia, on the 8th of January, affects me deeply. The honor you do me as a public man, although well appreciated, is not half so dear to me as the feeling of personal attachment among my fellow citizens, which you inform me solicits an opportunity of giving me a heartfelt welcome before bidding me a sincere farewell to the shades of the Hermitage. Personal debility and the pressure of public business, with other causes, will deprive me of this last occasion of showing how strongly I reciprocate the kind and disinterested regard which has animated my friends in Philadelphia to support me through so many trials, and at such sacrifices to themselves. They will, I trust, find some reward in the consciousness that they have toiled for one who, at least, meant well for his country. With sincere regard, your friend and fellow citizen,

ANDREW JACKSON.

To Messrs. Henry Simpson, Henry Horn and others, committee of democratic citizens of Philadelphia.

Washington, Jan. 5th, 1837.

GENTLEMEN: I have the honor to acknowledge the receipt of your polite invitation to join my democratic friends of the city and county of Philadelphia in their celebration of the anniversary of the victory of New Orleans. The obliging and truly kind terms in which your invitation is couched, as well as the feelings of respect and gratitude with which I have been impressed by the incorruptible patriotism and steadfast friendship of those you represent, increase my regret in being compelled, by official duties, to deny myself the pleasure of joining you upon the interesting occasion. There is no portion of the people of this country whose opinion of the high deserts of general Jackson is entitled to more weight than that of the people of Pennsylvania.

They were amongst the first to rally under his political standard—have been amongst the most constant of his supporters—his administration has undergone in that state the test of rigid scrutiny, and it doubtless will be amongst the most cheering of his recollections, that Pennsylvania, powerful and respectable as she is, has sustained it to the last. Political history does not afford an example of a more useful or a more honorable connection between a representative and his constituents.

I am not insensible, gentlemen, how much there is of personal kindness in the flattering, but undeserved comparison which you are pleased to institute between my humble services and those of the distinguished individual, one of whose heroic achievements you are about to celebrate.

To be thus associated with him, however, in the confidence and affections of the democracy of the city and county of Philadelphia, excites my liveliest gratitude; and I beg you to be assured that no exertion shall be spared on my part, to realize the flattering anticipations which you have had the goodness to express. Accept my friendly salutations, and believe me to be, very truly, yours,

M. VAN BUREN.

To Messrs. Henry Simpson, Henry Horn, H. D. Gelpin, B. E. Carpenter, J. Thompson, Peter Hay, A. L. Roumfort, committee.

ÆOSTATION EXTRAORDINARY.

CROSSING THE CHANNEL. On Monday, Nov. 14, Mr. Green and his companions dashed off in the royal balloon, with intention to reach (wind and weather favorable) the metropolis of France. The ascent was intended to be a private and not a public one, so far as the admission to the gardens or giving notice in the newspapers; but the secret was communicated to a few, and those persons, with their friends, eagerly embraced the opportunity of witnessing so remarkable an event. Mr. Holland, Mr. Monck Mason, and Mr. Greene, had the honor and the risk of departing on this voyage of discovery.—They proposed, by regulating the ascent, to seek for such a stream of air as would take them, if possible, towards Paris, and if that should not be practicable, they would be guided by the current, which might lead towards the Belgian capital; and in case they could not make the opposite coast, whether French or Belgian, they determined to remain in the air all night. The inflation commenced about seven o'clock in the morning. The balloon was inflated almost to its utmost dimensions, and appeared capable of sustaining an aerial flight for many hours or even days.

In the car were upwards of a ton of ballast, several gallons of brandy and wine, a large supply of coffee, cold fowls, ham, &c. an apparatus with unslacken lime for heating the coffee, and every other appliance to insure comfort and prevent starvation and cold. There were also a supply of blue lights, stars, and other fireworks, to be let down at night, if the voyage was not accomplished before dark, in order to enable the aeronauts to reconnoitre the country from their elevation, and choose the point of their descent, and a number of parachutes, to which letters were fastened, to be dropped at intervals in the course of progression, for the purpose of apprising the public of their transit, arrival and safety—in a word, a more complete equipment cannot be conceived. They were moreover, furnished with passports from the French and Dutch embassies, and with a letter from the king of Holland from his representative in this country. The ascent took place at half past one P. M. The balloon took at first, as near as possible, the direction of Maidstone, and crossed the Medway seven miles south of Rochester, at 12 minutes to three o'clock.

At four the aeronauts were two miles south of Canterbury, and caught the first glimpse of the sea within a quarter of an hour afterwards. They quitted England precisely at twelve minutes before five; being then about one mile east of Dover Castle. The passage from London to Dover was therefore effected in three hours and eighteen minutes. At ten minutes to six the balloon made the French coast, about one mile to the east of Calais. The transit across the water, occupying one hour and two minutes, appears to have been the quickest part of the passage. It appears to have passed close by Cassel, and within a few miles of Lille, and by the south of Waterloo and Brussels, and over Namur, where it arrived at half past eleven. Hitherto the course taken had been east south-easterly; but at this period a direction due east must have been taken. This, however, could not be accurately ascertained, as at midnight they were in almost total darkness; nor did the day begin to break till towards five o'clock. At ten minutes past five the greatest altitude during the whole trip was attained; measuring twenty inches to the barometer, giving an elevation of two miles.

The balloon crossed the Rhine to the north of Coblenz at about six o'clock, and effected a perfectly easy and safe descent a mile or two beyond Weilburg, in Nassau, on an estate of the grand duke, who has, it is said, (but for this part of the story we do not vouch), lent his palace to the aeronautic party for the accommodation of themselves and their balloon. The exact extent of the distance traversed it is difficult to calculate with nicety, on account of the different currents which may have occasioned a deviation from the direct line, which, supposing it to have been precisely kept, would be as nearly 345 miles as possible. Weilburg is situated equi-distantly from Coblenz, Wisbaden and Frankfurt, at about thirty miles from each, nearly due north of Wisbaden. For this novel experiment in the art of balloon travelling, and for any results important either to science or locomotion which may accrue from it, the public are indebted to Mr. Robert Holland, a gentleman who has turned much attention to the subject, and at whose sole expense this enterprise has been carried into effect.

EXHIBITION OF SILK GOODS.

The following highly interesting article from the Nantucket “Inquirer” has been on file for some time, and we regret we could not find room for it until now. What will become of this interesting branch of American industry if Mr. Cambreleng’s grand scheme of reducing the revenue to the wants of the government, is carried into effect?

A sort of fair was holden at the establishment of the Atlantic Silk company on Thursday and yesterday, which was visited by between two and three thousand persons—all of whom expressed their surprise and gratification at the perfection of the works, and the beauty of the products. Among the various articles offered for inspection, we have only time to enumerate the following:—

Raw silk. Samples of the kinds imported by the company from Bengal, Canton, Smyrna, Naples and Calabria respectively—some of the skeins measuring when opened, near thirty feet in circumference—the winding of which required the construction of reels especially for this purpose: Samples of American silk, reeled in Wilmington, N. C. in Worcester county, Mass. at New Bedford, by J. Rotch, esq. and in Nantucket. The three latter specimens were decidedly the best, and were indeed of a quality superior to any others exhibited.

Cocoons. Specimens of different kinds—mostly produced in this state; among which were noticed some which were perfectly white, others varying from a greenish yellow to a deep orange color.—One lot, very splendid, and of extraordinary size, from Rochester, (Mass.) attracted much notice, being probably the largest and best ever exhibited in the United States.

Cloths. Samples of silk cloths intended for handkerchiefs, woven in the gluten. These comprised specimens of the fabrics made in July last, being the company's first attempt, and of those now in course of manufacture. The astonishing improvement made in the course of a few months, was obvious at a glance. White and nankin colored velveteens, of silk warp and cotton filling, for vestings, pantaloons, &c. very stout, and displaying all the lustre and high finish of goods composed entirely of silk. Here was also a piece of handkerchief goods, sent hither from Spitalfields, Eng. as a specimen of the fabrics woven in that place by hand looms, from a certain quality of stock, a lot of which was imported at the same time: lying with it was a sample of the goods manufactured in this mill by power looms, from precisely the same stock. The great difference in favor of the latter, excited the admiration of every observer.

Finished goods. These consisted mostly of silk aprons and handkerchiefs—the latter of almost every conceivable pattern, and varying, from pure white, with a neat pencilled border, to hues of great brilliancy—some comprising six or eight gorgeous colors and dazzling figures intermingled. These articles being on sale, were rapidly bought up—most of the visitors feeling desirous to possess a memento of the early establishment, of this important branch of industry upon our island. We noticed an eager preference for the white sort, which, unluckily, constituted but a small proportion of the whole number. Among the handkerchiefs were two placed in contrast—one woven in July, the other in October—showing a wonderful advancement in the art. Also, a beautiful handkerchief, woven by hand loom, the silk of which was raised, reeled, thrown and manufactured by Mrs. A. Brooks, of Scituate, Mass.; the whole machinery used in the several processes, we understand, having been made in the family of Mr. Brooks.

The above colored and stamped goods were all printed by Mr. J. W. Halliday, of the Boston and Lynn Printing and Dyeing company, and were manufactured under the superintendence of Mr. Lloyd A. Waite, agent of the Atlantic Silk company.—The construction and operation of the manufacturing apparatus, the product of Mr. Gay's inventive ingenuity, excited great interest. The medal awarded by the New York Mechanic's Institute, was also presented for examination; it bears a characteristic device, and the following inscription:—"Awarded to the Atlantic Silk company of Nantucket, for specimens of silk, and silk goods.—Sept. 1836"—to which compliment, we doubt not, every visitor on this occasion will cheerfully render a favorable response.

BANK OF THE UNITED STATES.

MEMORIAL TO CONGRESS.

To the honorable the senate and house of representatives of the United States in congress assembled,

THE MEMORIAL OF THE BOARD OF TRADE OF THE CITY OF NEW YORK,

Respectfully represents—

The subscribers, in behalf of the board of trade, embracing merchants and traders, citizens of New York, beg leave respectfully to invite the attention of congress to the present deranged state of the currency and exchanges of the United States, and ask their interposition to remedy it. They do this, not merely in their character as citizens, but because

their residence and their occupations, necessarily connecting them with the general business of the United States, make them the earliest witnesses and the first sufferers by any disorder in our monetary system, and impose upon them the special duty of giving the earliest notice of its existence.

It is an obvious truth that the great object of commerce is to convey the products of industry from the original producer to the ultimate consumer, and that all obstructions, and all charges upon their passage, although apparently borne by the intermediate agents, must yet fall at last on the productive classes, and are, in fact, only another form of tax on the industry of the country. The undersigned, therefore, deem it right, not merely for themselves, but for all the great interests of the union, to state that the advantages which the U. States have for some years enjoyed in regard to their currency and exchanges, have ceased, and that while every thing in the country, all the branches of industry, every species of its produce, the rapid extension of its internal improvements, its relation with foreign countries, all indicate a high degree of prosperity, yet great inconvenience and distress are felt in consequence of the uncertain and vacillating condition of the currency and exchanges. The want of a uniform circulation of universal and equal value is a source of constant embarrassment. The exchanges, the charges upon the carriage of the produce of the country to its destination, have become so disordered as to interpose a commercial barrier between different sections of the union, while, as an inevitable consequence, the interest of money has risen to a rate so oppressive as to threaten ruin to all branches of industry. A correct view of the change may be obtained by comparing the rates of exchange between parts of the United States and the city of New York, in the years 1829 and 1836.

Rates of exchange from N. York to	1829.*	1836.
Portland	Par.	$\frac{1}{2}$ to 1 discount.
Portsmouth	"	1 $\frac{1}{2}$ "
Boston	"	Par to $\frac{1}{2}$ "
Providence	"	" 1 "
Hartford	"	" $\frac{1}{2}$ "
Baltimore	"	" 1 "
Washington	$\frac{1}{2}$ discount.	$\frac{1}{2}$ 1 "
Richmond	"	" 1 3 "
Norfolk	"	" 1 3 "
Fayetteville	Par.	2 3 "
Charleston	"	1 3 "
Savannah	$\frac{1}{2}$ discount.	1 3 "
Augusta and Macon	"	" 1 6 "
Mobile	"	" 2 $\frac{1}{2}$ 7 "
New Orleans	"	" 2 $\frac{1}{2}$ 7 "
St. Louis	"	" 3 7 "
Lexington	"	" 2 7 "
Louisville	"	" 2 7 "
Cincinnati	"	" 2 7 "
Pittsburgh	"	" 2 7 "
Buffalo	Par	" 1 4 "
Florida	"	" 1 4 "

But few banks deal in exchanges at the lowest rates here quoted and when they do it, it is to a very limited amount, when compared to the immense wants of the mercantile community.

The extent of those evils upon all the operations of industry, will be readily seen by congress, and needs no illustration from your memorialists, who will proceed to the more agreeable task of suggesting what seems to be the appropriate correction of them.—It is this:

The whole moneyed system of the U. States is in the hands of certain corporations called state banks who furnish directly or indirectly all the currency, and negotiate by far the greater part of the domestic exchanges. That their instrumentality has been eminently useful, if not necessary, is willingly conceded. But to their safe administration it was early deemed essential that the general government, charged with the care of the circulating medium, and with the commercial regulations between the states, should by means of its revenue superintend and to a certain degree control their movements. For this purpose was devised the national bank, which since the foundation of the government has formed a part of our monetary system, except in a single interval when evils produced by its absence occasioned its re-establishment. The country was still languishing under the exhaustion of the revolutionary war, when the bank of the United States in 1791 re-established its credit, furnished a sound currency, and gave safety to its internal exchanges. When it ceased in 1811, the creation of a multitude of state banks produced a suspension of specie payment and a total derangement of the currency and the exchanges, which nothing could retrieve but

*The rates of 1829 are from the hon. Mr. McDuffie's report to congress.

the re-establishment of a similar and larger national bank.

Since the institution has ceased to possess the power of control given by the public deposits, both the currency and the exchanges have relapsed into confusion, and the question now forces itself upon congress, by what process the restoration can be accomplished. The memorialists do not hesitate to recommend as the most easy, simple and effectual expedient, the return to the known and tried system of a national bank, which our own experience and that of the great commercial nations of Europe concur in recommending. That some controlling power is necessary, must be manifest. According to the report of the secretary of the treasury to congress at its present session, within less than three years the paper circulation of the banks has increased from 76 millions to 120 millions, the banking capital increased from 200 millions to 300 millions; and the legislatures of 27 states and territories exercised the power of augmenting at will their number. Here then are 27 sovereignties with an indefinite power to make banks. Here are several hundred banks with an indefinite power to make currency. They cannot control each other, the state governments cannot control them, since the power of the state government is fitted more to prepare than to prevent the excesses of banking, so that there is no efficient check on the exercise of a power upon which every man's property depends for its value, and every man's industry for its reward. That such a state of things can long be endured is impossible. That it must end in total derangement, to be rectified only by a great confusion is manifest, and it seems therefore the part of true wisdom to anticipate, and, if possible, to prevent these excesses. This can be done in two ways only. By the power of the treasury, or by a national bank. But the power of the treasury, over such a multitude of institutions, is necessarily very imperfect. It can operate only on banks which are the depositories of the public revenue, comparatively few in number, and not able, however disposed, to superintend the operations of other banks.

The extreme penalty too which the treasury could apply to any bank negligent of its credit, would be the refusal of its notes for revenue, a penalty which would be rather a benefit by withdrawing its supererogation from the offender. With every possible respect too, for those who have been, or may hereafter be at the head of the treasury, it is obvious that there is no peculiar fitness in that department for the superintendence of banks, and that there may be great danger in thus making the moneyed concerns of the country a mere appendage to a subordinate department of the executive. The present scheme was examined by Mr. Gallatin, the secretary of the treasury, in 1809, and he said of it, that the state banks could not transact the public business as well as the bank of the United States; "nor," added he, "is it desirable that the general government should, in respect to its own operations, be entirely dependent on institutions over which it has no control whatever. A national bank, deriving its charter from the national legislature, will, at all times, and in every emergency, feel stronger inducements, both from interest and from sense of duty, to afford to the union every assistance within its power." It was tried by Mr. Dallas, in 1814, and he declared that "the establishment of a national institution, operating upon credit, combined with capital, and regulated by prudence and good faith, is, after all, the only efficient remedy for the disordered condition of our circulating medium." If this plan of insulated state banks, supervised by the treasury, be insufficient, there remains only one expedient, the national bank, which has the obvious recommendation, that, during forty years of its existence it succeeded perfectly. Placed at the head of the banks of the United States, with the public revenue to collect and disburse, coming into constant business contact with all the state banks, it, and alone, can exercise that habitual and gentle, and salutary supervision, which is at once the check of each and the security of them all. In short, such an establishment has existed, and is familiar to the habits of the country, and your memorialists desire nothing better than to return to that system under which the commerce and currency of our country so long prospered.

As to the power of the government to recognize such an institution, it is presumed that no doubt can now be entertained. It was established during the administration of Washington, and has received in some form, more or less direct, the sanction of all his successors. Even in refusing his assent to the act of congress passed in 1823, the present chief magistrate said "that a bank of the United States competent to all the duties which are required by the government, might be so organized as not to infringe on our own delegated powers or the reserved rights of the states, I have not a doubt. Had the execu-

tive been called upon to furnish the project of such an institution the duty would have been cheerfully performed."

Your memorialists accordingly request, that as the moneyed concerns of the country are already deranged, and are tending to still greater confusion, congress will, without delay, create such an institution as is suggested by the president, by which great advantages may be conferred on the country, while the rights of the general government and of the states, may be scrupulously protected from encroachment and injury.

From the relation which exists between this city and every section of the United States, in the operations of trade, as well as the receipts of the public funds, your memorialists also request that the said institution may be located in New York.

In behalf of the board,

GABRIEL P. DISOSWAY,
NATHANIEL WEED,
THOMAS DENNY,
S. DRAPER, JR.
G. S. ROBINS.

The above memorial was unanimously adopted by the board of trade, at a meeting, January 4, 1837.

HUGH AUCHINCLOSS, *president*.

JOHN ELY, *recording secretary*.

THE POST OFFICE CONFLAGRATION.

In the house of representatives, Friday, January 20.
Mr. Connor, from the committee on the post office and post roads, which was, on the 15th December, instructed to inquire into the causes of the recent conflagration of the post office department, made the following report:

The committee on the post office and post roads report that, in obedience to the resolution of the 15th ultimo, instructing them "to inquire into the causes of this morning's conflagration of the general post office building; and also to inquire what losses have been sustained by the government, and whether any, and, if any, what legislation is rendered necessary by such conflagration;" "and that they be authorised to send for persons and papers in investigating the causes of the burning of the post office building," did, at an early day thereafter, proceed to the investigation. They summoned and examined, on oath, all persons whom they could learn or suppose any information could be obtained from on the subject. Among those, were the postmaster general, the city postmaster, the commissioner of patents, the watchmen, messengers, and several clerks belonging to each office, together with citizens who were ascertained to have been upon the ground immediately after the alarm of fire was given.

It appears from the testimony that the fire was discovered between the hours of three and four o'clock in the morning. As to the precise time, it will be seen there is some difference in the statements of witnesses; and it is but reasonable there should be, in the hurry and bustle of getting out of bed at that hour, and hastening to the scene. Samuel Crown, a messenger, who was sleeping in the city post office, and Joel C. Reynolds, a watchman in the general post office, seem to have been the first persons to discover the smoke, and give the alarm. Crown was awakened from sleep by the smoke. He rose. Finding the room filled with smoke, he examined the fire in his room; went into the passage; it was filled with smoke. He waked up Mr. Summers, a watchman, and Mr. Cox, a clerk, both of whom were sleeping in the city office. He ran out of the east door, and found smoke issuing from beneath the platform or steps, by which you enter the east end of the building. He passed round to the south side, fronting on E street, broke open the cellar windows. He felt the heat sensibly at the third window from the east corner, and at the fourth window it was quite hot. Mr. Cox, on rising, opened necessarily two doors connecting with the great letter-room, and passed through one corner of that room in getting to the east door; his own room adjoining and the letter-room were filled with smoke, but no light was to be seen. He heard the fire crackling beneath his feet as he passed out.

Mr. Kennedy, one of the clerks in the city office, resides near the building; heard the alarm, and was on the ground shortly—and made several ineffectual efforts to enter the letter-room, as did others. But such was the density of the smoke when the first discovery was made, and very quickly afterwards of heat, that it is believed an effort at any time after the discovery would have been unavailing. Very shortly after this, the fire was seen bursting through the floor in the letter-room, as is supposed some fifteen or twenty or thirty feet from the east door of that room. The fire increasing rapidly, very quickly appeared at the window on the south side, and burnt through the second window on the east side of the south delivery-door. In the testimony of those who reached the ground early, there

is scarcely any difference in relation to the smoke issuing from the cellar windows, and proves conclusively that the fire originated in the cellar, under the city post office. About the time that the fire burst from the cellar windows and the window above on the east side of the delivery-door, an engine had arrived and was in readiness, and commenced playing, first into the cellar window, and then in at the upper window into the letter-room. A momentary hope seems to have been entertained that the fire might yet be extinguished. But the water failed, and the building was given up by all for lost. Other engines arrived, but too late to render any service. An engine belonging to the post office department was, very shortly after the discovery of the fire, brought, but was ascertained to be out of repair and useless. That, and some buckets belonging also to the post office department, are the only means which seem to have been provided at any time to meet such contingency. Not a ladder of any length could be obtained in the neighborhood of the building. Several witnesses expressed the opinion, that, had there been engines and other means necessary at the building within a reasonable time after the discovery and alarm, the fire might have been extinguished.

The officers, clerks and messengers, reside in different parts of the city, many of them at so great a distance from the office as not to have heard the alarm; others at so late an hour as not to have gotten to the ground until the building throughout was in flames. Those who were present seemed to exert themselves in doing whatever could be done.—The postmaster general, residing within a few rods of the building, was, very shortly after the alarm was given, at the office, and, apprehending the consequences, went directly into his office, and commenced, with some two or three others there, the getting out of the books and papers belonging to the post office department. Those on the first and second floors were gotten out, except the files and some books belonging to the offices of appointments. Those were in cases in the rooms and around the walls adjoining the patent office. Some books from the third story were saved; the greater part were lost.

Your committee have examined thirty-two persons, whose testimony they here present. That testimony, taken together, is conclusive to the minds of your committee, that the fire did originate in the cellar under the city post office; but in which room in the cellar they will not undertake to say certainly, and are unable to charge the fire with certainty to any particular cause. From the testimony of the messengers in the city post office and patent office, it appears that they were in the habit of depositing ashes in the cellar; a practice that your committee views as highly improper and dangerous. On the morning preceding the fire, the messenger attached to the patent office did deposit a small quantity of ashes in the third room from the east corner. They were taken up, he states, the morning before their deposite, and remained there that day and night in an iron vessel; and such was their precaution, that they never did deposite the ashes in the cellar on the day they were taken up. Those ashes are represented as being placed in a pine box that would contain from fifteen to twenty bushels. In this room the patent office had their winter's wood stored. The box stood near a brick wall, and some four or five feet distant from the wood. Yet other boxes were near the one used as an ash-box.

It further appears, from the testimony of several, that, some year or more ago, a box placed in the passage in the cellar for the purpose of depositing ashes in, did take fire, but was fortunately discovered in time, and ousted, before any injury was done. It is possible that the fire may have originated in this box containing ashes, but from the evidence your committee are left in doubt and uncertainty. The box was placed near a brick wall, some four or five feet distant from the wood. Other boxes, dry, and of inflammable material, (pine), were near and on the side that stood the ash-box, and, on being set fire to, would have produced a flame that would probably have been seen by those who first discovered the smoke. Yet those witnesses who were earliest on the ground saw no light in the cellar, but all agree in seeing smoke issuing from the windows, and most freely from those in the second and third rooms from the east corner. That the fire originated in one of two rooms in the cellar, (the second and third rooms from the east corner), there is no difference of opinion with your committee; as to the particular room, some difference of opinion is entertained, the majority being unable to decide in which of the rooms it commenced.

The testimony of Mr. Cox, a clerk, and Mr. Crown, the messenger, both of whom slept in the office, as well as others, proves that all was safe in

the office at about half after two o'clock that morning; a portion of the clerks were necessarily in the office every night until about that hour; that morning, about half after two, the business was closed, and the clerks left the office for their homes; on their retiring, the fires in the hearths and stoves were examined by Mr. Cox and Mr. Crown, and so secured that there was believed to be no danger before they went to bed. Mr. Summers, the watchman, whose duty it is also through the night to give out the mails, states in his testimony that about three o'clock that morning, he was called up by the driver for the southern mail; that, after delivering it, he went out of the east door and over the platform or steps, under which smoke was afterwards discovered; at that time all was calm and quiet, and there was no appearance or smell of smoke.—It appears that charges to be careful about fire were almost daily given by the postmaster to those around him. In the post office department there were two watchmen employed, who took it by turns in watching through the night, one of whom was on duty until midnight, when the other was aroused to his duty, and continued up until sunrise; they were required often through the night to be out, and look around not only that part of the building occupied by the post office department, but the whole building.

The diagrams marked A and B will exhibit the position of the rooms in the basement or cellar, and the first floor or city post office. C exhibits the building after the fire, with the marks of fire and smoke. The old building was occupied entire by the general post office, and the new part or east end, erected some ten or twelve years since, the first floor of which was occupied by the city post office, and the second and third stories were occupied by the patent office. The passage in the cellar, in connexion with that in the old building, was continued quite through the new one, and on either side were divided into rooms which have been used for wood, coal, lumber, &c. The first room in the south east corner had in it pine wood and coal; the second, west, was filled with oak and pine wood, both belonging to the city office; the next or third, was stored with wood belonging to the patent office, and in which stood the ash-box before mentioned. On the north side the first room had in it wood, the second was not occupied, the third occupied by the patent office, the fourth had in it coal belonging to the general post office; the windows in the rooms on the east, south side, had wooden shutters hung on the upper side, that fell too of themselves, and might be entered without difficulty by any person who wished to pass in on the first floor. The postmaster occupied the room in the south east corner, and in which the messenger slept at night. The next and large room fronting south on E street, was the letter and newspaper room; the front room on the north side from the east corner was used by Mr. Summers, the watchman as a sleeping room, and had in it also portmanteaus, bags, &c.; the second contained candles, oil, portmanteaus, old letter cases, paper, &c.; in this room fire at no time was kept; the third was used by Mr. Cox, the fourth by colonel Corcoran, assistant postmaster.

In relation to the losses sustained by the government, your committee are unable to offer any opinion satisfactory to themselves, or that might be so to others. Much of that lost none could fix a value on; the models, the drawings, the books, and all else connected with the patent office, are lost—nothing saved. The letters, papers, and mails that remained in the post office, with the furniture, all destroyed, with the fuel belonging to the offices.

The necessity for the erection of a building for the accommodation of the post office department must be obvious to all. The great object of the government should be the safety and preservation of the records. Those can be secure only in buildings strictly fire-proof. It was the practice in the post office building, and perhaps is the same in the other departments, necessarily so, of stowing in the cellars of the buildings their fuel. The danger that the buildings are always liable to of being fired accidentally or otherwise, can be prevented only by the erection of out-buildings for the stowing in of wood and coal; and for that purpose your committee have instructed me to report a bill.

The bill accompanying the report was twice read, and referred to a committee of the whole.

MEMORIAL OF WM. B. LLOYD.

To the editors of the National Intelligencer:

GENTLEMEN: The accompanying memorial was this morning enclosed to the honorable THOMAS MORRIS, and delivered to him in his seat in the United States senate, with a note from myself, desiring him as a friend, and *demanding*, as one of his constituents, that he should present it to the senate. This he refused to do, and returned me the paper

without a reply. From the honorable stand taken by Mr. MORRIS on the night of my seizure, in making an almost unaided effort to rescue a citizen from injustice and oppression, I was led to believe that I might rely on him to procure the means of being heard, and of denying the charges and abuse heaped upon me by Mr. Senator Benton.

I might procure the presentation of the memorial through other members of that body, who are my friends, but as no one of them took part or lot in the matter, I do not think it proper to trouble those gentlemen with it.

A proper sense of self-respect, and a due regard to my own dignity, will not permit me again to ask any favor or *right* from those members who have shown such an entire disregard to individual justice, and the rights of "that people" whose servants they are.

Nothing then is left me but to lay the matter before the country by the same means which have already made a part of the transaction known to the world—the public papers.

The late hour prohibits my entering further into the matter at present. Respectfully yours, &c.

WM. B. LLOYD.

Washington, Jan. 19.

To the honorable senate of the United States:

The memorial of William B. Lloyd, a citizen of the state of Ohio, respectfully represents: That on Monday, the 16th of January, at a late hour of the night, your memorialist was present, with a large number of citizens, (all of whom to him were entire strangers), in the gallery of the senate.

That, while the clerk of the senate was discharging the office imposed upon him of "expunging" a certain resolution from the journals of your body, a loud, sudden and continued hiss proceeded from the people in various parts of the galleries, apparently at the same instant.

That your memorialist heard an order issued by the presiding officer to clear the galleries, which order your memorialist was ready and willing to obey. But immediately after the issuing of that order, and before it was carried into effect, he heard the doors ordered to be closed. And your memorialist then heard an individual senator, in a tone of command, say, in substance, and as nearly as your memorialist can recollect, in the words that follow:

"Let the hired ruffians of the bank, who are here, as when the bank was in power, armed to the teeth, attempting to overawe the proceedings of this senate, not escape. Let them be seized! Seize the ruffians! There!—there is one who can be easily recognised. Seize him!"

Your memorialist was then arrested by the sergeant-at-arms, and imprisoned in one of the rooms of the capitol until conducted into the presence of the senate, where he was also detained in close custody, until, after being declared by an individual senator to have been "SUFFICIENTLY PUNISHED," your memorialist was ordered by the presiding officer to be discharged.

Your memorialist heard no charge preferred against him, except as implied in the conversation of senators during the time he was in custody, and from the language of the individual senator before referred to. He saw no written process, nor does he know or believe that any warrant or legal authority existed for his arrest.

Nor were any interrogatories addressed to him. And when your memorialist, in a respectful manner, asked the presiding officer "if he might be permitted to speak a word in his own behalf," the privilege of speech and defence was denied him—his voice was attempted to be drowned by cries of "remove him!"—"remove him;" and, by order of the presiding officer, he was thrust ignominiously from the door of the senate.

Your memorialist believes that he was thus deprived of those rights and privileges which are guaranteed to him by the letter and spirit of the constitution—of those rights which the people of England so long struggled to secure—which our forefathers deemed of so high importance that they have individually specified them in our own sacred charter, and one of which was reaffirmed by your body in the eighth sentence of the preamble of the expunging resolutions which were passed a few minutes previous to the arrest of your memorialist, in the following words: "And whereas, the said resolve was not warranted by the constitution, and was irregularly and illegally adopted by the senate in VIOLATION OF THE RIGHTS OF DEFENCE WHICH BELONG TO EVERY INDIVIDUAL CITIZEN," &c.—And, also, of the declaration contained in the tenth sentence of the same preamble.

Your memorialist has heretofore, from his earliest youth, entertained the most exalted feeling of re-

spect for the senate of the United States, as a constituent branch of the government. He has ever regarded its members as the guardians of the sacred liberties of the people, as well as of the dignity of the nation, and he has ever considered it his duty as well as his high privilege, in that capacity, to honor and respect them. That belief and those feelings he wishes ever to be able to maintain.

Your memorialist, therefore, confidently and respectfully asks of the senate that his denial of the truth and propriety of the degrading epithets applied to him on the floor of the senate, and that this his statement and protestation against the course pursued in thus prejudging and punishing him without a hearing, may be read and received by the senate.

Your memorialist denies that he is a "ruffian." And so far from being, as charged and convicted, "hired by the bank," he is not even acquainted with any of its officers, nor does he know that he has seen any one of them within the last ten years. Nor has your memorialist at any time been indebted in any sum of money, or in any amount of service, to that bank, nor has he any amount of interest or concern in that or any bank whatever.

Your memorialist, with all due respect to your constituted body, cannot allow his own private character to be considered of less importance than that of any other man living; nor can he, for a moment, believe that his own conscious rectitude of intention is not equally well founded with that of any member of your honorable body.

As a free-born American citizen, entitled to the full and free enjoyment of all those rights, and to that protection which the constitution and laws of our country promise to the humblest as well as to the highest individual, your memorialist respectfully demands the only redress which can now be extended to him—the reading and reception of this his solemn declaration and protest.

Washington, January 18, 1837.

VOTES IN THE HOUSE OF REPRESENTATIVES.

TUESDAY, JANUARY 17.

Upon suspending the rules, so as to allow Mr. Underwood to introduce a resolution looking to the prevention of the mutilation of the records of either house of congress:

YEAS—Messrs. Adams, C. Allan, Heman Allen, Ashley, Bailey, Bond, Briggs, Wm. B. Calhoun, Carter, John Chambers, Chetwood, Nathaniel H. Claiborne, Clark, Corwin, Crane, Cushing, Dawson, Deberry, Denny, Elmore, Evans, Everett, Granger, Graves, Grayson, Grennell, Griffin, Hiland Hall, Hard, Hardin, Harlan, Harper, Hazeltine, Heister, Hoar, Howell, Ingersoll, James, Henry Johnson, Lawrence, Lay, L. Lea, Lewis, Lincoln, Sampson Mason, Maury, McKennan, Mercer, Milligan, Patton, J. A. Pearce, Pearson, Pettigrew, Peyton, Phillips, Pickens, Potts, Rencher, Robertson, Russell, W. B. Shepard, A. H. Shepperd, Sloane, Spangler, Standefer, Steele, Taliaferro, W. Thompson, Underwood, Vinton, Washington, White, Elisha Whittlesey, L. Williams, Sherrod Williams, Wise, Young—77.

NAYS—Messrs. Ash, Barton, Bean, Beaumont, Black, Bockee, Boon, Bouldin, Bovee, Boyd, Brown, Buchanan, Burns, Bynum, Cambreleng, Carr, Casey, Chaney, Chapman, Chapin, John F. H. Claiborne, Cleveland, Connor, Craig, Cramer, Cushman, Davis, Doubleday, Efner, Fairfield, Farlin, French, Fry, Fuller, Galbraith, J. Garland, Gholson, Gillett, Glascock, Graham, Grantland, Haley, Joseph Hall, Hamer, Hannegan, Hawes, Hawkins, Haynes, Henderson, Halsey, Holt, Hopkins, Howard, Hubley, Huntington, Huntsman, Ingham, Jarvis, J. Johnson, Richard M. Johnson, C. Johnson, B. Jones, Kennon, Kilgore, Klingensmith, Lane, Lansing, Lawler, G. Lee, J. Lee, Leonard, Logan, Loyall, Lucas, A. Mann, J. Mann, Martin, W. Mason, Moses Mason, May, McKay, McKeon, McKim, McLene, Miller, Montgomery, Moore, Morgan, Muhlenberg, Owens, Page, Parker, Parks, Patterson, Dutee J. Pearce, Pinckney, John Reynolds, Joseph Reynolds, Rogers, Seymour, Shields, Shinn, Sickles, Smith, Sprague, Sutherland, Thomas, John Thompson, Toucey, Turner, Turrill, Vanderpool, Wagener, Wardwell, Webster, Weeks, T. T. Whittlesey, Yell—118.

Upon ordering to lie on the table Mr. Allan's proposition concerning the proceeds of the future sales of the public lands:

YEAS—Messrs. Ash, Ashley, Barton, Bean, Beaumont, Bell, Black, Bockee, Bond, Boon, Borden, Bouldin, Bovee, Boyd, Bunch, Burns, Bynum, Cambreleng, Carr, Casey, Chaney, Chapman, Chapin, John F. H. Claiborne, Cleveland, Coles, Craig, Cramer, Cushman, Davis, Doubleday, Dromgoole, Efner, Farlin, Fry, Fuller, Galbraith, Rice Garland,

Gholson, Granger, Grantland, Haley, Joseph Hall, Hamer, Hannegan, Hawes, Hawkins, Haynes, Holt, Hubley, Huntington, Jarvis, Richard M. Johnson, Cave Johnson, Henry Johnson, J. W. Jones, B. Jones, Kilgore, Klingensmith, Lane, Lansing, Lawler, Gideon Lee, Joshua Lee, Leonard, Lewis, Logan, Loyall, Lucas, Lyon, Abijah Mann, Job Mann, William Mason, S. Mason, Maury, May, McCarty, McKay, McLene, Miller, Moore, Morgan, Muhlenberg, Owens, Page, Parks, Patterson, Patton, Dutee J. Pearce, Pinckney, John Reynolds, J. Reynolds, Rogers, Schenck, Seymour, Sickles, Sloane, Smith, Spangler, Sprague, Sutherland, Taylor, Thomas, John Thompson, Toucey, Turrill, Vanderpool, Vinton, Wardwell, Weeks, Elisha Whittlesey, T. T. Whittlesey, Yell—113.

NAYS—Messrs. Adams, Chilton Allen, Heman Allen, Anthony, Bailey, Briggs, Buchanan, John Calhoun, William B. Calhoun, Carter, John Chambers, Chetwood, Nathaniel H. Claiborne, Clark, Connor, Corwin, Crane, Cushing, Darlington, Dawson, Deberry, Denny, Elmore, Evans, Everett, French, Graham, Graves, Grayson, Grennell, Griffin, Hard, Hardin, Harlan, Harper, Hazeltine, Henderson, Heister, Hoar, Holsey, Hopkins, Howell, Huntsman, Ingersoll, James, Jenifer, Laporte, Lawrence, Luke Lea, Lincoln, McComas, McKennan, McKim, Mercer, Milligan, Montgomery, Parker, James A. Pearce, Pearson, Pettigrew, Phillips, Pickens, Potts, Rencher, Richardson, Robertson, Russell, W. B. Shepard, A. H. Shepperd, Shinn, Slade, Standefer, Steele, Taliaferro, W. Thompson, Turner, Underwood, Wagener, Washington, White, Sherrod Williams, Young—82.

So the whole subject was laid on the table.

EXECUTIVE DEPARTMENTS.

Previous to the passage of Mr. Wise's resolution, on Tuesday the 17th inst. for an inquiry into the manner in which the various executive departments have conducted their business that gentlemen addressed the house as follows:

Mr. Vanderpool having withdrawn his motion for the previous question, on a pledge from Mr. Wise, that he would renew it—

Mr. Wise then said that the parliamentary practice had been that the gentleman who had offered a resolution and opened a debate, should be indulged in replying to members who had opposed it, and in concluding the debate. He had intended to avail himself of this indulgence, but now the previous question was forced upon the house. Now, it appeared, gentlemen seemed disposed to pass the resolution: to pass it, in order to save the administration party from the imputation of delaying action on the resolution by debate. He would ask, however, and he would thank gentlemen to answer him, whether they could now relieve themselves from this odious imputation—an imputation which they deserve. I tell you and the country (said Mr. W.) that I have been asking for this investigation for nearly two years. And how far are we now from the end of the session? Within six weeks of the end, with all our other duties to attend to, and we are told that this is a sufficient space of time to investigate the huge, the mammoth operations of this corrupt and profligate administration. Six weeks, sir. I have been detained two weeks at home, detained by the state of the weather, and I find, on my return, that the administration has already carried out their own work for me, by which I am detained from ten until nearly midnight in wading through one single branch of this investigation.

Gentlemen now propose to give me this Herculean task. Gentlemen, it is like all your candor, all your plans, and all your honesty. Make the most of it. Go, with a blush on your cheeks, without shame or confusion, before the people, and tell them this!

Mr. Speaker, the whole of a short session is not sufficient to investigate Reuben's concerns alone; the whole of a long session, the whole time for which a congress is elected, would not be time enough to call up all the witnesses from the extreme borders of this immense republic to testify against your government—witnesses that I know can be brought up to testify against you—witnesses who can change inquiries into specifications, and can change your notes of triumph and your strains of eulogy into humble notes of shame and looks of confusion.

Sir, I will say, for one, to the gentleman from N. York, (Mr. Vanderpool), that it is too late to grant the investigation proposed by this resolution. It is now the 17th day of January, and more than one-half of the session is gone, necessarily terminating on the 4th of March. It is too late for any investigation. If any good can be done by it; if any clues can be afforded to the corruptions of the government, they must be afforded by the indulgence of the freedom of debate on this floor. Will you

refuse that indulgence? Will you require that all our lips should be hermetically sealed, now that this farce of an investigation has been gotten up? You have given us one committee that has no power to investigate abuses. All questions of corruption or no corruption are limited and bound down to facts that were already notorious. Yet that investigation alone will take all our time.

How can I or my friend from Tennessee (Mr. Peyton) attend to both these committees? We are held up as persecutors; we are no persecutors, but we are placed in this odious light in relation to these charges against the government. If gentlemen intend to hold us responsible for a failure, give us time, means and opportunity, and do not drive us into the space of a moment, and contract us into the compass of a nut-shell. Bind a man hand and foot, and then tell him to arise and walk! Tie him fast with your power, and then tell him to war against a giant! Is this your justice? It is your justice!—Heaven defend me from such justice! Heaven defend the country from such guardians as these! Sir, I have witnessed enough within the last twenty-four hours to make me feel that the country has no guardians.

I now renew the motion made by the gentleman from New York for the previous question. And the house seconded the call—ayes 94, noes 51. Mr. Morgan called for the yeas and nays on the question of taking the main question; which were ordered, and being taken, were—yeas 121, nays 52. So the house determined that the main question should now be put. Mr. Huntsman asked for the yeas and nays on the main question; which were ordered. And the main question being on concurring with the committee of the whole on the state of the union, on the original resolution of Mr. Wise, reported therefrom, was taken, and decided in the affirmative—yeas 165, nays 9. So the resolution was adopted.

REMARKS OF MR. HENDRICKS, ON THE EXPUNGING RESOLUTION.

[In senate, January 16. The following remarks of Mr. Hendricks upon Mr. Benton's expunging resolution were unavoidably omitted in the last "REGISTER."]

Mr. Hendricks said that, at this late hour of the day, it would be out of place to attempt an argument or a speech to the senate, and such was not his purpose in the few words he had at present to say. It had been his intention, some time ago, to have troubled the senate with his views somewhat at large on this subject; but he would content himself now with saying a very few words; and this was perhaps necessary, owing to the peculiar position he occupied in relation to the proposition before the senate. It would be recollected that he had voted against the resolution of 1834, so much complained of, the resolution which it was now proposed to expunge from the journals of the senate. He did so for many of the reasons contained in the preamble to the resolution now on our tables. In some of the reasons, however, contained in that preamble, he did not concur, and, of course, could not vote for it. For some of the reasons contained in it he could most cheerfully vote. No member of the senate more than himself (said Mr. H.) regretted the passage of that resolution. No one could have been more opposed to it. He viewed it as an apple of discord set in motion, a firebrand thrown into the community, calculated to do more harm than any other measure proposed at that eventful session; and he now believed that it had done more harm in exciting party spirit to its present dangerous height than any other measure which could have been proposed. The danger apprehended to the constitution by this act of expunging (said Mr. H.) is a natural consequence of the measure of 1834; as much so as that one act of violence should succeed another. A party in power to-day, and who shall use that power indiscreetly, will be sure to meet with retaliation as soon as the opposite party shall triumph. Hence, violent measures of this kind are as sure to succeed each other in the mutations of party power as effect is to follow cause.

Much, however, as he was opposed to the resolution of 1834, he could not vote to expunge it from the journals. That was a question, in his opinion, having nothing to do with the merits or demerits of the original proposition. The question before the senate was one of power to expunge the journal, no matter what journal it might be. He thought that no such power existed in the senate, nor any where else; and his oath to support the constitution of the United States was imperative, and prohibited him from giving any such vote, whatever may have been his opinion of the resolution proposed to be expunged. It was, in his view of the constitution, as much a duty to keep and preserve the journals of unconstitutional proceedings, if such there be, as of any other. Our constituents have as much right to know

our bad acts as our good ones; because it is for these they will call us to account, and it would be strange doctrine, that we could shield ourselves from responsibility by expunging the journals. The argument, then, of the senator from Pennsylvania, that the resolution of 1834 was unconstitutional, and therefore ought to be expunged, did not in the least relieve his mind. He understood, too, that this was the basis of the votes of other members of the senate in favor of expunging. Much as he disapproved of the resolution of 1834, he believed that it was constitutional, and that it was such a proposition as the senate might entertain and adopt. He saw nothing unconstitutional about it. It might, or it might not, be considered an abstract proposition. It had, indeed, remained as a mere declaratory expression of the senate, but it might have been the basis of legislation. Whether it be true or false, is a matter of opinion. Those who voted for it, unquestionably believed its affirmations to be true. They believed that the president had, in relation to the revenue, exercised authority and power not conferred by the constitution and laws, but in derogation of both. He, who voted against it, believed that the authority and power exercised by the president was not in derogation of the constitution and laws; and however much he dissented on the ground of expediency from that which had been done, he never doubted the constitutional and legal power of the president to do what he did.

It had been said (continued Mr. H.) that the resolution of 1834 contains impeachable matter against the president, and that, on this account, it is not entitled to a place on the journals. He did not think, however, that it contained any impeachable matter. It charged no evil or corrupt intention, which was the essential ingredient of impeachable matter. He referred to the case of Peck's trial before the senate, and stated that the absence of proof of corrupt intention was the basis of his acquittal by the senate. This had been the reason of his own vote of acquittal, and this he had good reason to believe, was the basis of votes of acquittal generally.

In voting against expunging, he did not vote to affirm the truth of the resolution of 1834. He had already stated the reverse. He believed that the president had the power, whatever he might think of its exercise, under the circumstances of that case. But his opinion that the resolution proposed to be expunged was, and is untrue, had nothing to do with his duty in the present case, and could not, in any degree, influence his vote. The senate had no power to expunge the journals. He could, without the least difficulty, vote upon the journals of the present session, a resolution to rescind that of 1834, or to affirm a contrary proposition. This, while it would clearly assert the opinion of the senate in relation to the proceedings of 1834, would not obliterate the journals of that day, and would have all the effect of the mode proposed.

Mr. H. here referred to the constitution, which says that "each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their opinion require secrecy," and said, that the obligations of his oath to support the constitution of the United States made, in his conscience and judgment, his duty on the present occasion clear and imperative. The constitution required the journal to be kept. He could not vote to destroy, or expunge, or obliterate it. But it is contended (said Mr. H.) that the black lines proposed to be drawn around the journal of 1834 will not expunge it in reality; that they will take nothing away from it. It will not, however, be contended that writing the words required to be written across the face of it will not deface, and, to a certain extent, obliterate it. But suppose these black lines and this writing upon the journal of 1834 takes nothing away from that journal, it will surely not be denied that a material addition will be made to it. The constitution requires the journal to be published, but how was this to be published? Could it be published as the journal of 1834? No. That had been published three years ago. There were in that publication no black lines; no writing across the face of the record. If you publish it as the journal of 1834, you falsify the former publication. You cannot publish it as the journal of 1837, because it is the journal of 1834. There, and there only, are the black lines and labellous writing to be found.—No page of the journal of 1837 contains any thing like it. In what shape, or form, or manner, then, will you obey the injunction of the constitution, in publishing the journal of these proceedings? The truth is, (said Mr. H.) the more we look at this thing, the more difficultly we must see in it; the more certainly will it appear to be a proceeding, not contemplated by the constitution, but incompatible with it. It makes a case, which, in the simple publication of the journals, the constitution will not warrant or defend.

TWENTY-FOURTH CONGRESS, SECOND SESSION—SENATE.

January 18. The chair presented a communication from the war department, with a report of the chief engineer, in relation to the Delaware break-water;

Also, a communication from the treasury department, with a report of the register of the treasury, in relation to imports and exports for the year 1836;

Also, a communication from the post office department, in conformity to a resolution of the senate at the last session, stating the entire emoluments received by each and every postmaster in the United States, &c. All ordered to be printed.

[Petitions were presented by Messrs. Moore, Davis, Linn, Kent, Southard and Strange, all of which were referred. The memorial presented by Mr. Moore was from the legislature of Alabama, praying the extension of pre-emption rights to citizens in the Cherokee country, to citizens of the state generally; and praying also the passage of a law to allow citizens having lost their improvements by means of speculators, to enter other lands in lieu thereof; also asking congress to pass a law in relation to the two per cent. allowed to the state on sales of the public lands.]

By Mr. King, of Georgia—*Resolved*, That the secretary of state be requested to transmit to the senate copies of all correspondence in his department, not heretofore communicated, (or so much thereof as may be communicated without injury to the public interest), showing the present relations between the United States and Texas.

By Mr. Crittenden—*Resolved*, That the secretary of war be directed to communicate to the senate, in addition to the report or letter of explanation of governor Call concerning military operations in Florida, required by resolution of the 14th instant, the communication calling for that report, and any other communication from or to the said governor on the subject thereof.

By Mr. Ewing, of Ohio—*Resolved*, That the secretary of the treasury be directed to communicate to the senate a statement of the amount of moneys received for public lands in each month of the year 1836, so far as he has returns thereof.

Also, *resolved*, That he inform the senate what amount of money has been expended in each month of the year 1836 in removing gold and silver from the land offices to the deposit banks; (and whether any, and, if any, the amount of losses sustained thereby).

The parenthetical part of the resolution was accepted as an amendment on the suggestion of Mr. Clay.

Several bills were reported, read and ordered to a second reading, which will be noticed in their progress.

Mr. Walker, from the committee on the public lands, to whom was referred the subject of the treasury order of July 1st, 1836, made a report accompanied by a bill; which was read twice, by consent, and made the order of the day for Friday next.

[The bill provides that the United States shall receive the paper of such banks only as from this time issue no notes less than \$5, and of none issuing less than \$10 after December 30th 1839. It also places certain restrictions on the deposit banks, under the direction of the secretary of the treasury.]

The bill to prohibit the sales of the public lands, except to actual settlers, and in limited quantities, came up for consideration as the special order.

Mr. Walker said, if any gentleman wished now to speak on the subject, he desired that he might have the opportunity of so doing. Otherwise, he moved to postpone the further consideration of the bill till to-morrow.

Mr. Ewing moved to postpone it till Monday next, he not having had time to prepare to proceed with the discussion. Agreed to.

The bill anticipating the payment of the indemnities becoming due under the French and Neapolitan treaties was discussed, the question being on ordering it to a third reading.

Mr. Wright explained the object of the bill. [It advances to the claimants under those treaties the amount of the instalments remaining yet due, viz: a million and a third from France, and a little over a million under the Neapolitan, which remain on an interest of 4 per cent. About one-half the money will return into the treasury in May next, if the French treaty is complied with.]

The bill was warmly opposed by Mr. Clay, both on financial and constitutional grounds. He insisted that the arrangement amounted to nothing but a loan of so much money to those claimants at 4 per cent, when the money was worth 2 per cent. a month. It involved a guaranty on the part of our

own government that the money would be paid by foreign governments, and if any failure took place, it was lost to the treasury. He denied the right of congress to enter into any such arrangement.

Mr. Wright replied, and defended the bill. The money would be in the treasury, and he considered it a safe and proper application of it; it would benefit our own citizens, and relieve the money market at points where it most needed relief. The money would otherwise remain in the deposit banks, and would yield to the government but 2 per cent.; whereas, thus applied, it would be bringing 4 per cent. And as to the constitutional question, the money might as well be advanced to these claimants on a larger interest as to the banks on a less.

Mr. Calhoun reminded Mr. Wright of the predictions made at the opening of the session by the secretary of the treasury, of a probable deficit in the amount needed to meet appropriations, so that money deposited with the states would have to be recalled to meet the wants of the government. He deprecated the principle of the bill, that the government had a right to loan the public money to individuals, and apprehended the vast increase of power which this would place in the hands of the general government.

The bill was further debated by Messrs. Benton, Clay, Wright, Calhoun, Buchanan, Davis, and Bayard, when the yeas and nays being taken, stood: Yeas 19, nays 22.

So the bill was rejected.

The senate next took up, on motion of Mr. Wright, a bill to repeal certain provisions in the tariff law, touching articles of a compound character, which require the duty to be paid at the rate of that substance which chiefly enters into their composition. Great confusion and injustice was stated to have arisen from conflicting interpretations of the bill by different collectors.

The bill was not opposed, and having been read twice, was ordered to its third reading.

The bill allowing a drawback of duties on imported hemp was ordered to be engrossed for a third reading. [The amendment of the committee on finance, requiring an absolute and unqualified oath, and not according to the best knowledge and belief of the deponent, was negatived, and the bill left in its original form, the usual form in such cases.]

On motion of Mr. Tallmadge, the senate spent some time in executive session, and then adjourned.

January 19. The message of the president and the correspondence with Santa Ana (see page 336) having been read, Mr. Preston, (observing that Mr. Davis, on whose call the correspondence had been transmitted to the senate, was not present) said he would take this opportunity of making a few remarks. It would strike the senate that, since the date of the correspondence which had just been read, the situation of Santa Ana had been greatly changed. He was then a captive, but had since been released, was now at large and in the city of Washington.—Notwithstanding the protest of the Mexican ambassador, it might be that the president would think Santa Ana sufficiently *sui juris* as to act on the behalf of Mexico, and up to April next, when his presidency would expire, as having the capacity to negotiate in relation to Texas.

Mr. P. did not know whether the president would enter into such negotiation under existing circumstances; nor was it at all material. What disposition the senator from Mississippi (Mr. Walker) proposed to make of the resolution which he had offered on the subject, Mr. P. did not know; it was in his own discretion. But it appeared to Mr. P. that this message and correspondence did not at all change the question involved in that resolution; and concurring, as he did, in the views of the mover of that resolution, he was prepared to assert and maintain, that on all the principles of national law, by the practice of this government, and on all considerations of expediency, congress were called upon to make an absolute recognition of the independence of Texas; and he hoped this would be done independent of any agency which Santa Ana might claim to exercise. Texas, in her own right, had an absolute claim that her independence should be recognised. In saying this, Mr. P. did not think he ran counter at all to any purpose of the executive. He understood that, as the affair was not without embarrassment, the president had referred it to congress, that their best counsel might be obtained in the case. The president, in his first message, had put the recognition of the independence of Texas on the contingency of the invasion of Texas by gen. Bravo. Since that period two important circumstances had taken place: first, the liberation of the president of Mexico; and, secondly, the abandonment of the enterprise, on the contingency of which the president had rested the propriety of the recog-

nition. It was now known that the force which had been sent for the subjugation of Texas was in a state of dissolution, and that Bravo had resigned his command. Mr. P. therefore urged the propriety and justice of immediately recognizing the independence of Texas.

Mr. Walker read a letter, and made a few remarks, going to confirm what Mr. Preston had stated.

Mr. Calhoun said he had never from the beginning indulged the belief that Texas would remain under the domination of Mexico. Under this impression, he thought it our duty to recognise, at the earliest period, the independence of Texas, for the good both of that country and Mexico. If this were not done, and if the contest should continue, Texas would not be confined within the limits of the Del Norte. She would pass it over, and shake the Mexican confederacy, or whatever else it might be called. Mr. C. was willing to vote for the recognition, and the earlier the better.

The message and documents were now laid on the table and ordered to be printed.

The chair presented a communication from the navy department, with a statement of the contracts made by the commissioners of the navy in 1836.

A number of petitions and memorials were presented and referred, and several reports ordered to a second reading, &c. when the following bills were read a third time and passed, viz: To allow drawbacks on imported hemp; to repeal certain provisions of the tariff act of 1832; to continue in force the provisions of the act to carry into effect the treaty with Spain.

The bill authorising the relinquishment of the 16th sections granted for the use of schools, and the entry of other lands in lieu thereof; (amended, as proposed by the committee, so as to allow the entry of the substituted lands in quarter sections) was ordered to be engrossed.

The remainder of the session was occupied in considering private bills, a large number of which were ordered to be engrossed; after which the senate adjourned.

January 20. The chair presented a communication from the war department, in reply to a resolution of the senate of the 11th instant, calling for surveys of Owl's Head harbor, &c. stating that the surveys in question had not been made.

Mr. Grundy, from the committee on roads and canals, reported the bill referred to them to authorise certain rail road companies to construct certain rail roads through the public lands in Florida, without amendment; and by consent, the bill was ordered to be engrossed for a third reading.

Mr. Tomlinson, from the committee on pensions, reported a bill to continue the office of commissioner of pensions till March, 1840. Read, and ordered to a second reading.

Several house bills on the table were read and ordered to a second reading.

The bills which were yesterday considered as in committee of the whole, and ordered to a third reading, were to-day read a third time, and passed.—Among them, the bill to authorise the relinquishment of the 16th sections, for the use of schools, and the entry of other lands in lieu thereof, in quarter sections, and in any part of the respective states, was passed by the following vote; the yeas and nays having been ordered on the call of Mr. Ewing, of Ohio:

YEAS—Messrs. Benton, Black, Buchanan, Cuthbert, Dana, Ewing, of Illinois, Fulton, Grundy, Hendricks, Hubbard, King, of Alabama, Linn, Moore, Morris, Nicholas, Niles, Rives, Robinson, Sevier, Tallmadge, Tipton, Walker, White, Wright—24.

NAYS—Messrs. Brown, Calhoun, Clay, Clayton, Ewing, of Ohio, Kent, Knight, Prentiss, Preston, Robbins, Ruggles, Strange, Swift.—13.

Mr. Ewing moved to take up the bill designating and limiting the funds receivable by the United States; which motion, after a brief discussion, was decided in the negative.

On motion of Mr. Walker, the previous orders were postponed, and the senate proceeded to the farther consideration of the bill prohibiting the sales of the public lands, except to actual settlers, and in limited quantities. The question being on a motion of Mr. Clay to reconsider Mr. Morris' amendment, requiring that land which had been ten years in the market should be sold at 75 cents; less than ten, and more than five years, at \$1; and all other lands at \$1 25 per acre.

Mr. Clay said he had two reasons for moving this reconsideration. One was the avowed embarrassment under which it had placed several gentlemen. The other related to himself, being under a mistake as to the import of the amendment.

The motion to reconsider was carried in the affirmative: yeas 19, nays 14. Mr. Morris' amendment being now before the senate, Mr. Clay called

for the yeas and nays on the question; which were ordered. Mr. Morris, on the suggestion of Mr. Benton, added to his amendment the proviso, that no person should enter more than a quarter section at a reduced price.

The question was then taken on the amendment of Mr. Morris, and decided as follows:

YEAS—Messrs. Benton, Black, Clayton, Ewing, of Illinois, Fulton, Grundy, Hendricks, King, of Ala. Linn, Moore, Morris, Nicholas, Rives, Robinson, Sevier, Tipton, Walker, White—18.

NAYS—Messrs. Brown, Buchanan, Calhoun, Clay, Crittenden, Dana, Ewing, of Ohio, Hubbard, Kent, Niles, Page, Prentiss, Preston, Robbins, Strange, Swift, Tallmadge, Tomlinson, Wright—19.

So the amendment to the amendment or substitute was lost.

Mr. Walker observed that a very important principle had been stricken from the bill, and moved that it be recommitted to the committee on the public lands. Mr. Grundy said he did not see why this should be done. The bill, by the failure of the amendment, was left in the same form as when it came from the committee. Mr. Walker said he foresaw that the bill in its present form would fail; and he thought it of the utmost importance that some such measure should be carried, for the purpose of reducing the public revenue; and he regarded such a measure as the only one which could be adopted to prevent the accumulation of a dangerous surplus. Mr. King, of Alabama, opposed the recommitment. If the graduating principle should not be introduced, he hoped its friends would not reject the bill on that account. He hoped the senate would go on with the bill. Mr. Ewing was in favor of the recommitment. The bill in its present form would not only stop fleas, but camels would go through it. Mr. E. had thought of a project which he believed would effect the objects in view. He would endeavor to prepare it by Monday, and hoped for the opportunity of presenting it. Mr. Moore spoke in favor of recommitting, and expressed the hope that some such measure would be adopted as was proposed by the original bill, (of Mr. Morris).

Mr. Benton asked Mr. Ewing to point out the places in the bill where a camel could go through. He intimated that the design was to delay the bill.—For himself he wished to proceed with the bill, and obtain all he could get. Mr. Ewing, of Ohio, said it would give him much pleasure to point out those places on Monday.

Mr. Walker's motion having been withdrawn or suspended, he moved to alter the amount of land cultivated by a settler, by making it one-tenth, instead of one-eighth of the whole; which motion prevailed. Mr. Clay made some inquiries as to the bearing of the bill on such lands as might be used for grazing and not for cultivation. Mr. Walker replied that a provision in the bill which authorised an entry of the land, after a residence of three years, was designed to supply this apparent deficiency. Mr. Walker moved to amend the bill by requiring one year's residence instead of three. Mr. Grundy objected to this motion. It would serve to defeat one of the great objects of the bill; for if one year only should be required, it would become a business to procure portions of the public land successively by means of one year's residence on each. He was however willing to vote for two years.

Mr. Tipton declared himself opposed to the form of this bill, and in favor of the original one by Mr. Morris. If the graduating principle which had been lost should not be embraced, several states would derive no benefit from the bill. If he could not get that principle he should go to defeat the bill. Messrs. Moore and Sevier also declared their determination to do so. The latter urging, at some length, the passage of a proper bill on this subject.

After some further remarks, by Messrs. Walker, Niles, Black and Morris, the action on the bill was suspended by consent, and several bills from the house were read twice and referred. The senate then adjourned till to-morrow.

January 21. After the reading of the journal, Mr. Morris rose, and said that he begged the indulgence of the senate to make a short statement respecting an article which had appeared in one of the city papers this morning. It might be considered by gentlemen as partaking more of a private than a public nature, and one with which he ought not to trouble the senate; and could he consider the paragraph as intended, or even bearing on its face a mere private individual allusion to himself, he would not thus publicly notice it; but it went further, it was a comment in severe terms, say the least, on his conduct as a senator, and that, too, by a citizen of his own state, and as such it required of him an explanation. The charge is, (said Mr. M.) that he had neglected the just rights of one of his fellow citizens, and refused, as his representative

to present his memorial to the senate, and thus had treated him with disrespect. It is due, then, (said Mr. M.) to the citizens of the state, it is due to myself, that this publication should not pass without notice. It will be found in the *Intelligencer* of this morning in the following words.

[Here Mr. Morris read the communication referred to, which we have inserted in page 845.]

It is true, sir, (said Mr. M.) that, on yesterday morning after the time for the presentation of petitions and memorials had elapsed, and the chair had called for reports of standing committees, one of the young gentlemen who attend the senate came to his seat and handed him a paper, which he found to be a memorial, and which he believed was correctly published in the *Intelligencer* of this morning, and with the memorial he also received a note, of which the following is a copy:

"DEAR SIR: As a friend I ask you to present the accompanying memorial to the senate. As one of your constituents I demand it. Yours, with the highest respect,
WM. B. LLOYD.

"If you do not present it please return it immediately to me in the sergeant's room.

W. B. L."

Mr. M. said that on reading the note he wrote at the bottom the following words:

"Senate chamber.

"SIR: Your memorial was handed me after the time in which memorials can be received on this day had elapsed. I return it: am willing to see and converse with you on the subject. What your rights are I am not prepared at this moment to determine.
THOS. MORRIS."

He said that after he had endorsed the name on the note, it occurred to him as proper to keep the paper and send back the memorial only. He immediately sought an interview with the person who sent the memorial, with an intention of handing it back himself; and for this purpose he went to both doors of the senate chamber, but was unable to meet with him at either. He returned to his seat; and soon after one of the young men came to him and informed him that the gentleman was in the ante-chamber. He then handed the young man the paper, to return it to the author. He said, had time been afforded him for examination of the memorial, he might or might not have presented it, as justice and propriety should seem to require. He acknowledged that it was not only his duty, but a pleasure, when requested so to do, to present memorials or petitions on all or any subjects within the power or control of the senate, and which were in proper language, not only from the citizens of Ohio, but also from citizens residing in any part of the United States. Whether the memorial in question was or was not of that character, the hasty manner with which he perused it did not enable him to determine, nor did he wish to be understood as expressing any opinion on that point; and while he considered the note of the gentleman as containing some biting sarcasms, of which he did not complain, it also contained a kind of left-handed compliment for the humble part which he took in the transaction to which the memorial referred. What transpired then is well known and need not be repeated. As to the part he took, and the observations he made, they had been correctly, or at least substantially, reported in the *National Intelligencer*: the impression made on his mind at the time the proceedings respecting the memorialist took place, he probably could not, nor did he wish to make an attempt to describe.

He said he was hastily led to make the remarks he did, because he thought the proceedings of the senate, with regard to the individuals who created the disturbance in the gallery, was wrong; but whether right or wrong, not himself, but after time must determine; for himself, he said he had as yet seen no cause to change his opinions as expressed at the time; and he would further state that, while the proceedings in the senate were going on, after the person was arrested, he was entirely ignorant who he was, or of what state he was a citizen. Near the close, and but a minute or two before the senate adjourned, he was informed by some gentlemen that the person was from Ohio; he inquired his name, and was told it was Lloyd; he then had a recollection of having seen him some days before, and had understood from Mr. Lloyd that his business in the city was to endeavor to obtain the passage of an act of congress, making an appropriation to improve the harbor at Cleveland, by the erection of a sea wall. He said his efforts, be they what they may, were not made in defence of a friend, or in opposition to an enemy; he should have made the same efforts had he known the individual to have been both a personal and political opponent; he merely intended to discharge his duty as a senator, in sustaining what he believed to be the rights of an American citizen.—Sir, said Mr. M. I think I understand this publica-

tion; it is intended to go to the state in which I live, and I have troubled the senate with this explanation, that it may immediately follow, and that my conduct, in this particular, may be correctly understood. He said, so far as in him lay, no citizen of Ohio, or of any other state, should have it in his power to misrepresent his course in the senate. He said the peremptory language contained in the gentleman's note he considered as the mere effect of excitement, and, as such, could readily be excused; he said it was but human nature to do and say things in excited moments which we would gladly alter or amend on future reflection; he said he had no idea that the language used was intended as any personal disrespect to himself; when he read the note, he thought it would be better to see and converse with the person as to the propriety of the course to be pursued; but he denied that he had, in this case, been either negligent or unmindful of his duty; at least he had the approval of his own judgment, and should under like circumstances pursue a like course. It was very strange indeed that Mr. Lloyd should complain, when his instruction was to return him the memorial immediately, if it was not presented; and it is still more strange when, in his publication, he says that he might procure the presentation of it through other members of the body who were his friends; and the very reason he assigns for not applying to some one of them is a reason why he ought so to have applied. There is no doubt he can obtain the presentation of his memorial through some member of the senate if he yet desires it, or if he ever did desire it. Should he fail to make a further request, the citizens of our own state will be able to draw correct conclusions.

Mr. Benton said Mr. M. was correct in regard to every thing on which he had offered an explanation. That senator had said it was not his fault that the arrest was made, and that the person arrested was brought to the bar of the senate. Mr. B. now wished to show that it was not his own fault that the memorial was not presented, referred and considered. He had been aware that a consultation was going on, and that some movement was intended, and, without the least reference to the terms of the memorial which he supposed would be presented, he resolved that, so far as he was concerned, it should have its full force. He had therefore drawn up a motion, which he intended to make whenever the memorial should be presented, that the memorial should be sent to the judiciary committee, with power to send for witnesses, and to report to the senate the proper course of proceeding; and that the expenses should be paid from the contingent fund of the senate. This motion he had shown to various senators; and his friends had been kind enough to say that it should be done. If any gentleman would do him the favor to present the memorial, he would vote for its reference. He hoped there would thus be an occasion of giving to the public, in an authentic form, the details of the outrage. He asked for the presentation of the memorial.

[Here the subject ended.]

Mr. Clay presented the petition of sundry inhabitants of Wirtsborough, Sullivan county, N. York, and as it was not long, he asked that it might be read.

The document was accordingly read, and proved to be a kind of remonstrance, on the subject of Roman Catholic emigrants to the country, brought in under the auspices of popes, cardinals, bishops, &c. It insisted on the impropriety and inexpediency of allowing so many persons to enter the country whose practice and tenets were avowedly and directly hostile to our republican institutions, and especially prayed congress to institute commissions, in various parts of the country, to procure information and report on the subject.

Mr. Clay said some of the objects prayed for, this government had no power to grant, however alarming to these good and religious people the evils complained of, and the progress of the papacy, might be. But there was one object which Mr. C. thought might be a proper subject of inquiry, being within the power of congress; and that was a change in our laws of naturalization. He, therefore, moved that the memorial be referred to the judiciary committee; and it was so referred.

Petitions and memorials were presented by several other gentlemen and referred, after which Mr. Walker, from the committee on public lands, to whom the motion of Mr. Benton for an inquiry into the conduct of the deposit banks, &c. was referred, moved that the above committee be discharged from the further consideration of said motion, and that it be referred to the committee on finance.

Mr. Benton said he thought it a grand joke that three or four days after a bill had been brought in by the committee on the public lands, on the subject with which his motion was connected; after the occasion for which that motion was presented had entirely gone by, the gentleman should now propose to have the examination proposed by the

motion, and by another committee. He thought the land committee ought to have acted on the motion, or turned over the whole subject to another committee.

Mr. Walker said that, inasmuch as the committee on the public lands had been arraigned before the senate by the mover of that resolution, ("motion"), he hoped he would be pardoned for giving the reasons for discharging the committee on the public lands. That resolution was not transmitted to the committee till some time after the committee had commenced considering the subject of the treasury order; or, at least, it had not come simultaneously with the treasury order to the committee. It was, moreover, the opinion of the committee, that if they proceeded to act on the matter of the resolution, (Mr. Benton's), there could be no action by congress, this session, on the subject of the treasury order; and it was the desire of every member of the committee that such action should be had.—It would have consumed the time of the committee for months, and it would even have been necessary to carry the required examination into the recess of congress.

Mr. W. said that, although he had assented to the reference of the subject of the treasury order to the committee on the public lands, he had done so with the utmost reluctance.

Mr. Benton said the subject of the treasury order was referred to the land committee late on the evening of the 11th inst. and his resolution was sent to that committee as early as it could be on the morning of the 12th. That resolution had also been laid on the table at the very commencement of the proceedings on the treasury order, so that every one might see it. But if there was not then time to carry that resolution into effect, why, at this late day, was it proposed to refer it to another committee, and to a committee, too, of which Mr. B. was a member? How would this thing tell in the newspapers, that the gentleman who moved to make these inquiries should proceed to make them himself?

Mr. King, of Alabama, said this resolution passed without attracting his attention, or else he would have opposed its passage. If it was intended to impede the action of the committee, it would have done so effectually. And if there was a real intention of obtaining the information called for, it could not be obtained during the session. He could see no practical good to result from its reference now to the finance committee. He therefore called for a division of the question, and that the motion for a simple discharge should first be tried. The gentleman might then make such disposition as he thought proper of his resolution.

Mr. Ewing said the subject of the resolution properly and exclusively belonged to the finance committee. He also had known nothing of the resolution since it was first laid on the table till this morning. He thought it better to divide the question, and leave the resolution in the hands of the mover.

The question was then taken on discharging the committee and carried in the affirmative.

Mr. Benton said he would here state to the whole senate that he desired his resolution to be referred to the committee of which he was a member. It was accordingly referred to the finance committee.

The following bills were read a third time and passed, viz:

The bill to authorize certain rail road companies to construct rail roads through the public lands in Florida;

And the bill to alter the times of holding the circuit court of the United States in the state of Tennessee.

The senate then proceeded to the special order of the day, which was the land bill, as amended by the committee on the public lands.

The question being on so amending the bill as to require a residence by the settler of but one year to get a title to his land, it was negatived—yeas 12, nays 23.

Mr. Grundy then proposed to substitute a residence of two years. The motion was supported by Messrs. Walker, King, of Alabama, Linn and Tipton, and opposed by Mr. Ewing, as being wholly inefficient to the object proposed. Mr. E. stated that he had a different proposition to offer, which, as he supposed, would secure the object of confining the sale of public lands to actual settlers, and which he sent to the table to be printed. The printing was ordered; but the question being, in the meanwhile, taken on the amendment proposed by Mr. Grundy, it was carried—yeas 27, nays 11.

Mr. Benton gave notice of an amendment he should hereafter offer; which was ordered to be printed.

Mr. Walker, from the land committee, proposed sundry minor amendments, not touching the gene-

ral principle of the bill. The whole of the various amendments were directed to be embodied, and printed all together, in their order; when the further consideration of the bill was made the order of the day for Monday next.

After a desultory conversation as to the order of bills, the senate resumed the calendar of bills at the point where they had left it yesterday, when a number of bills for the relief of individuals were considered and ordered to their third reading.

The following resolution was offered by Mr. Bayard, and adopted by consent:

Resolved, That the committee on commerce be instructed to inquire into the expediency of making an appropriation for the construction of a mole or pier at or near Cape Henlopen, to facilitate the communication between the Delaware breakwater and the main land, in conformity with the report made on that subject by the secretary of war on the 28th January, 1836.

Adjourned.

January 23. A message was received from the president of the United States, through Andrew Jackson, jr. his private secretary, with the annual report of the directors of the mint at Philadelphia. Referred and ordered to be printed.

[For an abstract of the report, see this day's proceedings of the house, page 351.]

After the presentation of memorials and petitions, a number of bills were reported and ordered to a second reading. [Among the bills was one from the committee on manufactures, reported by Mr. Niles, for the repeal of the duty on coal.] Some business of minor importance was next transacted, after which the bills ordered to a third reading on Saturday, were severally read a third time and passed.

The senate then proceeded to the special order of the day, which was the bill to confine the sale of the public land to actual settlers only.

Mr. Walker, chairman of the committee on the public lands, who has charge of the bill, expressed his approbation of an amendment offered on Saturday by Mr. Ewing, and which provides that land entered, and forfeited, by non-residence under the bill, might be entered by others who shall prove the fact of such non-residence by the first occupant, and proposed to modify it by a provision that, when two or more persons should so claim the forfeited land, who inhabit the same quarter-section, the preference shall be given to the first occupant; and that none of the others should get "floats," (i. e. pre-emption rights to be located on any land not entered elsewhere).

In consequence of some objections to the term "float," as unknown to the law and undefined, he agreed to waive the latter clause entirely, as being, in substance, provided for in other parts of the bill. The residue of his amendment to the amendment proposed by Mr. Ewing was then agreed to.

Mr. W. also proposed several other verbal amendments which were agreed to.

Mr. Tipton then moved an amendment, introducing the principle of graduation, and providing that land remaining unsold for ten years should be sold for one dollar an acre; and if remaining for fifteen years, at seventy-five cents the acre, with a proviso that not more than 160 acres be sold to any one man; on which he asked the yeas and nays; and they were ordered by the senate.

Mr. Ewing, thinking this a fit opportunity to go into the general principles of the bill, and the subject of the public lands generally, addressed the senate in a speech which, with his consent, was interrupted by a motion for adjournment. The motion, having been suspended for some previous motions for the printing of documents, prevailed.

The senate then adjourned.

January 24. After the presentation of memorials and petitions, and the transaction of other business of minor importance, the senate again passed to the consideration of the land bill, when Mr. Ewing resumed and concluded his speech on the general subject.

The question still being on Mr. Tipton's amendment, which proposes to graduate the price of the public land in proportion to the time it has been offered for sale, viz: such as has been offered for ten years, to sell at \$1, and such as has been offered for fifteen years, at 75 cents,

Mr. Clay pressed for reasons why, when it was acknowledged that the lands were selling vastly below their value already, it was now proposed to reduce the price still lower? Mr. Dana followed on the general merits of the bill, touching on the occupation of part of his own state by the British.—Mr. Tipton went briefly into an explanation of the grounds of his amendment, and took occasion also to reply to some of the objections which had been urged against the bill. Mr. Clay rejoined, pressing more strenuously his former argument against the

reduction of price. The yeas and nays were then taken on the amendment proposed by Mr. Tipton, when it was rejected by the following vote:

YEAS—Messrs. Benton, Black, Dana, Ewing, of Illinois, Fulton, Hendricks, King, of Alabama, Linn, Moore, Morris, Nicholas, Rives, Robinson, Sevier, Strange, Tipton, Walker, White—18.

NAYS—Messrs. Bayard, Brown, Calhoun, Clay, Crittenden, Cuthbert, Davis, Ewing, of Ohio, Hubbard, Kent, King, of Georgia, Knight, Niles, Page, Prentiss, Robbins, Ruggles, Swift, Tallmadge—19.

Mr. Benton then offered an amendment, which he said he had a little altered from one formerly offered by Mr. Webster, and which allows the land to be sold, under certain circumstances, at 45 cents an acre.

This also was rejected, as follows:

YEAS—Messrs. Benton, Black, Dana, Ewing, of Illinois, Fulton, Hendricks, Kings, of Alabama, Linn, Moore, Morris, Nicholas, Rives, Robinson, Sevier, Strange, Tipton, Walker, White—18.

NAYS—Messrs. Bayard, Brown, Calhoun, Clay, Clayton, Crittenden, Davis, Ewing, of Ohio, Hubbard, Kent, King, of Georgia, Knight, Niles, Page, Prentiss, Robbins, Ruggles, Swift, Tallmadge, Wright—20.

Mr. Sevier offered an amendment, which granted the actual settler a pre-emption right, on his showing that he had occupied a quarter section six months immediately previous to a land sale. This was agreed to.

Mr. Morris now observed that the bill, since its first being reported by the committee, had undergone so many modifications, and the pre-emptive feature in it had been so much changed for the worse, that, by way of testing the opinion of the senate whether that principle should be retained, he would move to strike out the entire section (the 4th) on that subject.

The motion was supported by Mr. Clay, and opposed by Messrs. Linn, Sevier and Benton, and with great vehemence by Mr. Walker, who observed that, if the two features of graduations and pre-emption were stricken out of the bill, he should abandon it at once; when

Mr. Morris expressed a wish to address the senate in behalf of his motion, and moved, thereupon, an adjournment, which prevailed.

And the senate adjourned.

(Portions of this debate were interesting, and may be given hereafter.)

January 25. The chair presented a communication from the war department, with statements of all contracts made by that department in the year 1836.

Mr. Grundy, from the committee on the judiciary to whom the president's message and the documents relating to the burning of the treasury building, and the repeal of the law of limitation, were referred, reported a bill to render more effectual the detection and punishment of crimes against the United States in the District of Columbia. Read twice, and made the order of the day for Monday next.

The following resolution, which lies over one day, was offered by Mr. Nicholas:

Resolved, That the secretary of the treasury be directed to communicate to the senate any information in his possession, obtained through any agent specially deputed, to investigate the frauds, by floats or otherwise supposed to have been practised in the purchase of public lands in the state of Louisiana.

The senate proceeded to the consideration of the bill for the relief of the executrix of Richard W. Meade.

The subject of the bill having been debated at great length by Messrs. Clay, Hubbard, Walker, Calhoun, Wright and Buchanan,

Mr. Calhoun moved to lay the bill on the table for further examination. Negatived; yeas 19, nays 22.

After further debate, on motion of Mr. Hubbard, the bill was amended so as to limit the amount to be allowed by the commissioners named by the bill, to the proportion allowed to other claimants, from the \$5,000,000, under the treaty with Spain.

Also, the secretary of the treasury was substituted on the commission for the secretary of state, who, Mr. H. stated, had already given a favorable judgment on the claim. Yeas 25.

The bill was then ordered to be engrossed for a third reading.

The bill to extend the port of New Orleans, and the bill to extend the jurisdiction of the United States district court for the district of Arkansas were next severally taken up. The first was ordered to be engrossed for a third reading, and the last read a third time and passed.

The senate then resumed the consideration of the special order, which was the bill to restrict the sale of the public lands to actual settlers.

The question being on motion of Mr. Morris, to strike from the bill the 4th section, which refers to the subject of pre-emption rights to be conferred on the settlers who shall fulfil certain conditions.

Mr. Morris declined making, at this time, his speech in support of the motion, and suggested to Mr. Walker the expediency of postponing the further consideration of the bill to to-morrow. A brief desultory debate now ensued, in which Messrs. Walker, Ewing, of Ohio, and Robinson participated. Mr. Tipton moved an adjournment, but waived the motion at the request of Mr. Benton; when the senate went into the consideration of executive business—After which, and some explanatory remarks from Mr. Walker on the land question, the senate adjourned.

HOUSE OF REPRESENTATIVES.

Wednesday, Jan. 18. After the reception, reading and reference of reports, Mr. Boyd offered a resolution directing the committee on military affairs to inquire into the expediency of causing an examination, by a board of officers, of certain improvements in fire-arms made by Messrs. Cochran, Hall, Colt and Baron Hackett.

Mr. Hawes submitted the following resolution:

Resolved, That all petitions, memorials, resolutions, propositions or papers, relating in any way, or to any extent whatever, to the subject of slavery, or the abolition of slavery, shall, without being either printed or referred, be laid upon the table, and that no action whatever shall be had thereon.

Mr. H. said he thought it was time that the house should adopt a resolution of this character, with a view to put an end to discussions which had occupied so much of its time on the subject of abolition of slavery. He wished to have no debate; he thought there had already been enough. To test the sense of the house, he called for the previous question on the resolution.

Mr. E. Whittlesey objected to the reception of the resolution. The speaker said the state of Kentucky had been called in its regular order for resolutions, and the motion of the gentleman from Ohio could not therefore be entertained. Mr. Adams objected to the consideration of the resolution at this time. Some desultory conversation ensued on the point of order, in which Messrs. Adams and Mercer participated, when the speaker decided that the question "Shall the resolution be now considered?" should be first entertained. Mr. Phillips called for the yeas and nays on the question of consideration, which were ordered; and were—yeas 115, nays 57. So the house determined that the resolution should be now considered. Mr. Hawes inquired if his motion for the previous question was now in order. The speaker said he supposed that motion stood first in order, but the gentleman could renew it. Mr. Hawes thereupon renewed his call for the previous question. And the house seconded the call—ayes 104, noes 42.

Mr. Evans called for the yeas and nays on the question of taking the main question; which were ordered. Mr. Robertson moved a call of the house; which motion was lost. And the question on taking the main question was then put, and decided in the affirmative—yeas 127, nays 66. So the house determined that the main question should now be taken.

Mr. Grennell said that, notwithstanding the vote just taken, he was desirous of having the yeas and nays on the main question. He therefore asked for them.

And they were ordered by the house. And the main question, being on the adoption of the resolution, was taken, and decided in the affirmative—yeas 129, nays 69.

So the resolution was adopted.

The following message in writing was received from the president of the U. States, by the hands of his private secretary, Andrew Jackson, jr. esq.

To the speaker of the house of representatives:

SIR: I hereby transmit to the house of representatives certain communications from the secretary of the treasury and the attorney of the United States for the District of Columbia.

They relate to the difficulties which have been interposed, under the existing laws, in bringing to conviction and punishment the supposed incendiaries of the treasury buildings in the year 1833.

The peculiar circumstances of this case, so long concealed, and of the flagrant frauds by persons disconnected with the government, which were still longer concealed, and to screen some of which forever was probably a principal inducement to the burning of the buildings, lead me earnestly to recommend a revision of the laws on this subject. I do this with a wish not only to render the punishment hereafter more severe for the wanton destruc-

tion of the public property, but to repeal entirely the statute of limitation in all criminal cases except small misdemeanors, and in no event to allow a party to avail himself of its benefits during the period the commission of the crime was kept concealed, or the persons on trial were not suspected of having perpetrated the offence.

It must be manifest to congress that the exposed state of the public records here, without fire-proof buildings, imperatively requires the most ample remedies for their protection, and the greatest vigilance and fidelity in all officers, whether executive or judicial, in bringing to condign punishment the real offenders.

Without these, the public property is in that deplorable situation which depends quite as much on accident and good fortune as the laws for safety.

ANDREW JACKSON.

January 17, 1837.

Letter to the secretary of the treasury.

Washington, December 27, 1836.

SIR: According to the request in your letter of this day, I enclose a copy of the instructions given by the court to the jury, on the act of 1790, on the trial of Richard H. White.

I understand that the only juror who held out for acquitting the prisoner was satisfied of his guilt, but refused to find him guilty on the ground of this instruction as to the limitations. It is certainly highly necessary that the law should be so amended as to prevent the bar of the statute from operating in cases where the proper officers of government did not know, and could not by due diligence have known, by whom the offences were committed. One or two cases similar to the present have occurred heretofore in the circuit court, in which this defence has been sustained. Very respectfully, your obedient servant,

F. S. KEY, U. S. att'y D. C.

The message having been read, was, on motion of Mr. Thomas, referred, with the accompanying documents, to the committee on the judiciary, and ordered to be printed.

The following message, in writing, was also received from the president of the United States, by the hands of Andrew Jackson, jr. esq.

To the house of representatives of the United States:

I transmit to congress herewith, the copy of an act of the state of Missouri, passed on the 16th ult. expressing the assent of that state to the several provisions of the act of congress entitled "an act to extend the western boundary of the state of Missouri to the Missouri river," approved June 7, 1836. A copy of the act, duly authenticated, has been deposited in the department of state.

ANDREW JACKSON.

Washington, January 17, 1837.

The message having been read, was, on motion of Mr. Mercer, ordered to lie on the table, and be printed.

The speaker also laid before the house a communication from the secretary of the treasury, transmitting a report of the register of the treasury on the salaries of clerks in the different offices; which, on motion of Mr. Whittlesey, of Ohio, was referred to the committee of ways and means, and ordered to be printed.

The bill to authorise the president of the United States to furnish certain ordinance stores to the several states was then taken up, read a third time, and passed.

The bill to change the collection district of Dighton, in the state of Massachusetts, to Fall River, and for other purposes, was read a third time, and passed.

The joint resolution authorising the secretary of the treasury to correct a clerical error in the award of the commissioners under the treaty with France of 1831, was read a third time, and passed.

The joint resolution granting a portion of the public lands to universities and colleges in the several states was taken up, read twice, and, on motion of Mr. French, referred to the committee of the whole on the state of the union.

The bill directing the fabrication of certain gold coins was taken up, and, after a few words from Messrs. A. Mann, Jarvis, Mercer, Parker, Sutherland and Connor, was postponed until to-morrow.

The "bill to establish a more uniform rule of computing the mileage and per diem compensation of members of congress," coming up in its order—

Mr. Vanderpoel said that he would move its postponement until to-morrow, with a view, if possible, of reaching the bill to provide for the admission of Michigan into the union.

Mr. Cambreleng inquired if it would be in order to call for the previous question? The speaker said it would be in order. Mr. Cambreleng called for the previous question.

Mr. Wardwell moved to lay the bill on the table, for the purpose of affording members an opportuni-

ty at a future day of proposing amendments. [This motion was entitled to priority.] Mr. Craig asked for the yeas and nays on the last-named motion, which were ordered, and were, yeas 11, nays 192. So the house refused to lay the bill on the table.

The question recurred on the call for the previous question, which was seconded by the house, yeas 78, noes 63. Mr. Hannegan called for the yeas and nays on the question of taking the main question; but they were not ordered.

And the question on taking the main question was decided in the affirmative, yeas 112, noes not counted.

So the house determined that the main question should now be put.

Mr. Heister called for the yeas and nays on the main question; which were ordered.

The main question was on the engrossment of the bill in the following form:

A bill to establish a more uniform rule of computing the mileage and per diem compensation of members of congress.

Be it enacted, &c. That there shall be appointed, at the commencement of each session of congress, a joint select committee of three members from each house, whose duty it shall be, within the first thirty days of the session, to ascertain, by information from each member or delegate, the exact distance, by the nearest principal mail route by land, from the seat of the federal government to the residence of the said member or delegate; and the said committee shall immediately make a report thereof to their respective houses, upon which report the mileage of each member or delegate shall be computed.

Sec. 2. And be it further enacted, That no member or delegate shall receive any per diem compensation for any days during which he may be absent from the seat of the federal government while the house to which he belongs shall be in session, except such absence be by leave or authority of the house, or on business of the house of which he is a member, or occasioned by sickness; and upon the final settlement of his account, it shall be the duty of each member or delegate to certify the number of days he may be thus absent, which account, so certified, shall be published at the commencement of the next session of congress, under the direction of the secretary of the senate and the clerk of the house of representatives.

The question on the engrossment of the bill was taken and carried, yeas 186, nays 16.

So the bill was ordered to be engrossed for a third reading; and the question being when the bill should be read, Mr. Hawes moved it have its third reading now. Mr. Hannegan said he hoped not. He thought the house had done injury enough for one day; for they had ordered to a third reading one of the most crude and ill-digested bills ever brought before that house; a bill containing more imperfections, and doing more injustice, than any they had ever acted on. He moved the house adjourn; which motion was rejected. And the bill was ordered to a third reading now [but had not been engrossed].

The house took up the bill from the senate, entitled "an act to admit the state of Michigan into the union upon an equal footing with the original states." The question being on its commitment to the committee of the whole on the state of the union,

Mr. Thomas said that much injustice had been done to the inhabitants of Michigan by keeping them out of the union, and by denying them the right to participate in the legislation of the country. After the great delay which had taken place in the action of congress on the subject, he hoped that the house would adopt that mode of action now which would expedite a decision; that was, to keep the bill within the control of a majority of the house. In the house the previous question could be called; in committee of the whole that privilege was taken away. In the present instance the house ought not to be reasonably indulgent in debate; and Mr. T. had no doubt that, so long as gentlemen confined themselves strictly to the merits of the bill, every latitude would be extended to them. But if a disposition should be manifested to diverge from the true question before the house, and to take up time on mere party considerations, the debate ought to be closed and he hoped, in justice to the people of Michigan, would be closed.

Mr. Hardin said he had been a member of the committee to which this subject had been referred at the present and last session of congress, and he had been constrained to differ from the majority of both these committees on this subject. He had never explained the reasons which induced him to differ from them. He did not care whether the bill were referred to the committee of the whole on the state of the union or not, provided a fair opportunity was given to gentlemen wishing to express their

views. He would inquire who was to be the judge whether a member was confining himself to the subject, or not? He hoped that, if the bill was not committed, the few remarks he had to make on one subject would be heard with patience; and that was, the spirit of mobocracy and the revolutionary movements which had characterized the proceedings in relation to the admission of Michigan, to which he wished to call the attention of the house, and against which he intended to enter his protest.

Mr. Jenifer raised the question whether the bill must not necessarily be committed? And after a few remarks thereon by Mr. Briggs, the speaker expressed his adherence to his decision made the other day, that the bill, inasmuch as it contained no appropriation, need not be committed. Mr. Reed called for the yeas and nays on the question of commitment which were ordered. Mr. Patton urged the propriety of commitment. There was not an instance of a state having been admitted into the union without the bill which provided for its admission having been referred to the committee of the whole on the state of the union. And, if the bill were committed, the majority could at any time discharge the committee of the whole from the consideration of it.

Mr. Sutherland said that if this were a new question, which had not been discussed, and the merits of which were not thoroughly understood, it would be well to go into committee; but every member of the house was master of the subject. He thought that commitment was unnecessary, and that the house ought not to delay the admission of Michigan into the union unnecessarily. He believed that action on the bill had been already delayed too long. He reminded the gentleman from Virginia (Mr. Patton) that the received notion in the house was, that a majority could not discharge a committee of the whole from the consideration of a bill so long as an amendment was pending.

Mr. Patton inquired if the committee of the whole could not be instructed to report the bill forthwith to the house, without amendment? Mr. Sutherland said that a bill could not be taken out of committee in the midst of a gentleman's speech; and suppose a gentleman had the floor, and chose to speak two or three days. There was no power to interfere with him. Mr. Storer insisted that, under a fair construction of the rule of the house, the bill required commitment.

And the question on the commitment was taken, and decided in the negative—yeas 86, nays 110. So the house determined that the bill should not be committed. Mr. Thomas said that, if it was the sense of the house, he was prepared now to submit his remarks; but if the house preferred an adjournment, he was perfectly willing. With a view to test that question, he moved that the house adjourn; which motion prevailed, and the house adjourned.

Thursday, Jan. 19. Messrs. Owens and Haynes, severally moved the house to suspend the rules to permit them to offer memorials; but the house refused to do so.

Mr. Huntsman, from the committee on private land claims, submitted a resolution that the translator of the French and Spanish languages for this house, who was appointed under a resolution of this house of February 24, 1835, be continued as such until the 1st of February, 1838, which, after a brief debate, was postponed for further consideration, until Monday.

Mr. Mercer, from the committee on roads and canals, reported the following resolution; which was agreed to:

Resolved, That the committee of the whole house be discharged from the further consideration of the bill further to amend the act incorporating the Chesapeake and Ohio canal company.

Mr. Mercer also reported, from the same committee, the following resolutions; which were read, and agreed to:

Resolved, That the report and bill of the committee on roads and canals on the completion of the Cumberland road east of the river Ohio, along with the additional documents reported in relation thereto, be printed.

Resolved, That the committee of the whole be discharged from the further consideration of bill No. 482.

A number of bills were reported, which will be noticed hereafter, and several committees discharged from the consideration of subjects that had been submitted to them, after which Mr. Underwood offered the following:

Resolved, That the sergeant-at-arms be directed to lay before this house a statement showing the mileage claimed and sums paid therefor to members of this house, and delegates from the territories respectively, during the last and present session of congress; and also a similar statement in relation to senators in congress.

Mr. Boon moved to amend the resolution, by striking out all that portion which related to the senate. Some debate followed in which Messrs. Boon, Underwood, Harden, W. Thompson and Craig, participated. When Mr. Boon moved to lay the whole subject on the table. Mr. Craig called for the yeas and nays on that motion, which were ordered. And pending this question, the house, on motion of Mr. A. Mann, proceeded to the orders of the day.

Mr. Bell again gave notice of his motion for leave to bring in a bill to secure the freedom of elections; and said he yet hoped that, at some time, he might obtain his object.

The house proceeded to the consideration of the bill to provide for the admission of Michigan into the union on an equal footing with the original states. The pending question being on ordering the bill to be engrossed for a third reading.

Mr. Thomas addressed the house at great length in favor of the bill, contending that Michigan had complied with the conditions which, by the act of last session, were made indispensable pre-requisites to her admission into the union: and that the proceedings of the second convention were the clearly expressed views of the majority of the people of that state.

Mr. Hardin replied at great length, insisting that the movements in the second convention were revolutionary in their character and tendency; that, under the proceedings of that convention, Michigan, could not, constitutionally, be admitted into the union, and that she should not be admitted until a convention, held by state authority, had acceded to the terms which congress had presented.

Mr. Vanderpoel obtained the floor, and moved that the house adjourn; but withdrew the motion, and, on the suggestion of Mr. Thomas, moved that the bill be made the special order of the day for to-morrow. Mr. E. Whittlesey asked for the yeas and nays on that motion. Mr. Mercer moved that the house adjourn; which motion prevailed, and the house adjourned.

Friday, Jan. 20. Mr. Conner, from the committee on the post office and post roads, which was on the 15th of December instructed to inquire into the causes of the recent conflagration of the post office, made a report, accompanied by a bill, which was twice read and referred to a committee of the whole. [For the report see page 344.]

A number of bills were severally twice read and committed; after which the house took up the unfinished business of the morning hour, being the resolution offered yesterday by Mr. Underwood calling for a statement of the mileage claimed by members of the house. The pending question was on the motion, submitted yesterday by Mr. Boon, to lay the whole subject on the table. The yeas and nays, having been heretofore ordered, were taken, and were—yeas 40, nays 126. So the motion to lay on the table was rejected.

The question recurred on the motion, submitted yesterday, to strike out all that portion of the resolution which related to the mileage of members of the senate; which motion was rejected—yeas 58, noes not counted. The question then recurred on the adoption of the resolution. Mr. Adams suggested to the mover of the resolution (Mr. Underwood) the propriety of striking out the word "sergeant-at-arms," and inserting the word "speaker," or "clerk" of the house. He thought that, for a document of this description, the sergeant-at-arms was not the proper person to act, and most especially on that portion of the resolution which required a statement from the senate.

Mr. Underwood acceded to the suggestion, and modified his resolution so as to read "clerk of the house."

The speaker said he had just been informed that the book containing the statement of mileage, &c. after each session, was deposited in the office of the secretary of the treasury. It would be requisite, therefore, that a call should be made on that officer for the same.

Mr. Claiborne, of Mississippi, moved the following amendment:

And be it further resolved, That a select committee of five be appointed, with power to send for persons and papers, to inquire and report to this house what deduction, if any, has been made by members of the house of representatives, at the preceding or present session, from their per diem compensation, when absent in attendance on the supreme court of the United States, or the courts in adjacent states or elsewhere, on their own private business.

To which amendment Mr. Yell offered the following amendment:

"And that said committee be instructed to inquire into the expediency of providing by law for reducing the compensation allowed to members of congress to six dollars per diem; and also into the ex-

pediency of providing by law for the removal of the seat of government of the United States to some point on the Ohio or Mississippi river, on or before the first day of January, 1840."

The subject was debated by Messrs. Claiborne, Yell and Underwood. The last named gentleman had not concluded, when the hour having elapsed, the chair announced the private orders of the day—when several engrossed bills were read a third time and passed—among them were the following:

A bill further to amend the act incorporating the Chesapeake and Ohio canal company;

A bill to authorize the New Orleans and Carrollton rail road company to construct a rail road from Carrollton to the town of Bayou Sara, in the state of Louisiana.

After spending sometime on other private bills, the house adjourned.

Saturday, Jan. 21. Mr. Casey from the committee on public lands, reported a resolution that the bill to graduate the price of public lands, to make provisions for settlers and to cede the refuse lands to the states in which they lie, be made the order of the day for Wednesday next, which resolution was rejected—yeas 68, nays 93.

The bill to amend an act entitled "an act establishing branches of the mint of the United States," was ordered to be engrossed for a third reading on Monday.

Mr. Lincoln, from the committee on public lands, reported the following resolution; which was read, and agreed to by the house:

Resolved, That the committee of the whole house be discharged from the further consideration of the bill to grant the Atchafalaya rail road and banking company a right of way through the public lands.

The bill was then taken up, and, after a brief discussion, amended and ordered to be engrossed for a third reading on Monday.

Mr. Bell renewed his notice of motion to bring in a bill to secure the freedom of elections.

The several bills which have recently passed the senate, for the relief of individuals, &c. were twice read, and referred to various committees.

On motion of Mr. Wise,

Ordered, That the select committee on so much of the president's message as relates to the condition of the executive departments have leave to sit during the sessions of the house. The house then adjourned.

Monday, Jan. 23. Petitions and memorials were called for and presented in the order of the states and territories.

[When the reading of the journal had been concluded, the speaker announced the unfinished business to be the memorial presented on Monday last, by Mr. Cushing, from the merchants of Boston, Massachusetts, praying the interference of government in relation to unnecessary quarantine imposed on American vessels by the Danish government at Elsinour.

Mr. Adams raised the question whether the petition presented by him last Monday week, from certain inhabitants of the town of Dover, Massachusetts, praying for the abolition of slavery and the slave trade in the District of Columbia, was not the first business in order.

The speaker decided that, under the resolution or order lately adopted by the house, that petition must be laid on the table.

Mr. Adams appealed from the decision, and the house sustained the decision by a vote of 145 yeas against 32 nays.

The memorial from the merchants of Boston, was then considered, and, after some remarks from Mr. Cushing explaining the oppressive and expensive character of the quarantine regulations complained of, referred to the committee on foreign affairs.]

An unusually large number of petitions and memorials on the subject of slavery in the District of Columbia, were presented by different members, and were immediately laid on the table.

The call for petitions having been concluded, Mr. Bell hoped the house would consent that the committees should make their reports. Mr. B. said he would also take the opportunity to renew his motion for leave to bring in a bill to secure the freedom of elections.

Several committees were discharged from the consideration of subjects referred to them.

A message from the president of the United States, transmitting a copy of the annual report of the director of the mint at Philadelphia, showing the operations of that institution during the past year, and also the progress made towards the completion of the branch mints in North Carolina, Georgia and Louisiana.

From one of the statements accompanying the report of the director of the mint, it appears that the coinage at the mint in the year 1836 has been

558,147 half eagles, amounting to	\$2,765,735
547,986 quarter eagles	1,369,965

In gold		4,135,700
1,000 dollars	\$	1,000
6,546,200 half dollars		3,273,100
472,000 quarter dollars		118,000
1,190,000 dimes		119,000
1,900,000 half dimes		95,000

In silver		3,606,100
2,111,000 cents		21,110
398,000 half cents		1,990

In copper		23,100
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Whole amount coined in 1836 \$7,764,900

A message was received from the president of the United States, transmitting to congress the report of the board of inspectors of the penitentiary of Washington, and drawing the attention of congress to the fact presented in the report, that the inspectors have received no compensation for their services for two years, viz: 1829 and 1830, and requests that an appropriation may be made for the same.

On motion of Mr. Vanderpoel, the house adjourned.

Tuesday, Jan. 24. The resolution offered yesterday by Mr. Huntsman relating to the translator of the French and Spanish languages coming up as the unfinished business, was considered and rejected.

Several reports, chiefly on the claims of individuals, were twice read and committed.

Mr. Cambreleng, from the committee of ways and means, reported against the petition of the board of trade of the city of New York for the establishment of a national bank; and the report was ordered to lie on the table.

The speaker laid before the house a communication from the secretary of war *ad interim* transmitting a statement of all contracts which were made by the department of war during the year 1836, in compliance with the 5th sections of the acts of 1808 and 1809, relative to the establishment and regulation of the war and navy departments.

The speaker presented a communication from the honorable John Y. Mason, of Virginia, announcing his resignation as a member of the 24th congress; which, on motion of Mr. E. Whittlesey, was laid on the table, and ordered to be printed.

The several bills which last passed the senate were twice read, and referred to appropriate committees.

Mr. Beale, from the committee on invalid pensions, reported the following resolution, which was agreed to:

Resolved, That the committee of the whole house be discharged from the consideration of two bills recently reported by the committee on invalid pensions: the one to revive the act of 1828, continuing to those who were wounded in the war of the revolution the right of pension; the other to secure certain arrearages of pension to those who relinquished the same; and that said bills be referred to the committee of the whole on the state of the union.

Mr. Bell renewed the motion, made by him from day to day, for leave to bring in a bill to secure the freedom of elections.

On motion of Mr. Vanderpoel, the house proceeded to the orders of the day.

A number of bills on the speaker's table were, by general consent, read by their titles, and committed.

The unfinished business was the bill from the senate entitled "an act to admit the state of Michigan into the union on an equal footing with the original states."

The pending question being on ordering the bill to a third reading—

The house was addressed at length by Messrs. Vanderpoel and Toucey in favor of the bill, and by Mr. Storer in opposition to it; when

Mr. A. Mann said that, believing that Michigan was entitled to come into the union under the conditions contained in the bill of the last session, and believing that, at this advanced stage of the present session, there was no general disposition to protract the debate, he moved the previous question. Mr. Jenifer moved a call of the house. Mr. Briggs moved that the house adjourn. Mr. Briggs desired to inquire from the chair whether, if the motion to adjourn prevailed, the motion of the gentleman from New York would not come up first in order when the bill was again taken up? The speaker said it would. And the question being taken, the motion to adjourn prevailed—yeas 83, noes 37.

So the house adjourned.

Wednesday, Jan. 25. After the transaction of some business of no immediate interest, the house resumed the consideration of the bill from the senate for the admission of the state of Michigan

into the union; and the discussion of this bill occupied the house until a late hour. In the end, the previous question was resorted to, and the question taken on ordering the bill to a third reading, and decided in the affirmative. The bill was immediately read a third time, and passed. [So that it requires now only the signature of the president to become a law.]

THURSDAY'S PROCEEDINGS.

In the senate. After the usual morning business, several resolutions were offered which will be noticed hereafter. The senate resumed the consideration of the land bill, to which several amendments were made and others proposed, an account of all which will be given in our next. The previous orders were postponed, 33 ayes, to 12 nays, for the purpose of taking up the bill designating and limiting the funds receivable for dues by the United States.

Mr. Rives thereupon offered an amendment to extend the prohibition respecting the notes of banks issuing notes of small denominations, so as to embrace, after the 30th of December, 1841, notes of \$20. [The bill only extended to those of five and of ten dollars.]

He supported the amendment in a short speech, urging the moral effect of the measure, and its necessity as the only means of effecting the enlargement of the specie basis of our circulation.

Mr. Ewing referred to a provision in the bill which requires the deposit banks to receive and pass to the credit of government all such bank notes as they receive in general deposits. This took away their power to oppress, and reconciled him to the bill, which should now have his vote. The effect of Mr. Rives's amendment would be to confine the circulation of the large notes in the west to the banks in the immediate vicinity of the deposit banks, while all the small notes circulating there would be those of banks at a distance, to whom it was of less consequence that their notes should be received at the land offices than that their small notes should have a wide circulation.

After some remarks of Mr. Niles, and a brief speech from Mr. Walker, the question was decided by yeas and nays on ordering the bill to its third reading, as follows:

YEAS—Messrs. Benton, Brown, Buchanan, Cuthbert, Dana, Ewing, of Illinois, Fulton, Grundy, Hubbard, King, of Georgia, Linn, Lyon, Niles, Norvell, Page, Preston, Rives, Robinson, Sevier, Strange, Tallmadge, Tipton, Walker, White, Wright—25.

NAYS—Messrs. Bayard, Black, Clayton, Crittenden, Davis, Ewing, of Ohio, Hendricks, Kent, King, of Alabama, Knight, Morris, Nicholas, Prentiss, Robbins, Ruggles, Southard, Swift, Tomlinson—18.

So the bill was ordered to its engrossment. The senate then adjourned.

In the house of representatives. After reports had been received, Mr. Bell resumed his remarks on his motion for leave to bring in a bill to secure the freedom of elections.

The house next resumed the consideration of the bill to regulate the mileage and pay of members, but came to no conclusion thereon.

A message was received from the president of the United States, with accompanying documents, in relation to the condition of the relations between the United States and Mexico, and with certain information in relation to the condition of Texas.

Mr. Howard moved that the message and accompanying documents be referred to the committee on foreign affairs, and be printed.

Mr. Boyd moved to amend the motion by adding instructions to the said committee to report a resolution acknowledging the independence of Texas.

Pending this question the house adjourned.

(C) The proceedings of this day, both in the senate and house, will be given more in detail in our next.

DOMESTIC CHRONICLE.

A beautiful *Aurora borealis* was witnessed in Baltimore and its vicinity on Wednesday evening last, at about seven o'clock. It extended north east to north, and remained until about 8 o'clock when it slowly disappeared. The rays were of a brilliant rose-color, with occasional stripes of white and blue—the whole producing a beautiful effect, which was not a little increased by the snow with which the houses and ground are covered. So much did the *Aurora* resemble the reflection of a large fire that the engines turned out, under the impression that there was a conflagration in the northern part of the city.

North Carolina. This state has resolved to devote her portion of the surplus revenue to works of public improvement within her borders, and to the

promotion of education. She has also granted banking privileges to the Charleston and Cincinnati rail road company. The legislature adjourned on Monday last.

Indiana. William Herod (W.) has been elected to congress from this state to supply the vacancy in the delegation occasioned by the death of Mr. Kinnard—for Mr. Herod (W.) 3,703; for Mr. Wick (V. B.) 3,493. Herod's majority 210.

An ingenious expedient. In his book called *Astoria*, Irving gives an account of an agent of that colony, who fearing the aggression of the Indians, completely held them at bay, by pretending that he had the small pox bottled up in a small vial, which, the moment they should strike, he would uncork, and destroy them. The Indians had a dreadful fear of the disease, it having been among them, and by which many had been swept off, and they therefore remained quiet.

The commerce of Lake Erie. The Buffalo Commercial Daily Advertiser contains the names of the ships, brigs, schooners, sloops and steamboats, navigating Lake Erie, which is as follows:

Ships 2, brigs 8, schooners 148, sloops 58, steamboats 47—total 263.

The following is the amount of tonnage, &c.: Port of Buffalo 8,541.09 tons, Detroit 6,703.73, Cleveland 4,518.33, Sandusky 1,792.75, Presque Isle 1,562.29, Miami 927.57—total 24,045.26 tons.

The last of the Nobscussets. Died, at the almshouse in Yarmouth, Mass. Mr. Thomas Greenough, aged 90—the last of the tribe of Indians which in that town have been struggling to keep alive the ashes of their nationality, since the first withering influence of the white man was felt upon these shores.

Great fire at St. Johns. The Bangor Whig gives the following account of a most disastrous fire which lately occurred at St. Johns, New Brunswick:

"We learn from Mr. Packard, just from St. Johns, that on Saturday evening last, at 9 o'clock, a very destructive fire broke out in that city, which before it could be arrested, consumed about one hundred and fifty buildings, situated on South Market wharf, on Water and Prince William streets. Every building on the wharf, and nearly all in Water and Prince William streets are included in the loss. An immense quantity of goods were also destroyed, among which were about 1,500 bbls. flour.

State of Missouri. Two important measures have been taken by the legislature of this state, in its present session. A bank on a capital of \$5,000,000 has been chartered, one-half the capital to be taken by the state. A rail road has been chartered, leading from St. Louis to the iron mountains, 70 miles distant. By the charter, a college is to be supported by the company at Bellevue ten miles from the Maxwell grant.

The rail road bridge over the Potomac at Harper's Ferry, for the purpose of uniting the Baltimore and Ohio and Winchester roads, is so far completed that locomotives and their trains have passed over it.

The pilots again. The New York pilots are getting worse instead of better. We are hearing complaints almost every hour in the day, from almost every ship owner in the city. The last comes from the owners of the brig New Grenada, from Carthage. The brig anchored in the lower harbor as long ago as Friday last. Signals for a pilot were hung out until the following Monday. No pilots appeared, and the New Grenada came inside the bar, without a pilot, on Monday. The brig was very near being driven ashore in the late storm; she lost one of her cables and an anchor, and was only enabled to maintain her position by means of new and strong cables and anchors. Many vessels were in the same situation at the same time. Longer endurance under such circumstances ceases to be a virtue, and in the name of two hundred dead sacrifices upon our coast, as well as for the multitude of the living whose lives are hourly endangered, we demand immediate reformation. The public demand it, and will have it. [N. Y. Express.

National hospitalities. The following note, as honorable to its authors as to those to whom it was addressed, was published, under the signature of the commander of the French brig of war *Gazelle*, in the New Orleans papers of December 31:

"In leaving with regret, the banks of the Mississippi, the captain and officers of the brig *Gazelle* consider it as a duty to address a word, at parting, to the amiable inhabitants of New Orleans. They will treasure up in their best recollection the cordial reception they have experienced; and, filled with the most lively gratitude, they will attempt to

acquit themselves of some part of their debt of obligation, by announcing, when they reach their country, the noble sentiments and open-hearted hospitality which they experienced in the capital of Louisiana."

Baltimore and Ohio rail road. Notwithstanding the heavy fall of snow in and near Baltimore on Saturday last, travelling on the rail road between this city and Washington has not been seriously interrupted, the snow and ice upon the rails having been speedily removed by the operations of the engines. The road to Frederick is now also clear of obstructions, and cars arrived from that place on Tuesday night. The superiority of the edge rail, on the branch of the road leading to Washington, over the plate rail, on the main stem, has been demonstrated by the late difficulty—the snow and ice being more readily removed from the former.

A snow storm, accompanied with a severe gale, passed over Hillsborough in Jasper county, Geo. on the 20th December. Trees were torn up by the roots, houses thrown down, and the fragments scattered around for a great distance. No lives were lost, but many persons were wounded.

A fire broke out in Detroit (Michigan) on the morning of the 4th inst. which destroyed property to the amount of 10 to 20,000 dollars, before it could be got under, it commenced in the bake house of H. A. Nagle, confectioner, and extended thence to half a dozen other buildings of more or less value.

New military engine. The Buffalo Journal gives an account of a gun upon a new principle, invented by a Mr. McCarthy of that city. It says:

"We saw the operation with a ball weighing nearly a pound, and judged it would throw, with perfect ease, from three to five hundred balls per minute, without the aid of powder or steam. It can be directed to any object at pleasure, and can be graduated from an ounce to a twelve or thirty pound ball. The whole is perfectly portable, with a portable battery, which will protect those operating it from musketry or grape shot."

Strange and distressing death. A young woman named Arnold, in attempting to pass over Seine's creek, near Connorsville, Indiana, on the ice fell through, and sunk to her arm pits, her arms resting on the ice around her. In this situation she was found frozen to death.

A vessel in the ice. The *Ashtabula Sentinel* says that a vessel was discovered, a few days ago, in the ice (in Lake Erie) about three miles from the shore, opposite that harbor. Several men went out to her and found her to be the schooner *Fair Trader*, which sailed from Cleveland for Detroit on the 18th December, and became entangled in the ice near the islands. She had been drifting about ever since, without being able to gain the shore; although she had frequently been in sight of the Canadian and American shores. She had a full cargo of corn, oats, spirits and butter. A crew of three men were on board, who had subsisted on corn, ground in a coffee mill, after their other provisions were consumed.

Saving of fourteen lives. As the Kent steamer was on her passage on Thursday morning, from Boulogne to London, captain Time discovered at some distance a boat, which appeared to him to be in a perilous condition. He immediately bore to, and in a short time released five poor fellows in a state of great exhaustion, who informed him that they had left in company with another boat, in which were the captain, mate and seven other persons, belonging to the barque *Isabella*, capt. Kurtz, bound from Philadelphia to Rotterdam, and laden with tobacco, and which they had abandoned in a sinking state off the Goodwin Sands, about four hours previously. The captain lost no time in endeavoring to discover them, and happily succeeded, and was the means of saving fourteen poor fellows from a watery grave, which would, in all probability, have been their fate.

[London Morning Chronicle of Dec. 19.

Usury. The committee of the senate of New York, to whom that part of the governor's message relating to the usury laws was referred, have adopted Jeremy Bentham's celebrated work on usury as their report.

The Philadelphia chamber of commerce has recommended a repeal of the laws on usury, except so far as they may affect banking institutions and real securities.

The Boston chamber of commerce has also adopted a memorial to the state legislature on the subject of the present operation of the usury laws, and a committee has been appointed by the same body to prepare a memorial to congress in support of the memorial of the New York chamber of commerce now before that body, in relation to a national bank.

NILES' WEEKLY REGISTER.

FIFTH SERIES. No. 23.—VOL. I.]

BALTIMORE, FEBRUARY 4, 1837.

[VOL. LI.—WHOLE No. 1,323.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED, BY WILLIAM OGDEN NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

GEN. SCOTT'S DEFENCE. More than one-half of the capacious pages of the present sheet are filled with the first part of general Scott's defence before the military court in session at Frederick, which embraces the causes of his failure in the Florida campaign. It is looked for, we know, with much anxiety by all classes of our readers, and its importance will excuse the space it occupies. The second part, embracing an inquiry into the causes of the delay in opening and prosecuting the Creek campaign, shall have a place in the next "REGISTER."

The defence of general Gaines, when received, shall also be promptly inserted; and thus will be presented the best history of the late disastrous vents that can be laid before our readers.

Gen. Scott arrived in Baltimore on Tuesday last from Frederick.

SANTA ANA arrived at Norfolk on Sunday last, after a very tedious passage from Baltimore, and on the following day sailed in the bark *Pioneer*, Lieut. comdt. *Talnal* (one of the exploring squadron), for Vera Cruz. He is accompanied by Col. Almonte.

POWHATTAN ELLIS, esq. late minister to Mexico, arrived at Norfolk on Saturday the 28th ult. from Charleston—and it is said he had an interview with Santa Ana previous to his sailing for Vera Cruz.

The *Pensacola Gazette* of the 21st ultimo states that Judge Ellis did finally receive his passports from the Mexican government; but not until he had urged himself and friends to secure his safe egress.

THE TARIFF. It will be seen by reference to our congressional abstract, that on Friday the 27th ult. Mr. *Wright*, from the committee of finance in the senate, followed up the movement of Mr. *Cambreleng* in the house, and aimed another blow at the protecting system. His "bill of particulars" is less odious than the wholesale proposition reported by the chairman of the committee of ways and means; but if it shall become a law it will prove the entering wedge to the complete overthrow of the protecting system; and thus accomplish, by degrees, that which Mr. *Cambreleng* would effect in a more summary manner. Admonished by the absurdities of Mr. *Cambreleng's* report, or unwilling to hazard his reputation by estimates based upon the peculiar condition of the treasury, Mr. *Wright* did not accompany his bill with a written report. In this Mr. *W.* acted with his usual discretion; for that man who can estimate the revenue which will accrue in the present fiscal year, with any thing like an approximation to truth, must be possessed of the spirit of divination. As an evidence of this, only look at the last report of the secretary of the treasury and the recent calculations of the chairman of the committee of ways and means in the house of representatives. The first, with all the data furnished by his official station before him, apprehends the necessity of calling upon the states for a portion of the revenue deposited with them, in order to defray the current expenses of the government—the last, by his skill in figures, has discovered that, in a few years, there will be a large balance in the treasury for deposit and distribution!! Thus, opposite conclusions are arrived at; and with such results before the people it is gravely attempted to unhinge all the relations of the country and again involve it in the heart-burnings of sectional strife!

If these propositions for a modification of the compromise act came from the anti-tariff states, and were the result of the "grinding oppressions" of that act upon its citizens, they should be considered with respect—notwithstanding the breach of faith which would characterise the re-agitation of the subject.—And could it be shown that that act operates with peculiar severity upon the south, we are certain that there is not a friend of the protecting system who would resist a judicious modification, when the evil was fairly and distinctly pointed out.—But coming as they do from the tariff states, (for notwithstanding Mr. *Cambreleng* was claimed as "our man" by the Brumagem pattern and sarsaparilla men, he represents, or rather should represent, the tariff interest), there is a degree of iniquity in the proceeding that excites a mingled feeling of indignation and contempt; as it is impossible to resist the

conviction that there is some political object concealed by this affected desire to relieve the people of burdens, which exist only in the imagination of politicians! See Mr. *Clay's* remarks in the senate on Mr. *Wright's* bill.

The following resolution has been passed by the house of representatives of Pennsylvania, by a vote of 56 to 22.

Resolved, That our senators in congress be instructed, and our representatives requested to oppose the passage of any bill which may have for its object any change whatever in the present tariff as established by the act of congress passed 2d March, 1833.

THE "REGISTER." We hope we may be excused for giving place to the following highly flattering notices of this work, from two of the most respectable journals in the country. They are, indeed, encouraging and demand our grateful acknowledgments. It will gratify our friends to be informed that the public favor is continued with unwavering constancy, and that we daily add names to our already extensive list of subscribers.

From the National Intelligencer. We have pleasure in expressing our entire concurrence in the tribute of praise contained in the following notice, which we copy from the New York American:

NILES' WEEKLY REGISTER. It may seem somewhat like supererogation to say aught at this time of day in praise of a periodical so well known as the *Weekly Register*; but having at the moment experienced its value, we may as well acknowledge it. The last number happening to be before us, when we were desirous of looking back at two or three public documents, to find which in the file of a daily paper would have required both time and research—we turned to it, and there lighted on them ready to our hand: they were the report of the committee of ways and means of the house of representatives, and Mr. Webster's protest in the senate.

The same number also contains the letter of Santa Ana to the president, Mr. Gallatin's letter to Mr. *Maison* on the repeal of the restraining law, the preamble, &c. of the expunging resolution, a greater part of the debate in the senate on the admission of Michigan, besides current news, incidents, &c.—The Register is now conducted by a son of the original editor and proprietor, with undiminished care and intelligence; its form is changed from 8vo. to 4to. and of course its capacity for matter is enlarged in proportion.

R. M. WHITNEY AND THE INVESTIGATING COMMITTEE. We have strange rumors about the doings before the committee appointed to investigate Mr. Whitney's connection with the deposit banks, &c. The letter of the correspondent of the *Baltimore Patriot* and the statement of Mr. Whitney, published in a subsequent page, indicate that the rumors are not without foundation. (see page 354).

The *Intelligencer* of Wednesday says—The investigating committees, under the two resolutions of the house of representatives, (Mr. *Garland's* and Mr. *Wise's*), are pursuing their inquiries and examinations of witnesses. A number of witnesses have been examined, and others have been summoned and are daily arriving here. Amongst those, we hear, who have arrived in this city, in obedience to the summons of the committee, is *William J. Duane*, esq. late secretary of the treasury.

FROM CHILI AND PERU. Letters from Buenos Ayres to November 4, received in Boston, via Havana, state that information reached there from Chili that hostilities had actually commenced between PERU and CHILI, and had been officially communicated by the British ministers to the merchants at Buenos Ayres.

A letter from Payta stated that the Chilean brig of war *Achilles* had been in the harbor of Callao, and captured three or four Peruvian vessels.

TEXAS. We have no news of interest from Texas—the condition of the country was improving, but the Indians still commit depredations.—Gen. Stephen F. Austin, one of the first settlers of the country, and most active in its struggle for independence, died at Colombia on the 27th of December, and was buried with the highest honors.

The acting secretary of war, S. FISHER, has published an official order, declaring all persons impostors who appear in this country with the uniform and military badge of the Texian army and navy. The order, he says, has been rendered necessary by the fact that many persons in this country, without authority, have been parading themselves in the garb of officers of the Texian army and navy.

Mr. *CLAY*, in a letter to the general assembly of Kentucky, has accepted the office of U. States senator for another term, from the 4th of March next. His letter shall have a place in our next.

LOUIS McLANE, esq. has accepted the appointment of president of the Baltimore and Ohio railroad company, and will speedily enter upon the duties of his office.

FLORIDA. The latest news from general Jesup is contained in the following slip from the office of the St. Augustine Herald, dated

St. Augustine, Jan. 20, 1837.

A letter from an officer of the army, dated Camp Dade, 10th Jan. 1837, states: "To-day general Jesup arrived from Tampa Bay. A scouting party captured 15 negroes near Wahoo Swamp, who state that POWELL was then in the swamp, with a few of the Micassuky Indians, the rest having left him.—That, in the several actions of gov. CALL, a great number of Indians were killed. That in the affair when the whites destroyed a boat in the Wythlacoochee, 17th Jan. 10 hostiles were killed, and 20 wounded. That JUMPER, MICANOPY, and ABRAM were at A-ha-pop-ka, and were willing to make terms, if they will be treated well. That the Indians have but a small quantity of ammunition left." The letter goes on to state: "to-morrow we shall march against Powell or against Philip, at Top-kali-ka, or both, and that circumstances indicate an early termination of the war."

"An express arrived last night to col. CRANE, from which we learn that gen. JESUP had ordered home the Georgia and Alabama militia. There was a regular force sufficient in the field.

"It is reported that the mail rider between this and Tallahassee has been killed by the Indians.

"Col. CRANE has been ordered to Gary's Ferry, where he will have his head quarters."

THE EXPUNGING PEN. A little anecdote is related at Washington, which is worth recording.—The night the expunging resolution was carried into effect in the senate, Mr. BENTON, the persevering mover of that measure, sent to the president the pen used by the clerk of the senate, in drawing around and across the black lines, and writing the words "Expunged by order of the senate." It was a new pen that had never been used for any other purpose. The president received it with much pleasure, and informed Mr. B. that he should preserve it while he lived, and at his death bequeath it to Mr. Benton as a mark of his regard. [Bost. Adv.

THE PUBLIC LANDS. The following is the amount of moneys received for sales of public lands (as appears by a document sent to congress) at the land offices in the states and territories, so far as the returns have been received: [Nat. Intel.

Ohio	\$1,653,455 27
Indiana	4,007,966 80
Illinois	3,863,867 87
Missouri	1,971,985 29
Alabama	2,098,526 08
Mississippi	2,828,167 48
Louisiana	1,063,632 67
Michigan	5,083,611 52
Arkansas	1,134,358 43
Florida	62,154 79
Wisconsin	755,466 08
Total	\$23,983,192 18

FLOOR OF THE SENATE. By the 47th rule of the United States' senate, certain privileged persons are only admitted on the floor of that body whilst in session. By a late resolution, proposed by the hon. Mr. *Rives* and adopted, the privilege referred to has been extended to the following army and navy officers, who have received medals for

their gallant conduct and services during the late war with Great Britain. Here follows a list of the officers thus highly complimented, with the grade they held when the medals were granted by congress: [U. S. Telegraph.]

Army—Gen. Andrew Jackson, gen. Edmund P. Gaines, gen. William Henry Harrison, gen. Alexander Macomb, gen. Winfield Scott, gen. Miller, gen. Ripley, col. George Croghan, col. Richard M. Johnson, ensign E. Shipp.

Navy—Captains—Isaac Hull, David Porter, Jacob Jones, Sames Biddle, Charles Stewart, Daniel T. Patterson, Lewis Warrington, Chas. G. Ridgely.

Lieutenants—Charles Morris, Alex. S. Wadsworth, George C. Read, Jesse D. Elliott, Charles W. Morgan, John B. Nicholson, Daniel Turner, Edward R. McCall, David Conner, Jno. T. Newton, Isaac Mayo, Stephen Cassin, Joseph Smith, Philip F. Voorhes, Henry E. Ballard, William B. Shubrick, William M. Hunter, E. A. F. Vallette, John Gallagher, Thomas H. Stevens, Alexander Claxton.

Purser—Samuel Hambleton, William P. Zant-zinger, Thomas I. Chew.

Surgeons—Thomas Harris, Bailey Washington, Robert R. Barton, Charles B. Hamilton, John A. Kearney.

Chaplain—Thomas Breeze.

Marine Corps—Capt. Archibald Henderson.—**Lieutenants**: William H. Freeman and John Contee.

R. M. WHITNEY AND THE INVESTIGATING COMMITTEE.

In order that our readers may fully understand Mr. Whitney's letter, inserted below, it is necessary to publish the following letter from the Washington correspondent of the *Baltimore Patriot*.

Correspondence of the Baltimore Patriot.

Washington, Jan. 26, 1837.

In my letter of last night I informed you that Reuben M. Whitney appeared before the committee of investigation yesterday, and produced a protest against the whole proceedings of the house in instituting this inquiry, and of the committee in their action under Mr. Garland's resolution. This precious document is of a most formidable length, and assumes the highest ground as to the rights of this treasury familiar and the banks which employ him, while it denounces in unmeasured terms the inquisitorial conduct of the house of representatives and of the committee. The contemptuous language in which Whitney spoke of the intelligence of congress, in his circular letter recently published, has not passed out of the recollection of the public.—This protest, I understand, is in a still loftier strain of arrogance. He is quite indignant at the passage of the resolution through the house—although, be it remembered, his own political friends voted for it—and kicks at the course of the committee, upon whom also, as you are aware, there is a majority of his yoke fellows in subjection to the dominant power, though not, let us hope, in iniquity. He regards the officers of the deposit banks and himself as private individuals with whom congress had nothing to do; and after a long rigmarole about his constitutional and inalienable privileges, he winds up with professing a willingness to answer all questions touching matters of a public character, of which he has knowledge.

The committee thought proper to take him on his own ground, and making themselves judges of what questions did refer to public matters, they proceeded with the examination, which was conducted by Mr. Peyton. Whitney however refused to answer any of the questions which Mr. P. propounded to him in succession. In making his replies, his manner was far from respectful to the committee or the gentleman who framed the questions. He would look at them (for, you will bear in mind, the whole examination is conducted in writing) then throw them aside, with a remark that they were inquisitorial, or concerned him as an individual—and he declined to answer. One of Mr. Peyton's questions was so framed as to require a direct statement, whether judge Taney did not refuse to countenance Whitney or recommend him for the situation he now holds? This the witness declined to answer, more particularly, he said, as the mover of the inquiry had declared the charge was true, and he (Whitney) thought he ought to prove it.

This you will remember was the subject of the card Whitney lately published in the *Globe*, in which he pronounced the assertion of Mr. Peyton a falsehood and calumny. As Mr. Peyton, whose fearlessness and magnanimity are known to the whole country, and therefore require no vindication, did not condescend to notice this card, Whitney doubtless felt himself safe in exhibiting before the committee his poor-spirited spite, to a man so much elevated above his miserable sphere. But Mr. Peyton did not allow this climax to the insolent character of his general bearing to pass unnoticed. He rose, and

began an appeal to Mr. Garland, the chairman, on the insulting reply of the witness—but very soon broke off—and stepping up to Whitney, he addressed him thus, "You thief and robber! if you dare to insult me here, before the committee, I'll put you to death!" Whitney was frightened out of his senses—but made no reply—"You said in your card that I shield myself behind my constitutional privileges, now sir, I wish to waive all privileges—"

Mr. Garland, the chairman, here interposed to preserve order; and Mr. P. resumed his seat. Whitney then rose, and was proceeding to speak, when Mr. Peyton interrupted him, commanded him to be silent, and declared he should not answer but in writing. Mr. Wise here remarked to his friend, that Whitney was unworthy of his notice. He attempted to draw Mr. Peyton off from him, but Mr. Peyton said, "No—I pay no regard to his cards, but when he insults me here in the committee, I will notice him robber and thief as he is." Mr. Peyton then turned to the chairman and reminded him that he had treated Whitney respectfully. Hitherto "I have treated him, said he, as if he were a gentleman, and I will not permit him to insult me."

Mr. Whitney was then ordered to withdraw, and Mr. Hamer offered a resolution that the last answer of the witness should be returned to him, as it was no reply to the question, and was disrespectful to a member of the committee. This resolution was adopted unanimously, so decided and strong was the conviction of every member that the demeanor and language of this "great man" were improper and insulting.

On Mr. Whitney's return, this resolution was read to him, and his answer given back to him. He then apologized and expressed his regret for any disrespect he had manifested to the committee.

To-day he has been much more pacific; and some important facts have been disclosed in his testimony. He admitted that he was the author of the letter (recently published) and signed by the six cashiers of the deposit banks recommending the establishment of a bank bureau in the treasury department, and recommending himself! R. M. Whitney! as a proper person to be placed at the head of it! This letter was written while Kendall was acting as the agent of the treasury department, and I believe while he was in Philadelphia on a journey of discovery to see on what terms the banks would receive the deposits should they be removed from the bank of the United States. Mr. Peyton and Mr. Wise put question after question to the witness, to ascertain whether Kendall had any thing to do with getting up this letter—but he would not answer a word to any query that touched Mr. Amos Kendall. Mark that!

Whitney admitted that he applied to Mr. Duane for the appointment he now holds.

He admitted that he wrote the circular to receivers recently published; and declares he was authorised by the secretary of the treasury to use the threatening language he did employ.

There were some other developments, of which I will inform you to-morrow.—The committee is in session night and day. D.

TO THE PUBLIC.

Finding that misrepresentations have been spread abroad respecting a scene which occurred on Wednesday night last at the capitol, in the room of the select committee of which the honorable Mr. Garland is chairman, I deem it a duty alike due to myself and the public, to lay before it a correct statement of the occurrence.

On that day, after my protest had been read by the committee, received and ordered to be placed on the journal, Mr. Peyton commenced propounding interrogatories to me; some of which I answered, and some I declined answering.

The following was the fifteenth interrogatory propounded by him: "Did you receive any letter of recommendation from R. B. Taney, or did he in any manner, countenance or encourage you in applying for the agency contemplated: or did he positively refuse to receive or countenance you in that capacity while he was at the head of the treasury department?"

To the interrogatory I gave the following answer: "I decline answering this interrogatory, more particularly as the individual propounding it has asserted positively and publicly that the substance of the latter part of it is true, beginning with, 'or did, &c.' therefore, being the party accused, I am not a proper witness. I think in justice, that the individual who has made the allegations should be called to produce his proof."

This was handed to the chairman, who read it to the committee; upon which Mr. Peyton, in a most violent and passionate manner, sprang from his seat, and exclaimed "the damned infernal scoundrel should not insult him there: that constitution

or no constitution, he (as I understood him to say), would have the life of the damned villain," at the same time advancing and thrusting his hand into his bosom, under his waistcoat, as I supposed, for the purpose of drawing forth some concealed weapon. Expecting an assault, I put myself in a posture of defence. Before he had got forward to me, and before he had drawn his hand from his bosom, Mr. Wise sprang before him, and pushed him back, saying, "Don't, Peyton: the damned scoundrel is not worth minding." I immediately took my seat, when both Mr. Wise and Mr. Peyton commenced the most violent abuse of me, the latter calling me "a damned plunderer," and "a damned dog;" when I rose and said, "Mr. Chairman, I claim the protection of the committee while I am before it."—When Mr. Peyton addressed himself to me, said: "You shan't speak, God damn you; hold your tongue;" and when I had seated myself, still keeping my eye upon him, he said, "God damn you, take your eyes off of me; you shan't look at me;" and after this he rose, and with Mr. Wise advanced towards me, the latter with his hand in his pocket, and stood before me for a minute or more, as if supposing they could intimidate me by their united frowns. Soon after this, and when quiet had prevailed, I was requested by the chairman to retire, which I did. Some time after, when I was requested to return to the room, I was informed by the chairman that the committee had resolved, that the answer which I had given to the interrogatory should be returned, as containing something disrespectful to a member of the committee; and that the interrogatory which he held in his hand should be propounded; when I said in substance, (I may not use the precise words), "That, if I had done any thing which a majority of the committee considered improper, I certainly regretted it." The interrogatory which the chairman alluded to was then propounded, which was as follows: "Did you or not apply to the secretary of the treasury to be appointed, either before or after the removal of the deposits, agent of the department, or of the deposit banks, selected or to be selected?"

The foregoing is nearly, if not an exact account, of what transpired.

When it is recollected that on the 5th instant, in a card, published in the *Globe*, I challenged Mr. Peyton to adduce a single particle of proof to sustain the assertion I found it reported he made, as well as declare it false, that "in consequence of the character of the agent alluded to, Mr. Taney, the former secretary of the treasury, would not recommend him as an agent of the deposit banks," I will leave it to the public to decide, who was the aggressor on the evening alluded to, Mr. Peyton, for propounding the interrogatory he did, or myself, for giving the answer which I did to it.

It is for the house of representatives to decide, whether it shall be tolerated, that an individual called before them as a witness, or before a committee appointed by that honorable body, and acting under its authority, shall be subject to treatment similar to that I have experienced, and of which I complain, without having it redressed.

To a discerning and enlightened public I trust the decision, whether the course which I pursued during the unpleasant affair which I have detailed, was the respectful and proper one, or whether a more proper one would have been such as might have led to a scene of greater confusion, and to still more unpleasant, and, possibly, to calamitous consequences. Respectfully, the public's humble servant,
R. M. WHITNEY.

Monday, January 30, 1837.

INDIANS OF THE NORTH WEST.

We have been furnished for publication with copies of the following letters, relative to the recent outrage committed by the Sioux upon a portion of the Fox Indians. Gov. Dodge is well acquainted with the Indian character and habits, and his opinions and views are entitled to the greatest consideration. Were any additional arguments necessary to show the propriety of the removal of all the Indians to the same section of country, where the duty of the government to keep peace among them could be performed, they may be found in the facts stated, and observations made, in these communications. Nor are these less weighty to show the necessity of such an increase of our regular force as will put the government in possession of the means for executing this duty effectually. [Globe.]

SUPERINTENDENCY OF INDIAN AFFAIRS,
For the territory of Wisconsin, Belmont, Dec. 28, 1836.

SIR: From a letter received from general Street, United States Indian agent, a copy of which has been communicated to your department, under date of yesterday, as well as a letter from Mr. Rolette, a member of the American Fur company, resident at Prairie du Chien, it appears (from the tenor of

general Street's letter, alluded to), that a party of hostile Sioux Indians had made an attack on the Fox Indians, and killed a number of them in the Sac and Fox country, and (from Mr. Rolette's letter), that the latter Indians had made an attack on a camp of Winnebagoes, killing some children, and sparing a woman, scalping her, and leaving her to all appearance dead; that the war party of the Foxes were in pursuit of the Menominee Indians, with whom they are at war; and some danger was apprehended that the Fox Indians would cross the Mississippi on the ice, and attack a band of Sioux Indians some distance above Prairie du Chien. I have written to the several agencies to whom these Indians belong, and am desirous to receive instructions from your department as to the course to be pursued by me, as superintendent of Indian affairs, in cases such as I have mentioned.

From the great extent of this frontier, and the numerous Indians located on our borders, it is important for the safety of the frontier people, who are settled over a great extent of country, that protection should be afforded them by the government; which can only be done by having a mounted force stationed at a suitable point on the Mississippi, above Prairie du Chien, where supplies and forage could be furnished by steamboats for the use of the mounted troops. It is well known that the Indians are never in dread of the pursuit of infantry. The difficulty with the Sac and Fox Indians, in 1832, originated from an attack made by them on a party of defenceless Menominee Indians who were camped almost under the cover of the guns of Fort Crawford, and the refusal on the part of the Sac and Fox Indians to deliver up the murderers of the Menominees. Three companies of dragoons, under the command of a field officer, would be sufficient to range the country from the Mississippi to the Red Cedar, and the Iowa and Des Moines rivers, which would be a direct check on the war parties of Sioux and Sac and Fox Indians. This mounted force would be enabled to carry into effect the views of the government, by making a demand and surrender of the aggressors or murderers. The mounted troops ranging the country on our borders, west of the Mississippi and north of the Wisconsin river, would cover the weak and unprotected settlements bordering on those rivers. The policy of the government appears to be to purchase of the Winnebago Indians their country east of the Mississippi, and remove them south of the Missouri river, or immediately west of the Mississippi to the country purchased of the United States in 1832. The repeated attacks made by the Sac and Fox Indians on the Winnebagoes, when hunting in the country west of the Mississippi, presents an obstacle in treating with them for the country north of the Wisconsin, and east of the Mississippi. Indeed it was one of the reasons urged by the Winnebagoes, at the treaty held at Fort Winnebago in October last, that their people had been killed by the Sacs and Fox Indians when hunting west of the Mississippi and they were afraid to remove west. This difficulty might be removed by the location of mounted troops on the Upper Mississippi; and as the established policy of the government is to preserve peace between the different nations of Indians under their protection, much good would result from mounted troops being stationed at a convenient point on our frontiers, to keep peace between the Sioux and Chippewa Indians, and prevent the intrusions of the whites on the Indian country. Our difficulties with the Seminole Indians have assumed a serious aspect; and if five or six hundred Indians in the swamps of Florida are able to produce so great a loss of blood and treasure, it would seem that every precaution should be used to prevent a rupture or difficulty with the numerous tribes on the borders of the Wisconsin territory. The Indians must see and feel, if necessary, the power of the government to enforce a strict observance of treaties between themselves, as well as the dread of coming in contact with the government of the United States.

I am, sir, with great respect, your obedient servant,
H. DODGE,
Superintendent of Indian affairs.
To C. A. Harris, esq. commissioner Indian affairs.

Rock Island, Dec. 2, 1836.

SIR: A young Fox Indian came in from Powsheek's village on the Red Cedar two days past, and informs me that a large war party of Sioux, on the 19th ult. surprised five lodges of Foxes on the lower Iowa, fifteen or twenty miles from where the line of the Black Hawk purchase crosses it, at the mouth of a creek on the left bank of the Iowa, and it is believed killed about twenty Foxes. A young Fox, who was wounded in the neck with a ball, made his escape, and brought the news to Powsheek's village, from whence the runner brought

intelligence to me. The wounded man says he counted twelve Foxes lying dead before he came off, and the fighting was going on. The Fox women and children had retreated to an old fort a little way off, where the surviving Foxes may possibly save themselves.

The messenger informed the interpreter, after leaving me, on his way home, that numbers had gone through their country to collect the chiefs, head men and braves of the confederated tribes of Sacs and Foxes to council on the subject. Being asked by the interpreter what the principal men at Powsheek's village spoke about it, he replied, *they said they would take revenge*. That eight were killed last winter, and nothing done; they would not sit still and be killed any longer; they would die in the field of battle, or be revenged on the Sioux.

I sent word to the chiefs to come and see me; but I do not expect to be able longer to restrain them, under all the circumstances, and that they will go to war with the Sioux. I apprehend the remnant of Wabashaw's band on the east of the Mississippi will be in extreme danger, as the Foxes know where they have located, and will cross on the ice. It would be well to have them apprised of their danger, as they have been improperly assigned to me, and my location here precludes the possibility of my giving them any assistance.

Your letter of the 26th ult. is received.
With high consideration and respect, I am your most obedient servant,
JOS. M. STREET,
U. S. Indian agent.
His excellency Henry Dodge, gov. Wisconsin territory, and superintendent Indian affairs.

TWENTY-FOURTH CONGRESS, SECOND SESSION—SENATE.

January 27. Mr. Clay presented the petition of the Washington Colonization society praying an act of incorporation, which he moved to refer to the committee on the District of Columbia—whereupon a very interesting debate arose between Messrs. Calhoun, Clay, Walker, &c. which we are compelled to omit until our next. Finally, the motion to refer was laid upon the table—ayes 24, noes 12.

Mr. Wright, from the committee on finance, to which was referred so much of the president's message as related to a reduction of the revenue of the country, reported the following bill for that purpose, which he accompanied with various explanatory remarks, and with a paper containing a summary statement of the various articles on which a reduction was proposed to be made, together with the amounts of existing duties on said articles and the amounts of reductions.

A bill to alter and amend the several acts imposing duties upon imports.

Be it enacted &c. That, from and after the 30th day of June, in the year of our Lord 1837, in addition to the articles exempted from the payment of duty by the various revenue laws of the United States now existing and in force, the articles hereinafter named in this section of this act imported into any collection district of the United States, shall be admitted free of duty, viz:

Floor matting, usually made of flags, or other materials; square wire, used for the manufacture of stretchers for umbrellas, and cut in pieces not exceeding the length used for stretchers; aquafortis, Brazil pebble, prepared for spectacles; crystals for watches, diamonds for glaziers, dressed furs, embroidery, all articles composed wholly or chiefly of gold, jewelry, gold and silver laces, muriatic acids, bicromate of potash, cromate of potash, prussiate of potash, chronometers, tartaric acids, barley, straw or grass baskets, composition, wax or amber beads, all other beads not otherwise enumerated in the existing laws, Prussian blue, bolting cloths, shell or paper boxes, bricks, hair or palm-leaf brooms, button moulds, calomel, carbonate of soda, cashmere of Thibet, corrosive sublimate, down of all kinds, feathers for beds, gold leaf, hair bracelets, hair not made up for head dresses, lampblack, linen padding, (if not suitable for cotton bagging), sulphate of magnesia, mustard, salad oil, almond paste, perfumes, pickles, perfumed hair-powder, tooth powder, sulphate of quinine, Rochelle salts, fossil and crude mineral salt, fancy or perfumed shaving and other soaps, including Windsor, and washballs, emetic tartar, building tiles, paving tiles, washes, otto of roses, oil of lemon, oil of bergamot, essential oil of rose, oil of carraway, oil of lavender, oil of rosemary, cosmetics, anti-corrosive lithic paints, linen tape, sextants, quadrants, telescopes, and glasses for sextants, quadrants and telescopes, gold, silver and precious stones, hair cloth and hair seating, indigo, cotton and thread laces, manufactured and prepared quills, common tinned and japanned saddlery, China and porcelain wares, earthen and stone wares, watches of all kinds, and parts of watches, silver and plated ware, worsted yarn, blankets, the value

not exceeding seventy-five cents each, vinegar, olive oil, teas of all kinds, chocolate, Cayenne pepper, cigars, bristles, corks, copper rods and bolts, copper nails and spikes, books, printed prior to 1775, books in other languages than Greek, Latin and English, glass bottles, demijohns, common salt, anchovies and sardines, ground and polished looking-glass plates, silvered and unsilvered.

Sec. 2. *And be it further enacted*, That, from and after the thirtieth day of June, in the year 1837, the duties now by law chargeable upon all wines and all spirits made of vinous materials imported into the United States, shall be reduced one-half, and from and after that day no more than one-half the rates of duty now chargeable upon any wines and spirits made of vinous materials of any country shall be assessed or collected.

Sec. 3. *And be it further enacted*, That when it shall be satisfactorily proved to the secretary of the treasury that any iron, imported for the construction of the hulls of iron steamboats, has been actually applied to the construction of the hull of any such iron steamboat, and that the boat to which any such iron has been applied is completed and fitted for use in navigation, he may allow a drawback of the duty on such iron so actually and permanently applied, or, if the duty shall have been paid, he may refund the same, any thing in any act to the contrary notwithstanding: *Provided*, That no iron shall be considered as imported for the construction of the hulls of iron steamboats but such as is fitted and prepared for that use without further manufacture, and that nothing in this act shall be so construed as to exempt from duty the engines, boilers, and other steam apparatus to be used in any such iron steamboat.

Sec. 4. *And be it further enacted*, That whenever the bonds given for the duties upon the importation of any such iron shall become due and payable before the said iron can be actually and permanently applied to the construction of any such iron steamboat, in the manner required by the last preceding section, the secretary of the treasury shall be, and he is hereby, authorised to extend the time for the payment of so much of any such bonds as shall be equal to the drawback to which the obligor or obligors may be entitled: *Provided*, That no extension of time for the payment of any portion of any such bond shall exceed the period of two years from the date of the importation of the iron upon which the right of drawback is claimed in pursuance of this act.

Sec. 5. *And be it further enacted*, That all articles made free from duty by the provisions of the first section of this act, and all wines and spirits made from vinous materials the duties upon which are reduced by the provisions of the second section of this act, from and after the thirtieth day of June next, which shall be imported into the U. States before the said last mentioned day, and shall be put into the custom house stores, under the bond of the importer or owner, and shall remain under the control of the proper officer of the customs until the said thirtieth day of June next, shall be free, or subject to no higher rate of duty than is imposed by this act: *Provided*, That no such articles or property shall be deposited in the custom house stores except in the original packages, bales, boxes, bags, casks, cases or bottles, as imported.

Sec. 6. *And be it further enacted*, That all acts and parts of acts inconsistent with the provisions of this act be, and the same are hereby repealed.

Mr. Wright having concluded his introductory remarks explanatory of the objects of the bill,

Mr. Clay said that he wanted, at this early stage of the bill, to say only a word or two. I will begin, said he, with expressing the regret I feel that no written report accompanies this bill, and that the substitute with which we have been presented in the verbal remarks of the senator from New York are not as satisfactory as I think they might have been. In considering the amount of revenue which the wants of any government may require, two questions should be taken into view.—1st. The probable amount of the revenue to be received from the taxes; and, in the second place, the probable amount of the public expenditure. If congress have no knowledge of these, how can they know what revenue is to be raised, or what reduction may be provided for? In both of these points, the senator from New York has utterly failed to furnish the senate with any information.

By way of getting rid of presenting to us the probable amount of revenue, the senator states that the finance committee are not able to offer any thing but uncertain conjectures. But every man who has hitherto been charged with the finances of the country, whether a secretary of the treasury or the chairman of a finance committee, has supposed it important to go into conjectures or estimates on these subjects, and to approximate as far as possi-

ble to the truth, that the government may be enabled to form some practical estimate of the amount to which they may with propriety tax the people. But if the senator thinks he can justify himself for this omission, how will he justify it to the country, and to those great interests which are assailed by this bill, that we have been furnished with no information touching the amount of public expenditure; and without information on either point how has he come to the conclusion that there does exist a redundant revenue, and that it is an evil so great as to call for the legislation of congress!

But I have not risen simply to express my regret at the want of information under which we are invited to act. I have risen, at once, promptly to declare that I shall oppose, so far as my voice and my vote can go, this disturbance of the compromise arrangement made in March, 1853, under which the country has flourished in an unparalleled degree, and on which all parties have reposed as being durable and permanent.

In regard to the articles of salt and of spirituous liquors, both of which, but salt especially, are articles which cannot be touched without a violation of that compromise, the former is one in which my state has little interest, as connected with a tax for protection. It is the great states of New York, Pennsylvania, Virginia and Ohio, which are principally concerned in this question. In my own state, some of the article is manufactured, but we are so situated that the manufacture, as existing among us derives no advantage from any protective duty. So far, therefore, as my constituents are concerned, I care not a particle if the duty shall be repealed *in toto*. But I oppose the measure because I view it as what has often and expressively been denominated an entering wedge; and because it is well known that all encroachments on the system may be expected to commence under plausible pretenses. The article of coal is an instance of this. In the depth of winter, when, during a season of intense cold, all are shivering for the want of a more abundant supply of fuel, the cry is raised to repeal the duty on foreign coal. So salt is known by every body to be an essential article of human subsistence, and it is seized upon as furnishing a plausible article on which the duty may be reduced, or dispensed with altogether.

But if these are all articles covered by the compromise, what security, what guaranty can the country possess that the work of reduction is to stop at that point? Will not the process, ere long, reach to cotton? and to woollens? Nay, are we not already notified, while, as I admit, the senator has brought us a bill less exceptionable than a corresponding one which has been introduced elsewhere, that is not "antagonistical"? (I believe the term is) to that measure, that there is no hostility between the two; and, if the purpose shall not be effected by this bill, for reducing the revenue to a sum not specified, that bill itself, or some kindred measure must be resorted to. I want the country to know what is its actual condition. I want it to know whether that odious, that shocking list of articles, which has just been read by the secretary, is to be brought up, session after session, for discussion and gradual action, till the whole protective system is destroyed. The country has a right to know whether the peace effected by the compromise of 1853, is to be respected; or whether it is to be assailed, first, in respect to articles calculated to excite public sympathy in their favor, and then those more important ones are at length to be reached, which are essential to the prosperity of the national industry.

I have now discharged what I believed to be a duty. You have the power, both in this house and the other; you can do in this matter as you think proper. Go on, then. Disturb, distract the country; reanimate the community; reopen its wounds just closed; do this, if it seems to you good; take upon yourselves the awful responsibility; but you shall never do it with my consent, nor without my solemn protest.

Mr. Wright, in reply, observed that he should not argue the bill at this time. He had at present but one duty to perform, which was to report the bill.—He would say again that the finance committee considered the amount both of revenue and expenditure for the coming year so entirely dependent on the action of congress that, beyond the documents already on the tables of members, the committee could state no valuable fact for their consideration. He would move that the bill be made the special order of the day or Thursday next, and that, in the mean time, the statement which had been presented in company with the bill might be printed.

The printing having been ordered,

Mr. Davis observed that this measure was one of great importance, and worthy of great consideration. He considered it desirable to keep the country out of agitation; its prosperity depended more on that

than this body seemed to be fully aware of; prosperity was impossible, under any policy, unless the nation had the assurance of something steady in that policy. The nation wanted rest; the people needed repose that they may know what to do. He had almost said that even a bad policy, if steady, was better than a comparatively good one, if unsteady and perpetually fluctuating. This was peculiarly true in relation to the manufactures of the country, because those who conducted these establishments, if they were able to look a few years ahead, they would shape their mode of conducting business so as to meet the policy of the government. The bill proposed seriously to affect, among other articles, that of salt, in which Mr. D's state was largely interested, inasmuch as very large capitals were vested in establishments for its manufacture upon the sea shore. Inasmuch, therefore, that the country might understand what was doing here, and of what was sought to be accomplished by this bill, he would ask that one thousand extra copies of the statement which had accompanied the bill be printed.

This was agreed to.

The bill was then read a second time, and made the order of the day for Thursday next.

The following bill, which was yesterday ordered* to be engrossed for a third reading, was accordingly read a third time:

A bill designating and limiting the funds receivable for the revenues of the United States.

Be it enacted, &c. That the secretary of the treasury be, and hereby is required to adopt such measures as he may deem necessary to effect a collection of the public revenue of the United States, whether arising from duties, taxes, debts or sales of lands, in the manner and on the principles herein provided: that is, that no such duties, taxes, debts or sums of money payable for lands, shall be collected or received otherwise than in the legal currency of the United States, or in notes of banks which are payable and paid on demand in the said legal currency of the United States, under the following restrictions and conditions in regard to such notes, to wit: from and after the passage of this act, the notes of no bank which shall issue or circulate bills or notes of a less denomination than five dollars, shall be received on account of the public dues; and from and after the 30th day of Dec. eighteen hundred and thirty-nine, the notes of no bank which shall issue or circulate bills or notes of a less denomination than ten dollars shall be so receivable; and from and after the thirtieth day of December, one thousand eight hundred and forty-one, the like prohibition shall be extended to the notes of all banks issuing bills or notes of a less denomination than twenty dollars.

Sec. 2. *And be it further enacted,* That no note shall be received by the collectors or receivers of the public money which the banks in which they are to be deposited shall not, under the supervision and control of the secretary of the treasury, agree to pass to the credit of the United States as cash: *Provided,* That, if any deposit bank shall refuse to receive and pass to the credit of the United States, as cash, any notes receivable under the provisions of this act, which said bank, in the ordinary course of business, receives on general deposit, the secretary of the treasury is hereby authorized to withdraw the public deposits from said bank.

The question being on the passage of the bill, Mr. Benton addressed the senate at great length in opposition to it. When he had concluded,

On motion of Mr. Grundy the bill was laid on the table, and the following resolution offered by him yesterday, taken up.

Resolved, That a committee be appointed to join such committee as may be appointed by the house of representatives, to ascertain and report a mode of examining the votes for president and vice president of the United States, and of notifying the persons elected of their election.

On motion of Mr. Clay, seconded by Mr. Grundy, the resolution was amended by adding the following:

And also to inquire into the expediency of ascertaining whether any votes were given at the recent election, contrary to the prohibition contained in the second section of the second article of the constitution; and if any such votes were given, what ought to be done with them, and whether any, and what provision ought to be made for securing the faithful observance in future of that section of the constitution.

The resolution as amended was adopted. On motion of Mr. Grundy, the bill defining and limiting the

*The yeas and nays given in Thursday's proceedings, (see page 352) in connexion with the above bill, were on the adoption of Mr. Rives' amendment, and not on the engrossment of the bill, (as incorrectly stated), on which latter question there was no division

kinds of money to be received by the United States was taken up, and then on motion of Mr. Walker, the senate adjourned.

January 28. The vice president, after reading of the journal, addressed the senate as follows:

Senators: The period is at hand which is to terminate the official relation that has existed between us, and I leave, probably never to return to it, a body with which I have been long connected; where some remain whom I found here fifteen years ago, and where, in the progress of public duties, personal associations have arisen never to be forgotten. From such scenes I cannot retire without emotion. Nor can I give to the senate the usual opportunity of choosing another to preside for a time over their deliberations, without referring to the manner in which I have endeavored to discharge a most gratifying and honorable trust connected with the office to which my country called me. Entering upon it with unaffected diffidence, well knowing how little my studies had been directed to its peculiar duties, I was yet strengthened by the determination then expressed, so to discharge the authority with which I was invested, as "best to protect the rights, to respect the feelings, and to guard the reputations of all who would be affected by its exercise." I was sure that, if successful in this, I should be pardoned for errors which I could hardly expect to avoid.

In the interval that has since elapsed it has been our lot in this assembly to pass through scenes of unusual excitement: the intense interest on absorbing topics, which has pervaded our whole community, could not be unfelt within these walls. The warmth of political parties, natural in such times, the unguarded ardor of sudden debate, and the collisions seldom to be separated from the invaluable privilege of free discussion, have not been unfrequently mingled with the more tranquil tenor of ordinary legislation. I cannot hope that, in emergencies like these, I have always been so fortunate as to satisfy every one around me; yet, I permit myself to think that the extent to which my decisions have been approved by the senate is some evidence that my efforts justly to administer their rules have not been vain; and I conscientiously cherish the conviction, that on no occasion have I departed from my early resolution, or been regardless of what was due to the rights or the feelings of the members of this body.

Though I may henceforth be separated from the senate, I can never cease to revert with peculiar interest to my long connexion with it. In every situation in my future life I shall remember with a just pride the evidences of approbation and confidence which I have here received; and as an American citizen, devotedly attached to the institutions of my country, I must always regard with becoming and sincere respect a branch of our government, invested with such extensive powers, and designed by our forefathers to accomplish such important results.

Indulging an ardent wish that every success may await you in performing the exalted and honorable duties of your public trust, and offering my warmest prayers that prosperity and happiness may be constant attendants on each of you, along the future paths of life, I respectfully bid you farewell.

After the vice president had retired, on motion of Mr. Grundy, the senate proceeded to ballot for a president *pro tem*.

The number of votes cast was 37; necessary to a choice 19. Mr. King, of Alabama, had 26; Mr. Southard 7; Mr. Clay 1; Mr. Prentiss 1; Mr. Ewing, of Ohio, 1; Mr. Buchanan 1.

Mr. King being duly elected president *pro tem* of the senate, was conducted to the chair by Mr. Benton and expressed his gratitude for the honor conferred.

On motion of Mr. Grundy, it was *Ordered*, That the secretary of the senate, inform the president of the United States and the house of representatives that the senate have elected the hon. William R. King their president *pro tem*.

A number of petitions were presented and referred, and several committees delivered reports, all of which will be duly noticed in their progress.

The following resolution was offered by Mr. Calhoun, which lies over one day:

Resolved, That the president be requested to communicate to the senate a copy of the correspondence with the government of Great Britain, in relation to the outrage committed on our flag, and the rights of our citizens, by the authorities of Bermuda and New Providence, in seizing the slaves on board of the brig Encomium and Enterprize, engaged in the coasting trade, but which were forced by shipwreck and stress of weather into the ports of those islands.

After an ineffectual effort, in which Messrs. S. & Linn concurred, to postpone the bill defining what currency shall be received in payment for dues of the United States, with a view to taking up the land bill—

The senate resumed the consideration of the former, which was the order of the day; and the bill being at its third reading, and the question being on its passage—

Mr. Walker, chairman of the land committee, who had reported it, took the floor in reply to the remarks made by Mr. Benton yesterday, going at large into the arguments of that senator, and retorting with no little warmth, what he considered as unmerited reflections on the committee, declaring at the same time, that for all he said he held himself personally responsible both in and out of the house. When Mr. Walker had concluded,

Mr. Webster made some inquiries of him in reference to his understanding of the practical effect of the bill on banks issuing notes under the amount of five dollars. Mr. Walker replied that the bill had followed the language of the joint resolution of 1816, and, as there were different opinions as to the construction of that resolution, there might be as to this bill; but whether it were strictly mandatory on the receivers or not, he felt assured that it spoke a voice that would not be disregarded. Mr. Rives said that the provisions in this bill in reference to banks issuing small notes were the same with those in the deposit bill of last session; which he quoted. Mr. Webster said his only difficulty was respecting the receivability of the Virginia land scrip; if the bill was not peremptory on that subject, it ought to be made so. And for this purpose he introduced an amendment declaring the Virginia land scrip receivable in payment of all dues to the government; which lies on the table.

Mr. Benton, to show how the deposit bill was understood by those who executed it, quoted some bank returns from the bank of Columbus, showing the issue by that bank of notes of one, two and three dollars.

Mr. Rives returned his thanks to Mr. Walker for his able and satisfactory defence of the bill. He should not be able to add much to what had been said by the honorable senator, but was desirous of adding his mite in reply to so much of what had so zealously been urged by the senator from Missouri, (Mr. Benton), as had not been touched upon by the chairman of the land committee; and, as he understood there were gentlemen on both sides of the question who were desirous of being heard, he suggested the propriety of deferring further debate on the bill to Monday. This was, after some conversation, agreed to.

Mr. Benton introduced the following resolution: Resolved, That the senate cordially reciprocate the sentiments of personal kindness expressed by Martin Van Buren, vice president of the United States, towards the members of this body, upon taking leave of them; and that the thanks of the senate be presented to him, in testimony of the impartiality, dignity and ability with which he has presided over their deliberations, and of their entire approbation of his conduct in the discharge of the arduous and important duties assigned him as president of the senate.

Mr. B. suggested the propriety of taking up the resolution and acting upon it at this time.

The chair stated that this could only be done by unanimous consent. Mr. Calhoun objected.

Mr. Buchanan expressed his hope that the resolution would be acted on at once. Mr. Calhoun inquired whether it was usual to pass a vote of this kind. Mr. Benton quoted several precedents to show that it was; whereupon Mr. Calhoun, observing that it was a mere formality, withdrew his objection; and the question being put, the resolution was agreed to, *nem. con.* When, on motion of Mr. Davis, the senate adjourned.

January 30. After memorials and petitions had been presented and referred, Mr. Tomlinson, from the committee of accounts, who were instructed to inquire into the necessity of an increase of the usual number of documents printed for the use of the senate, reported a resolution that the number of copies of any document ordered by the senate to be printed shall be eight hundred and fifty; of the journal one thousand and fifty; and of bills, joint resolutions and amendments, five hundred, to be distributed under the direction of the secretary; which was agreed to.

On motion of Mr. Wright the committee on finance was discharged from the further consideration of the memorial of sundry merchants of Boston, praying that the credit of duties payable on imported goods might be extended to one year, and to three years on those subject to debenture.

It was also discharged from the further consideration of the memorial of Richard J. Todd, for a repeal of duties on watches and parts of watches, and from the consideration of sundry memorials from citizens of Virginia and Pennsylvania against a reduction of the duty on coal.

The following resolutions, which lie over one day, were offered by Mr. Norvell:

Resolved, That the committee on roads and canals inquire into the expediency of granting to the state of Michigan five per cent. of the net proceeds of all public lands lying within said state, which were sold under the authority of the United States, from the 1st January, 1836, to the 1st July, 1836, such proceeds to be applied, under the direction of the legislature of the state, to the completion of the military roads commenced therein by the United States while Michigan was a territory.

Resolved, That the committee on public lands inquire into the expediency of establishing a surveyor general's office in the state of Michigan.

Resolved That the committee on commerce inquire into the expediency of making an appropriation for the survey of the falls of St. Mary, with a view to the construction of a ship channel around said falls, between Lake Superior and Lake Huron.

Some other resolutions of a local or private character were offered and appropriately referred, after which

Mr. Clay moved to take up the memorial from the Colonization society, presented by him on Friday last, expressing the hope that there would be no further debate upon it, and calling for the yeas and nays on the question of taking up; which were ordered.

The question was then tried, and decided in the negative, as follows:

YEAS—Messrs. Bayard, Clay, Clayton, Davis, Kent, Knight, Morris, Niles, Prentiss, Robbins, Robinson, Southard, Swift, Tallmadge, Tomlinson, Wall—18.

NAYS—Messrs. Benton, Black, Brown, Buchanan, Calhoun, Cuthbert, Dana, Fulton, Grundy, Hubbard, King, of Alabama, King, of Georgia, Linn, Lyon, Moore, Nicholas, Norvell, Page, Preston, Rives, Ruggles, Strange, Tipton, Walker, White, Wright—26.

So the memorial remains on the table.

The senate then again resumed the consideration (at its third reading) of the bill defining the currency receivable for the United States. Mr. Rives having concluded his remarks, Mr. Benton followed in a brief reply. Mr. Walker further defended the bill; and Mr. Morris went into a discussion of the unconstitutionality of its provisions, contending that it violated the rights of the states, superseded the constitutional currency, and was every way mischievous. Mr. Webster objected to it as leaving, in effect, the whole matter which ought to be the subject of law to the discretion of the secretary of the treasury. Mr. Calhoun concurred with Mr. Morris as to its unconstitutionality.

The bill was then, for the present, laid on the table.

The senate then resumed the consideration of the land bill. The question being on Mr. Buchanan's amendment to this bill, allowing parents to enter small tracts for their children, to be patented when they should come of age—After some desultory conversation, an attempt was made to postpone the bill to to-morrow; but it failed: yeas 18, nays 27. The question being then taken, the amendment of Mr. Buchanan was agreed to, as follows:

YEAS—Messrs. Bayard, Brown, Buchanan, Calhoun, Clay, Clayton, Crittenden, Ewing, of Illinois, Hendricks, Hubbard, Kent, Knight, Lyons, Nicholas, Norvell, Prentiss, Rives, Robbins, Robinson, Sevier, Southard, Strange, Swift, Tomlinson, Walker, Wall, Webster, White—28.

NAYS—Messrs. Benton, Black, Fulton, Grundy, Kings, of Alabama, King, of Georgia, Linn, Moore, Morris, Niles, Page, Preston, Ruggles, Tipton, Wright—15.

On motion of Mr. Walker, the bill was then further amended, so as to allow no one to enter a tract in his own name until he was 21 years old.

Mr. Clay then renewed the motion formerly made, and withdrawn by Mr. Morris, to strike out the 4th section of the bill, including the whole pre-emption clause, and demanded the yeas and nays; which were ordered. Mr. Morris supported the motion. Mr. Niles opposed it. Mr. Calhoun and Mr. Clay spoke with warmth against the unlimited pre-emptive rights conferred by the bill, and Mr. Sevier and Mr. Walker replied in defence of this section, with which, as Mr. W. declared, the bill must stand or fall.

Mr. Morris now moved an adjournment, (it was five o'clock;) and on that motion Mr. Walker demanded the yeas and nays; which being taken stood—yeas 23, nays 22.

So the senate adjourned.

January 31. The chair presented a communication from the secretary of the treasury; which was indistinctly understood to relate to the claim of the United States on the United States bank.

Also, a communication from the state department, with a statement of the number of American seamen.

A number of petitions were presented, and several bills reported, when resolutions of a local character were offered, which will be duly noticed when before the senate for its decision: among them was the following, submitted by Mr. Clayton, which lies over one day:

Resolved, That the committee on commerce be instructed to inquire into the expediency of making New Castle a port of entry, either distinctly from, or conjointly with, the port of Wilmington.

Some time was then spent in reconsidering the unfavorable report of the committee of claims, on the claim of Joseph Nourse, which was, on motion of Mr. Linn, ordered to lie upon the table.

The senate resumed the consideration of the land bill. The question being on the striking out of the pre-emption clause. The motion to strike out was strenuously advocated by Messrs. King, of Georgia, and Bayard, and opposed by Mr. Tipton, and finally lost by yeas and nays—yeas 22, nays 24. Mr. Clay moved an amendment confining the pre-emption feature of the bill to the lands which have been surveyed: which, after debate, was also lost—yeas 23, nays 23. Mr. Black moved to restrict the operation of the bill to citizens of the United States. Carried—yeas 24, nays 21. Mr. Walker moved to confine the bill to the states and organized territories of the U. States. Agreed to. Mr. Tallmadge offered an amendment confining the operation of the bill to the year 1840. Agreed to. Mr. Morris gave notice of his purpose to move a substitute for the whole bill; which was ordered to be printed.

The question was then at length taken, as in committee of the whole, (at past 6 o'clock), on agreeing to the bill in its amended form, and carried by the following vote:

YEAS—Messrs. Benton, Black, Brown, Cuthbert, Dana, Ewing, of Illinois, Fulton, Grundy, Hendricks, Hubbard, King, of Ala. Linn, Lyon, Moore, Nicholas, Niles, Norvell, Page, Rives, Robinson, Sevier, Strange, Tallmadge, Walker, White, Wright—26.

NAYS—Messrs. Bayard, Calhoun, Clay, Clayton, Crittenden, Davis, Kent, Knight, Morris, Prentiss, Preston, Robbins, Southard, Swift, Tipton, Tomlinson, Wall, Webster—18.

The bill was then reported to the senate, and ordered to be printed, as amended.

And the senate adjourned.

February 1. Mr. McKean, who has not been before able to attend in the senate since his first illness, resumed his seat to-day.

The chair presented a communication from the navy department, in conformity to the 2d section of the law of May, 1820, giving a statement, with various distinctions, of the appropriations for the navy establishment in 1836; Referred.

Among the petitions presented were the following:

By Mr. King, of Alabama: From William Brent, setting forth that four of the votes given in Virginia for president and vice president of the United States, were cast by individuals not constitutionally qualified.

Also, (from a quarter unknown to the reporter) a statement that the votes of South Carolina, for president and vice president of the United States, were cast by individuals chosen by the legislature of the state, who were therefore not constitutionally qualified electors. Both laid on the table, on motion of Mr. Grundy, to be referred hereafter, at the proper time, to the joint committee of the two houses.

Several committees delivered reports, and others were discharged from the consideration of business that had been referred to them.

Mr. Davis, from the committee on commerce, reported a bill authorizing the president of the U. States to appoint a commission of three persons, to examine inventions for the purpose of securing steam boilers from bursting; and to report the results to congress. Read, ordered to a second reading, and the accompanying report ordered to be printed.

The resolution, formerly offered by Mr. Nicholas, calling on the secretary of the treasury for information obtained by special agents in relation to alleged frauds on the public lands in the state of Louisiana, being under consideration,

Mr. Clay proposed to amend the resolution by striking out Louisiana and extending the inquiry to all the states and territories. After considerable discussion between Messrs. Nicholas, Ewing, Linn, and Sevier, Mr. Clay offered his amendment which was adopted. On motion of Mr. Ewing, the resolution of Mr. Nicholas was further amended so as to call on the secretary of the treasury for information otherwise obtained, as well as by special agents. The resolution, as amended, was then adopted.

[The National Intelligencer of Thursday did not contain the remainder of this day's proceedings; which shall have a place in our next.]

HOUSE OF REPRESENTATIVES.

Wednesday, Jan. 25. Mr. Herod, elected a member of this house, to fill the vacancy occasioned by the lamented death of Mr. Kinnard, appeared, was qualified and took his seat.

The house took up the unfinished business of the morning hour, being the resolution heretofore offered by Mr. Underwood calling upon the clerk for a statement of the mileage claimed by members, &c. with the amendments of Messrs. Claiborne and Yell (see page 351) the pending question being on the amendment to the amendment. A very desultory and uninteresting debate now ensued, after which the resolution and amendments were ordered to lie on the table—ayes 95, noes not counted.

After resolutions had been called for,

Mr. Bell said he rose for the purpose of submitting a motion, of which he had given so many notices, for leave to introduce a bill to secure the freedom of elections; but he had himself felt so much of the inconvenience and disadvantage under which gentlemen labored who had held resolutions for some time which they could not have an opportunity to present, that he was disposed now, after having submitted his motion, to move that, under the indulgence of the house, every gentleman who had resolutions to offer should now offer them, provided they would not create debate. If no gentlemen were desirous to present such resolutions, he was ready now to proceed with his observations.

No resolution having been offered, Mr. Vanderpoel rose to a point of order. He wished to inquire whether a motion for leave to bring in a bill was debatable? The chair said he thought it was. The gentleman had a right to state the character of the bill. Mr. Bell then said that the remarks which he had intended to submit might perhaps be better comprehended if he were to send to the chair, to be read, the bill and preamble which he proposed to read. If the chair thought the proceeding regular, Mr. B. would be glad that the preamble and bill should be read. The chair said that the regular way would be to take the sense of the house whether the same should be read for the information of the house.—And the question being taken, the sense of the house was declared in favor of the reading.

The preamble and bill were accordingly read—(we will publish them in the next "REGISTER") when Mr. Bell arose and addressed the house in explanation of the motives which induced him to submit the bill—having concluded his opening address, on motion of Mr. Vanderpoel the house passed to the orders of the day, and resumed the consideration of the bill from the senate, entitled "an act to provide for the admission of the state of Michigan into the union, on an equal footing with the original states."

The pending question was on the motion of Mr. A. Mann, for the previous question; which motion prevailed, ayes 84, noes 67. So there was a second. And the main question was ordered to be now taken.

Mr. Briggs called for the yeas and nays on the main question, which were ordered. And the main question, on ordering the bill to a third reading, was taken, and decided in the affirmative: Yeas 140, nays 68. And the bill was ordered to a third reading today.

The question then recurred on the final passage of the bill.

A debate followed, in which Messrs. Jenifer, Thomas, Howard, Pickens and Pearce of Maryland, participated.

Mr. Cushman then obtained the floor, and moved the previous question.

The previous question was seconded, and the main question ordered without a division.

Mr. Chapin asked for the yeas and nays on the main question, being the passage of the bill, which were ordered—and were yeas 182, nays 48. So the bill was passed and the house adjourned. [The yeas and nays shall have a place in the next "REGISTER."]

Thursday, Jan. 26. After the reception of reports, the house resumed the unfinished business of the morning hour, the motion submitted yesterday by Mr. Bell for leave to bring in a bill to secure the freedom of elections. That gentleman then arose and continued his speech, and was proceeding to remark on the change which the opinions of the president had undergone in relation to disturbing the principles of the compromise bill, when, on motion of Mr. Cambreleng, the house passed to the orders of the day, and took up the bill to regulate the pay and mileage of members, the question being on its final passage. A long debate now ensued, during which Mr. Mann moved to recommit the bill to the committee of the whole house on the state of the union, and Mr. Yell moved to amend

the motion to commit by adding instructions to the committee to report a section reducing the pay of the members of the house to \$6 per day, and \$6 for every twenty miles of travel to and from the seat of government.

Mr. Anthony called for the previous question, but the call was not sustained—ayes 71, noes 73. Mr. Howard moved to lay the bill on the table—yeas 58, nays 128. Mr. Parks moved an adjournment, but withdrew the motion at the request of the speaker.

A message from the president of the U. States was received, in obedience to the resolution of the house of representatives of the 17th instant, requesting the president to lay before the house, if not incompatible with the public interests, any information in his possession showing the condition of the political relations between the United States and Mexico; and also, any further information that he may have received as to the condition of Texas.

Mr. Howard moved the reference of the message and documents to the committee on foreign affairs, and that the same be printed.

Mr. Boyd, after inquiring of the speaker if it would be in order, moved to amend the motion of Mr. Howard, by adding instructions to the committee to report a resolution acknowledging the independence of Texas. Mr. Craig hoped the gentleman would not create a debate at this late hour, by endeavoring to attach the resolution to these documents.

Mr. Reed asked for the reading of the message and documents. Mr. Vinton moved an adjournment. Mr. Claiborne, of Mississippi, called for the yeas and nays on the motion to adjourn; which the house would not order. And the house adjourned.

Friday, Jan. 27. Mr. Thomas moved that I. E. Crary, member elect from the state of Michigan, now in attendance, be qualified to take his seat as a member of the house.

Mr. Robertson opposed the motion, on the ground that Michigan was not a state at the time Mr. Crary was elected; that she became a state only yesterday, and that Michigan was not competent to make the election at a time when her constitution had not received the sanction of congress. He moved that the subject be referred to the committee on elections, to examine into and report upon all questions touching the election, qualification and return of Mr. Crary.

Mr. Thomas contended that to send this subject to a committee would be a work of supererogation, after the thorough examination which had been given to it. He contended that the constitution of the state of Michigan was now as perfect as it would have been if its organization had been preceded by a law of congress authorising a convention for that purpose, and cited precedents in the history of the union to corroborate this position.

A communication was read from Mr. Crary, enclosing a certificate of election from the governor of the state of Michigan.

Mr. Huntman demanded the previous question: and the house seconded the call: ayes 97, noes not counted; and the house ordered that the main question should now be taken.

Mr. Young called for the yeas and nays on the main question; which were ordered. And the main question, "Shall Isaac E. Crary be qualified as a member of the house from the state of Michigan?" was then taken, and decided in the affirmative—yeas 150, nays 32.

So the house determined that Mr. Crary be now qualified.

At the request of Mr. Dawson, of Georgia, in order to enable that gentleman briefly to explain the reasons for his vote on this occasion, Mr. Thomson, of South Carolina, moved a reconsideration of the vote just passed: when brief remarks were made by Mr. Dawson and other gentlemen. After which, to save the house from the trouble of the previous question, indicated by Mr. Cushman's rising, Mr. Thomson withdrew his motion. Mr. Crary, the representative from Michigan, then appeared, was qualified and took his seat.

After Mr. Cave Johnson, from the committee of ways and means, had reported a bill increasing the compensation of certain clerks, which was committed, and Mr. Whittlesey, from the committee of claims had made unfavorable reports upon the petitions of James Kilgour and C. M. Smith, which were ordered to lie on the table,

Mr. Jarvis moved to discharge the committee of the whole from the further consideration of the bill to provide for the enlistment of boys in the naval service (in order to put it to its third reading).

Mr. Bell objected to departing from the usual course in relation to this bill, by giving it preference over other business earlier on the list.

The whole of the residue of this day's sitting, protracted to a late hour, was occupied in a discus-

sion of a most painful and disagreeable nature, arising out of a collision between two gentlemen, (Mr. Bell, of Tennessee, and Mr. Jarvis, of Maine), growing out of the above motion, which transgressed the usual bounds of parliamentary practice. To attempt, in a few words, or in a short space of time, to give an intelligible account of it, would be in vain. In the end, however, the difficulty was adjusted, by the intervention of other members, more satisfactorily than during a long discussion it appeared likely to be. And

The house immediately adjourned.

Saturday, Jan. 28. The motion made yesterday by Mr. Jarvis, to discharge the committee of the whole on the state of the union from the further consideration of the bill to provide for the enlistment of boys in the naval service of the U. States, coming up as the unfinished business, was considered and rejected.

Mr. Thomas, from the committee on the judiciary, reported, without amendment, the bill from the senate to alter the times of holding the circuit court of the United States in the state of Tennessee; which bill was committed to the committee of the whole house on the state of the union.

[Mr. Dunlap expressed his desire to offer an amendment to the above bill providing for the holding of a court in the western part of the state of Tennessee.]

Also, without amendment, the bill from the senate altering the times of holding the circuit court of the United States for the 5th circuit and district of North Carolina, holden at the city of Raleigh; which bill was ordered to a third reading on Monday.

The committee on revolutionary claims was discharged from the consideration of a number of petitions that had been referred to them.

After some other business of a private nature had been disposed of, Mr. Dromgoole, from the select committee to whom was referred so much of the president's message as relates to amending the constitution of the United States, together with all propositions and resolutions submitted at the last and present session of congress, proposing amendments to the constitution, reported in part that, according to order, they have had under consideration sundry propositions and resolutions for the amendment of the constitution in relation to the election of president and vice president of the United States. Upon examination they find that a report on this subject was made at the last session of congress on the 30th March, 1836, by a select committee. The joint resolution reported by said committee was twice read, and committed to a committee of the whole house on the state of the union. No further action was had thereon, and the said reported joint resolution remains on the calendar, and may, at the pleasure of the house, be considered in said committee of the whole. If, therefore, the house be disposed to act on this subject during the present session of congress, your committee think it more advisable to consider the report now on the calendar, than to begin *de novo*. Your committee, therefore, submit the two following resolutions:

Resolved, That the select committee to whom the subject was referred, be discharged from the further consideration of all propositions and resolutions relating to amendments of the constitution on the subject of the election of president and vice president.

Resolved, That this house will, on the 31st inst. resolve itself into a committee of the whole on the state of the union, to take into consideration the joint resolution proposing an amendment to the constitution of the United States in relation to the election of president and vice president.

After some remarks from Mr. Dromgoole, a division of the question was called for and ordered on the passage of the resolutions, when the first was concurred in and the second disagreed to—yeas 66, nays 83—so the house refused to go into committee on the said joint resolution.

On motion of Mr. Vanderpoel the rules were suspended, to enable him to offer a resolution that the house meet hereafter at 11 o'clock, which resolution was agreed to.

Some business of minor importance was then transacted, after which the house proceeded to the orders of the day, and resumed the consideration of the motion of Mr. Jarvis, pending at the adjournment of the house on Saturday last, to reconsider the vote by which the bill for the relief of — Dade had been rejected.

After a further debate thereon, the motion to reconsider was laid on the table—yeas 89, nays 63.

The engrossed bill, to grant the Atchafalaya railroad and banking company a right of way through the public lands, was read the third time, and passed.

The engrossed bill for the relief of Ebenezer Breed was read the third time, and after debate, and

undry motions to adjourn, which were rejected, he bill was passed—yeas 85, nays 59.

And, thereupon, the house adjourned.

Monday, Jan. 30. The house met at eleven o'clock, pursuant to the order of Saturday last; and here being no quorum present, Mr. *Howell* moved a call of the house. On that motion Mr. *Granger* called for the yeas and nays, which were ordered, and were—yeas 57, nays 55. So the call was ordered. The speaker having, on motion of Mr. *Briggs*, ascertained that a quorum was present, the house, on motion of Mr. *C. Allan*, suspended all further proceedings on the call; and the journal of Saturday was then read.

Petitions and memorials were then called for and presented in the order of states and territories.

Mr. *Adams* said that he had in his possession a number of petitions in relation to slavery; some praying for the abolition of slavery in the District of Columbia; some for the abolition of slavery in the territories; some for the abolition of slavery and the internal coasting slave trade; and some for the prohibition of the exportation of slaves to Texas, or to the dominions of any foreign power. He was under the necessity of presenting these petitions separately and distinctly, as they came partly from his constituents and partly from people in other parts of the United States. He asked leave to address the house on the right of the petitioners to have their petitions read. He wished that the request might be entered on the journals, and that he might have the yeas and nays upon it.

Objections were made, and Mr. *Anthony* raised the question whether it was in order to ask for the yeas and nays on a matter of this kind, and whether, if they were granted, they would not be granted as matter of courtesy and not of right.

The speaker said, the gentleman from Massachusetts could obtain his object by submitting a motion to suspend the rule. Mr. *Adams* said it was immaterial to him as to the mode in which he effected his object. He, therefore, submitted his request or motion. Upon which motion the yeas and nays were ordered; and, being taken, were—yeas 44, nays 124. So the house would not suspend the rule. Mr. *Adams* presented the memorial of the Young Men's Abolition society of the city and county of Philadelphia, remonstrating against the recognition of Texas. Mr. *A.* moved that it be read, and called for the yeas and nays on that motion. Mr. *Jarvis* moved to lay the whole subject on the table. The speaker said he would have no hesitation to do so, under the rule of the house, if it should appear that the memorial contained any reference to the subject of slavery. The speaker then (having looked into the memorial) pronounced it to contain allusions to the subject of slavery and that it must therefore be laid on the table without being read. Mr. *Adams* appealed from the decision, and called for the yeas and nays thereon.—Mr. *Adams* then appealed against the decision of the chair, and contended that when petitions were before the house, the member presenting had the right to read them: the chair had decided against this right; against this decision he now appealed.—The speaker said that, by the rule of the house, every petition making reference to the subject of slavery was ordered to lie on the table. He had looked into this petition, and was clearly of the opinion that it did relate to the subject of slavery.—Mr. *Adams*. I deny it. (Cries of "order," "order").

The speaker stated the question before the house, namely, it had been decided by the chair, that this petition falls under the rules of the house, by which it should be ordered to lie on the table; such was the decision of the chair. Against this decision an appeal had been made, and further, the yeas and nays had been called for. Mr. *Phillips* here rose and demanded, before he could vote on the question, that the petition should be read. Mr. *Robertson* moved to lay the petition, the appeal and the whole subject on the table; which motion, after some remarks by Mr. *Lawler* was withdrawn, and the petition was read by the clerk.

Mr. *Haves* moved to lay the whole subject on the table. On which question the yeas and nays were ordered; and were: yeas 131, nays 62.

So the whole subject, both the memorial and appeal, were laid on the table.

Mr. *Adams* then presented in succession, thirteen or fourteen additional memorials and petitions, on the same subject, praying against the coasting slave trade, the exportation of slaves to Texas, &c. &c.; each petition was immediately, under the rule, ordered to lie on the table.

For each petition Mr. *A.* moved a reading; which, under the rule, was refused by the chair; and against each decision of the chair Mr. *A.* appealed to the house.

In each case Mr. *Cushman*, of N. H. moved to lay the whole subject on the table, and in this manner

the whole batch of petitions was summarily and speedily disposed of.

The presentation of petitions and memorials from the remaining states was then completed.

[A memorial of certain citizens of Kentucky, in favor of aid and support being extended to the Colonization society, being presented by Mr. *Calhoun*, Mr. *Adams* moved that the memorial be read; which, having been done, Mr. *A.* made some remarks in the view that, as this memorial related to slavery, it should meet with the same treatment which his own petitions had. Mr. *A.* moved, therefore, that the memorial be laid on the table. After some remarks from Mr. *Mercer* in favor of the petition, the motion was put, and lost by a great majority against it.—The petition, therefore, was received and lies over.]

[The speaker presented to the house a memorial from W. L. Brent and Richard S. Coxe, members of the bar of Washington, preferring charges against the hon. Buckner Thruston, one of the associate judges of the circuit court of the District of Columbia, for alleged official misconduct, praying congress to institute an inquiry into the matter, and give a suitable remedy. The memorial was, on motion, referred to the committee on the judiciary, and ordered to be printed.]

The remainder of the session was occupied in receiving resolutions; among those of a public nature were the following:

On motion of Mr. *French*,
Resolved, That the committee on the post office and post roads, be requested to enquire into the expediency of requiring the postage on all letters sent by the express mail, to be paid in advance; and that the committee inquire into the expediency of abolishing the express mail.

And be it resolved, That the committee on the post office and post roads be and they are hereby instructed to inquire into the extent of existing abuses on the part of the postmasters in renting letter boxes in their offices, and into the expediency of prohibiting, under adequate penalties, all such practices.

On motion of Mr. *Mann*, of New York,
Resolved, That the committee on the judiciary be instructed to inquire into the expediency of amending the laws of the United States in relation to imprisonment for debt, so as to place alien plaintiffs upon the same footing as citizens of the several states, in respect to their legal remedies.

On motion of Mr. *Thomson*, of Ohio,
Resolved, That the committee on the public lands be instructed to inquire into the expediency of granting a township or other quantity of land to each of the states of the union, to enable them to erect suitable buildings, and to print or purchase all necessary books for the instruction of the blind within their respective limits.

On motion of Mr. *Ingersoll*,
Resolved, That the committee on the public buildings be instructed to inquire into the expediency of completing the east front of the capitol, by providing suitable statuary, and to provide a statue of Jefferson, to be placed in the library of congress.

On motion of Mr. *Crary*,
Resolved, That the committee on commerce be instructed to inquire into the expediency of making an appropriation for the survey of the falls of St. Mary, with a view to the construction of a ship channel between Lake Superior and Lake Huron.

On motion of Mr. *Crary*,
Resolved, That the committee on the public lands be instructed to inquire into the expediency of establishing a surveyor general's office for the state of Michigan. Adjourned.

Tuesday, Jan. 31. The hon. J. C. Alford, a member from the state of Georgia, appeared, was qualified and took his seat.

Mr. *Russell*, from the committee on commerce, reported the following resolution; which was agreed to by the house:

Resolved, That the committee of the whole house be discharged from the consideration of the bills for the survey of certain roads and rivers therein mentioned, and that the said bills, and all amendments to them, be again committed to the committee on roads and canals.

Mr. *Wardwell*, from the committee on revolutionary pensions, reported a bill explanatory of the 8d section of the "act granting half pay to widows or orphans where their husbands and fathers have died of wounds received in the military service of the United States in certain cases, and for other purposes," passed July 4, 1836, and for extending the provisions of the same; which was read and committed.

Mr. *Thomas*, from the committee on the judiciary, reported the following resolution, which was read, and agreed to:

Resolved, That the committee on the judiciary be authorised to send for persons and papers, and to

inquire into the truth of the charges made in the memorial of William L. Brent and Richard S. Coxe, complaining of the official conduct of Buckner Thruston, one of the judges of the circuit court of the United States for the District of Columbia.

Mr. *Connor*, from the committee on the post office and post roads, reported a bill for the erection of a building for the post office department; which bill was twice read and committed.

A number of bills were reported from other committees, read twice and committed, when the house resumed the unfinished business of the morning hour, being the motion heretofore made by Mr. *Bell*, of Tennessee, for leave to bring in a bill to secure the freedom of elections.

Mr. *B.* said that, before he resumed his remarks, he would ask the indulgence of the house to make a statement in answer to an article which had appeared in the "Globe" of this morning, in reference to the subject under discussion. The whole of that article, in the motives which it ascribed to him, and in all material points of fact, was an infamous calumny; and, if the time of the house had permitted, he could demonstrate, to the satisfaction of the house, that it was so.

Mr. *B.* also said that, in justice to a gentleman from North Carolina, (Mr. *Dynum*), to whom, in his remarks the other day, he, (Mr. *Bell*), had alluded as getting up to propose a measure for the reduction of the revenue so soon as it was discovered that the deposit bill of the last session would become a law, Mr. *Bell* had always understood that that was a favorite measure with the gentleman, and had supposed that, in offering the measure at that time, he (Mr. *Dynum*) had nearly seized on that which he had considered a fit opportunity.

Mr. *B.* then resumed and concluded his remarks in illustration of the objects of the bill, and urging the necessity of action upon it.

Mr. *Bell* having concluded his remarks, Mr. *Graves* obtained the floor; when,

On motion of Mr. *Cambreleng*, the house passed to the orders of the day. Mr. *W. Thompson* inquired whether the business first in order was not the motion and resolution pending on the message of the president of the United States on the subject of our relations with Mexico and the condition of Texas?

The speaker said that, after engrossed bills, &c. on the table were disposed of, that subject would be first in order.

Mr. *Cambreleng* moved to suspend the rules, to go into committee on certain appropriation bills; which motion prevailed.

The house resolved itself into a committee of the whole on the state of the union, (Mr. *Craig*, of Va. in the chair), on the bill making appropriations for the current expenses of the Indian department, and for fulfilling treaty stipulations with the various Indian tribes, for the year 1837. Mr. *Cambreleng* explained, that the bill was essentially different in form from the bill of last year. It was then considered, amended, and laid aside.

On motion of Mr. *Garland*, of Lou. the committee took up the bill to establish an additional land office in the state of Louisiana; and no amendment having been offered thereto,

On motion of Mr. *Cambreleng*, the committee rose and reported both the bills to the house. The question being on concurring with the committee in their amendments to the Indian appropriation bill, Mr. *Cushing* moved that the house adjourn; but withdrew the motion, to enable

The speaker to present a communication from the secretary of war, transmitting a statement of appropriations and expenditures for the year 1836, and the balance remaining in the treasury on the 31st December last; which, on motion of Mr. *Cambreleng*, was laid on the table and ordered to printed. And, on motion of Mr. *Cushing*, the house adjourned.

Wednesday, Feb. 1. A number of petitions were presented and several bills reported, twice read and committed; when the house resumed the unfinished business of the morning hour, the motion heretofore submitted by Mr. *Bell* for leave to bring in a bill to secure the freedom of elections.

Mr. *Graves*, who was entitled to the floor, addressed the house in reference to the general principles of the bill, and on the necessity of legislative action for the application of proper remedies to the evils complained of in the preamble, and the existence of which, he contended, had been most fully demonstrated.

Mr. *G.* had not concluded when, the hour having elapsed, the house, on motion of Mr. *Cambreleng*, passed to the orders of the day.

The bill making appropriations for the current expenses of the Indian department, and for fulfilling treaty stipulations with the various Indian tribes, for the year 1837, coming up; and the ques-

tion being on concurring with the committee of the whole in the amendments made thereto,

Mr. *Cushing* addressed the house at length in reference to the general policy of the government of the United States towards the Indian tribes.

After some remarks from Mr. *Everett* in relation to the manner in which the emigrating tribes had been removed; the failure on the part of the United States to comply with its treaty; and the frauds which had been committed upon them,

Mr. *E.* asked for the reading of a letter which had come under his knowledge, subsequent to the adjournment of the house last evening; and which was published in a paper that he had ascertained to be very respectable.

The letter is an extract from a gentleman in the west, and appears in an Arkansas paper. It refers to the removal of the Creeks by the contractors, to their destitute condition, their want of proper food and clothing; in consequence of which, many of them fall behind the main body, and perish; and represents the scene as one to which no portion of American history can furnish a parallel.

Mr. *Parker* complained of the entire want of specific appropriations apparent in this bill, as compared with the bills of previous years; and thought that one way to secure the effectual fulfilment of the treaties with the emigrating Indians would be to specify the particular amounts of money, and the objects to which they should be applied. He moved to commit the bill to the committee of ways and means, with instructions to modify and amend the same by striking out the general appropriations made therein for the several tribes or nations of Indians, and inserting in lieu thereof specific appropriations, and the specific purposes for which the money was required and said to be due by the estimates, and to which it was to be applied.

And, on this motion, Mr. *P.* called for the yeas and nays.

Mr. *Lawler* was opposed to the recommitment of the bill, and was of opinion that the estimate was so perfectly plain in all its details, that any amendment which might be necessary could be made in the house. He replied to the remarks of Mr. *Everett*, and contended that the Creek Indians, by their repeated acts of hostility, virtually annulled the treaty which had been made, and operated a forfeiture of that protection from the United States, which they would otherwise have received. In relation to the statement which had been read from an Arkansas paper, the details therein set forth must come in a more authenticated form than in the columns of a newspaper, before he, (Mr. *L.*) or the house, or the country, would give credit to them.

Mr. *Holsey* resisted the motion to recommit, and a long debate followed. The house refused to sustain the motion of Mr. *Parker*, and concurred with the committee of the whole in the amendments; and the question recurring on ordering the bill to be engrossed.

Mr. *Williams*, of N. Carolina, moved to amend the bill, by adding the following as an additional section: "And be it further enacted, that no Indians shall in future be removed by contract from the east to the west side of the Mississippi river."

After a few remarks from Mr. *W.* in favor of the amendment, and Mr. *Haynes*, in opposition to it,

Mr. *McKim* moved the previous question; which the house seconded.

And the main question was ordered to be now taken.

Mr. *Parker* called for the yeas and nays on the main question; which were refused.

And the main question being on ordering the bill to a third reading, was taken, and carried.

And the bill was ordered to be engrossed for a third reading to-morrow.

On motion of Mr. *Cambreleng*, the house resolved itself into a committee of the whole on the state of the union, (Mr. *Casey* in the chair), on the bill making appropriations for the support of the army for the year 1837.

Mr. *Cambreleng*, under the direction of the committee of ways and means, reported a series of amendments making appropriations for certain items in the ordnance department, &c. which were agreed to.

And, no other amendment having been offered, the bill was laid aside.

The committee refused to take up the bill making appropriations for certain fortifications. It then rose and reported the army bill to the house, when the amendments of the committee of the whole were concurred in, and the bill ordered to be engrossed for a third reading to-morrow.

Several motions were made and rejected, to suspend the rules with the view of taking up bills not in order. Mr. *Cambreleng* moved that the house adjourn, but withdrew the motion at the request of

the speaker, who presented several executive communications—After some other business of minor importance had been transacted, the house adjourned.

THURSDAY'S PROCEEDINGS.

In the senate. Mr. *Nicholas* presented the credentials of the honorable *Alexander Moulton*, senator elect from the state of Louisiana, vice Mr. *Porter*, resigned.

Mr. *Moulton* then appeared, was qualified, and took his seat.

Mr. *Buchanan* presented the petition of the inhabitants of Pottsville, in Pennsylvania, protesting against the repeal of the duty on coal.

Mr. *B.* said he might take an opportunity to express his opinions on the subject, but he disapproved of the practice, and he might hereafter have an opportunity of giving them if the bill from the committee on manufactures should be taken up. It might not be so imperative on him to do this as the committee on finance had not reported in favor of any reduction of this duty.

After several petitions and resolutions had been disposed of, the senate resumed the subject which had occupied them to a late hour yesterday, which was the bill to restrict the sale of the public lands to actual settlers. Yesterday was occupied in a series of amendments, some of which were adopted, and others not; an account of all which will appear in due time. This day Mr. *White* (of Tennessee) brought forward a substitute for the whole bill, (after the enacting clause), containing the three leading principles of pre-emption, graduation and taxation; which he argued at length. It was opposed by Mr. *Walker*, and warmly advocated by Mr. *Sevier*; when, about four o'clock, without coming to any action thereon, the senate adjourned.

In the house of representatives. Some time was spent in the reception of reports and in the consideration of bills for the relief of individuals, after which Mr. *Cambreleng* asked the consent of the house at this time to take up, on their final passage, the two engrossed bills making appropriations for the current expenses, &c. of the Indian department, and for the support of the army, for the year 1837; but after a brief discussion of a point of order, the house refused to suspend the rules—yeas 113, nays 74, not two-thirds.

On motion of Mr. *Cambreleng*, the house, by general consent, took up, on their final passage, the engrossed bills before-mentioned.

The bill making appropriations for the support of the army for the year 1837 was read a third time and passed.

The bill making appropriations for the current expenses of the Indian department, &c. having been read a third time, and the question being on its final passage—

Mr. *Grennell* arose and addressed the house against the passage of the bill. He commented at length on the system of removal, the abuses to which it was liable, and the abuses which actually existed, and contended that every consideration of policy, justice, and humanity demanded a change. Mr. *Alford* replied to Mr. *G.* and defended the measures that had been adopted for the removal of the Indians, and stated that the Creeks, about whose destitute condition so much had been said, were better or fully as well clad as any ladies in Washington. Mr. *Grennell* replied to Mr. *A.* after which the question was taken and the bill passed.

The rule having been suspended, the house took up the navy appropriation bill, but before a final decision was had the house adjourned.

DEFENCE OF MAJOR GEN. SCOTT.

Reported for the National Intelligencer.

MILITARY COURT OF INQUIRY.

Frederick, (Md.) Jan. 20.

Present, Major gen. A. MACOMB, president.

Brig. gen. ATKINSON, } associates.

Brig. gen. BRADY, }

Capt. S. COOPER, judge advocate.

The PRESIDENT having announced the court in readiness for business, general SCOTT rose, and requested the reading of three letters directed by him to the secretary of war, upon the subject of a court of inquiry. After which—

Gen. SCOTT addressed the court as follows:

Mr. President, and gentlemen of the court:

When a doge of Genoa, for some imaginary offence, imputed by Louis XIV, was torn from his government and compelled to visit France to debase himself before that inflated monarch, he was asked, in the palace, what struck him with the greatest wonder amid the blaze of magnificence in his view? "To find myself here!" was the reply of the indignant Lescaro. And so, Mr. President, unable as I am, to remember one blunder in my recent operations, or a single duty neglected, I may say, that to

find myself in the presence of this honorable court, whilst the army, I but recently commanded, is still in pursuit of the enemy, fills me with equal grief and astonishment!

And whence this great and humiliating transition? It is, sir, by the fiat of one who, from his exalted station, and, yet more, from his unequalled popularity, has never, with his high displeasure, struck a functionary of this government—no matter what the office of the individual—humble or elevated, who was not from the moment, withered in the general confidence of the American people. Yes, sir, it is my misfortune to lie under the displeasure of that most distinguished personage. The president of the United States has said: Let general Scott be recalled from the command of the army in the field, and submit his conduct in the Seminole and Creek campaigns to a court for investigation—and lo! I stand here to vindicate that conduct, which must again be judged, in the last resort, by him who first condemned it without trial or inquiry. Be it so. I shall not supplicate this court, nor the authority that has to review the "opinion" here to be given. On the contrary, I shall proceed at once to challenge your justice to render me that honorable discharge from all blame or censure which the recorded evidence imperiously demands. With such discharge before him, and enlightened by the same mass of testimony; every word of which speaks loudly in my favor—the justice of the "commander-in-chief of the army and navy" cannot hesitate. It must acquiesce; and then, although nothing may ever compensate me for the deep mortification I have been recently made to experience, I may hope to regain that portion of the public esteem which it was my happiness to enjoy on past occasions of deep moment to the power and glory of these United States of America.

I. The failure of (my) Florida campaign.

Permit me here, Mr. President, to offer a preliminary remark: If by failure the common idea of disaster, defeat or repulse be understood, then that term does great injustice to me and the brave regulars and volunteers whom I had the honor to command.

Sir, we suffered no defeat, check or repulse.—The enemy encountered by the several columns and detachments, were, in every instance beaten, driven and scattered beyond the reach of possible pursuit; and if we had chosen to imitate, in our reports, the example of many others engaged in similar operations, we might, no doubt, have figured much more largely in the public journals. But, in every instance, as far as I know or believe, though our affairs were numerous, and not deficient in danger and brilliancy, we always declined substituting imagination and conjecture for ascertained facts.—Perhaps, by the discoveries of history, the high reputations gained, before and since, by the arts alluded to, may, in time, be brought down to the humble level of myself and companions.

It is true, sir, that we did not succeed in sending off the great body of the Seminoles to the west of the Mississippi. In this object, ardently desired by all, there was certainly a failure, and the same thing may be said of the summer and autumn campaign which followed, although the commander or commanders—for it seems there were two, governor Call and general Jesup—had the benefit of the knowledge of the country and the enemy, acquired by previous operations; the benefit of the roads recently opened; the plans which had been essayed and suggested; longer time for preparation and operation; an auxiliary Indian force, which was denied me, and, above all, the power of inviting the enemy to surrender, and of holding negotiations.

With this great power, Mr. President, I was not armed. My instructions were to reduce the enemy to UNCONDITIONAL submission; to hold no parley, no negotiation—not even to say, as the price of surrender, that kind treatment might be expected, much less that the beneficial stipulations in the last treaty in favor of those Indians should be carried into execution by the United States; because, sir, any such assurance, on my part, would have been a condition.

Have my successors in Florida the "diplomatic" faculty that was withheld from me? If the letter-writers in the newspapers are to be believed, that faculty has been either expressly conferred, or usurped with impunity. It would seem that wheedling messages have been sent to the enemy by every body, from the two commanders down to a captain. Still, no great result has been obtained, and now another or winter campaign has been for some time on foot; the sole director of which, besides all the advantages over me which have just been enumerated, has had, from the beginning, the further prospect of ending the war by the failure of the enemy's ammunition, and the known want of long perseverance on the part of all Indians.

But notwithstanding all those advantages it would seem that, up to the last dates, not a Seminole had been sent out of Florida since I caused four hundred

to be shipped from Tampa Bay. These, it is true, were called *friendly* Indians; yet, if it had not been for the awe inspired by the presence of the army, and some little decision on my part, this detachment would long ere this have been merged in the great body of the nation.

But to take up my personal movements, my arrangements, and operations in the chronological order.

Being in Washington in January, 1836, on other duties, I was on the 20th sent for by the secretary of war. I found him in his office at 4 o'clock, P. M. I was asked when I could set out for Florida, and answered, that night. I was told that my instructions could not be got ready for me so early.—All the letters (four in number) from gov. Eaton and general Call, dated the 8th and 9th of the same month, and now in evidence, had, I think, been just received. I foresaw at once all the difficulties and hazards of the service which was thus assigned to me, and an immense pecuniary loss that I should inevitably sustain if not in New York in a week from that time. I had, moreover, the highest confidence in the judgment and abilities of general Clinch, independent of his better knowledge of Florida and of the enemy to be combated. I mention these circumstances, Mr. President, to show that I did not *solicit* to be sent to supersede that excellent officer. I was not, however, as a soldier, at liberty to decline any appropriate duty that might be required of me, and, of course, did not *decline* this. Accordingly, I left Washington in the night of the 21st, and, notwithstanding an accident on a rail road, by which I lost twenty-four hours, this court will find me addressing a requisition to the governor of South Carolina on the 29th from Columbia, and at Augusta the 30th.

At this place my occupations were numerous and important, as my letter book, the contents of which are mostly in evidence, will show: requisitions for troops addressed to the governors of South Carolina, Georgia and Alabama; letters to the governor of Florida, to generals Eustis and Bull, col. Lindsay, &c. &c. besides horses and wagons purchased for the United States cavalry and the general baggage train.

On the 2d of February, it has been seen that I set out for Milledgeville, in order to confer with the governor of Georgia, according to my instructions, on the subject of the Creek Indians. Having adopted precautionary measures in relation to the latter, I returned to Augusta, and reached Savannah the 9th.

Here, again, I was incessantly occupied in regulating, by correspondence, the movements of the troops, and making other arrangements for the campaign, till the 20th, and might have been usefully there so engaged for a week longer; but wishing to be nearer to generals Clinch and Eustis, with a view to more rapid communications, I reached Picolata on the 22d of February.

At this time gen. Clinch was at Fort Drane, with about 500 regulars and volunteers, unmolested by the enemy, but not in strength to take the field with any prospect of advantage. I had written to him from Savannah, and he knew of the heavy reinforcements which were approaching. Two companies of Augusta volunteers, under captains Robinson and Bones, had already reached Fort Drane, and are included in the above force. These two companies did not, strictly, make part of the Georgia quota.

Gen. Eustis, col. Brisbane's regiment of South Carolina foot, and a company of Columbia volunteers, under captain Elmore, all arrived, by water, at St. Augustine about the 15th. This independent company (Elmore's) was over and above the quota called for from South Carolina; but, like Robinson's and Bones', it went through the campaign with zeal and distinction.

With the volunteers under his command, and a few companies of regulars, gen. Eustis soon gave tranquillity and confidence to all the inhabitants between the Atlantic and St. John's, whose dwellings and other fixtures had not been previously destroyed. No devastation was committed after his arrival.

The first battalion of Georgia foot, under major Cooper, had also preceded me a few days. I found it at Picolata, with a company of regulars, and col. Bankhead in the command of both.

It was my intention, Mr. President, to have remained but a few days at Picolata, merely long enough to organize the service, to give a fixed plan of campaign, and, on the arrival of some additional troops, wagons, horses and arms, to have commenced operations. The court has seen, in part, what embarrassments kept me there no less than fifteen days.

The 22d of February I received, through general Clinch, the letter to him from gen. Gaines, dated at New Orleans the 2d of the same month, proposing a plan of co-operation between the two generals; which letter confirmed the previous rumor, that a large force was to be expected at Tampa Bay from New

Orleans, and to this letter there is a postscript, by gov. Eaton, saying that a battalion of 250 Floridians would sail in two days from St. Mark's, for the same destination. To prevent too great a concentration of troops at Tampa, I instantly, by express, desired gov. Schley to keep at home the second battalion of Georgia foot that was about to proceed by the Chattahoochee, Appalachicola, and the gulf to that point. Fortunately my letter reached his excellency just in time to prevent the movement. That battalion was discharged; and but that it was too late, I should have taken a similar step in respect to the Alabama regiment, which col. Lindsay had received my instructions to raise and conduct to Tampa.

To show the apprehensions which gen. Gaines' letter excited in me at the time, and the temper in which I spoke of his movement, I beg leave, Mr. President, to embody an extract of my letter to gen. Clinch, dated the 25th of February:

"The movement from New Orleans, although highly worthy of praise, under the circumstances, [the massacre of Dade's detachment, and general Gaines' necessary ignorance of the measures of government], may, if it should lead to a premature advance from Tampa, be productive of a result the most unfavorable. If the advance, for example, should fail to crush the enemy, and terminate the war—and, without mounted men, I suppose such result can scarcely be hoped for—the enemy may be scattered and put upon his retreat to the south east. To follow him, in such retreat, might be almost impracticable, and to prevent the escape in that direction, col. Lindsay has my instructions in detail."

The court has seen, Mr. President, how soon those prophetic apprehensions were accomplished! Of course, I had not the time to communicate with gen. Gaines and col. Lindsay, to whom my instructions had been addressed, arrived at Tampa after the advance of that general.

The very next day, after the above was written, and whilst I was in the act of reporting to the adjutant general, for the information of government, among other difficulties, the means I was devising for sending further supplies to Fort Drane, I received from gen. Clinch a letter enclosing one from general Gaines, showing that the latter was actually at Fort King on the 22d, where he arrived without subsistence, and instantly, as Clinch reported in his letter, called for "nearly all the provisions at Fort Drane, intending, with that supply, to return to Tampa, across the Wythlacoochee, near the battle ground of the 31st December! I shall, in the sequel, notice the evidence which shows that general Gaines knew at Pensacola that I had been ordered to Florida, and that he learned of gen. Clinch, before leaving Fort King, that I was soon expected, and with large reinforcements.

Before the receipt of those despatches, I knew that there were, at Fort Drane, about 20,000 rations for men, and expecting to send thither and to Fort King, in a few days, by wagons and boats, (through the Ochlawaha), two or three times as many rations, I had, on the 24th, put major Cooper's battalion of Georgia foot in march to join gen. Clinch, intending to follow with the first company of mounted men that might arrive, and one was then daily expected. Those means of land and water transportation, however, not being as yet at hand, all hope of early operations was now frustrated, and I was obliged to recal major Cooper's battalion, then distant two days' march over a wretched road, as it was easy to subsist the battalion on the St. Johns, and infinitely difficult to do so at Fort Drane.

The same embarrassment (the arrival of the troops at Fort King from Tampa) caused me to issue the order No. 4, and to write the letters of February 26, and March 1st to gen. Clinch. He, however, had no means of sending either of those papers to gen. Gaines, who, I think, had marched from Fort King, (twenty miles from Fort Drane) on the 25th of February. March 2d, I learned with great distress that the Ochlawaha could not be used for transporting supplies.

From a few months' disuse, this narrow, crooked, and shoaly river had become obstructed by fallen timber, and the Indians had, at Payne's landing, near Fort King, destroyed the peculiar boats expressly constructed for that navigation. We were now reduced to the necessity of using only land transportation for about seventy tons of supplies, and over bad roads, and I had not ordered all the wagons and horses which I should have required, but for a reliance, to some extent, on that river.

A summary of my embarrassments in respect to the means of transportation, the court will find in the fifth paragraph of my letter to the adjutant general, dated March 9th. Of the ten or fifteen wagons therein mentioned, and which I learned, officially, at Savannah, were ordered to be shipped from Baltimore, by the quartermaster general, in January, it seems by the deposition of capt. Dim-

mock that two of them had reached Florida in February, six about the 11th of March, and two got to Savannah about the 4th of May.

As early as the 26th of February, I had, however, requested gen. Clinch to send down all the means of land transportation he could command. The train sent arrived at the point opposite to Picolata the second of March, was loaded with about 16,000 rations, and other essential supplies, and despatched for Fort Drane the 6th. The delay in this operation was caused by the width of the river, and the violence of a long storm, which rendered it hazardous, and, a part of the time, impracticable, to pass over the supplies to the wagons. The train was slightly augmented by wagons and horses which had arrived principally from Charleston, via St. Augustine.

As a proof of the extreme tempestuousness of the weather, major Gates, with a battalion of three companies of regulars, was, at this time, more than eight days in coming from Savannah to Picolata, in a good steamer, which ordinarily made the trip in less than three days.

A company (Kenan's) of Georgia mounted men arrived opposite to Picolata the 26th of February. With this company I had intended to march immediately to Fort Drane; but, with the exception of its gallant captain, 2d lieutenant Huson, and (I think) nineteen men, it refused to be mustered into the service of the United States, and returned home. Four other companies of the first battalion of Georgia horse arrived about a week later. One of them, (Allen's) with the exception of two or three privates, followed the example of Kenan's company. Douglass', Malone's and Sweeney's, from the first, showed better dispositions. These only I was enabled to see, having at the hazard of life, crossed the river in the storm for that purpose; when, after a short harangue, every man came under the rules and articles of war with loud cheers. The well disposed men, both of Kenan's and Allen's, generally joined those companies which entered the service, and it is due to the disaffected of Kenan's to say that, having seen their error, every man, I believe, nobly served in the subsequent campaign (against the Creeks) under captain Gaither. It is probable that many of Allen's men did the same.

The 2d of March, I received, through general Clinch, general Gaines' letter to him, dated the 29th of February, and not another word did I hear of the troops with the latter general till the 9th of March. During this interval—nay, from his arrival at Fort King, the state of my mind, or generally my embarrassments may be inferred from the efforts to hasten the train loaded with subsistence, and from my orders and correspondence, which are in evidence, on the subject of gen. Gaines' movement.

The 26th of February, I wrote to gen. Clinch—"I have heard with equal astonishment and regret that major general Gaines, without reference to my movements, perhaps in ignorance, possibly in defiance of them, should have made a premature movement from Tampa Bay, and, having arrived within twenty miles of Fort Drane, should have called for nearly three-fourths of the subsistence in deposit at that place, and on which I had relied for the movement of the right wing, in concert with the other parts of the army."

"To remedy this unexpected embarrassment, I send you two copies of orders No 4, one of which you will despatch to the commander of the detachment from Fort Brooke, (Tampa Bay) whoever he may be with all speed, and limit the subsistence called for from Fort Drane according to the intention of those orders."

"Major general Gaines, I presume, will have heard of the order which ought to take him to the Mexican frontier; if he should prefer to remain, he must obey my orders."

Order No. 4 (of the same date) directs that general Gaines' detachment should remain at Fort King until further orders; that current subsistence only should be issued to the detachment; directs that the peculiar boats, believed to be at Payne's Landing, should be sent to Picolata, (or to meet a steamer at the mouth of the Ochlawaha,) to receive subsistence; if the boats could not be sent, the troops were to march without delay, to Volusia, on the St. John's whither 20,000 rations were about to go up in a steamer; and the detachment was enjoined not to attempt any offensive movement, except so far as might be necessary to carry into execution those my orders.

March 1st, I again wrote to general Clinch: "I regret in every point of view, the premature and unauthorized movement from Tampa Bay, by that general, [Gaines], and the very awkward and responsible position he has placed himself in by his subsequent march from Fort King." "in any event, the responsibility of his movement, or

actual position, is his own; for he must have known as early as the 10th ultimo, if not before, that I had been charged with the general direction of the war in Florida, and that, by interfering, he constituted himself an interloper. Even if you had sufficient stores and means of transportation, I should command you to send no subsistence to him, unless to prevent starvation; but you have neither. Let him, therefore, in time extricate himself from the embarrassment he has placed himself in by marching upon Volusia, where I have no reason to doubt that 20,000 rations, sent hence, on the 27th ultimo, have safely arrived. As he appears to have his retreat open to him, or, in no peril, to prevent his taking that step, you, of course, will make no detachment to join him."

This letter is an answer to one received by express and which enclosed general Gaines' communication to general Clinch, dated the 28th of February.

In a third letter, that I caused to be addressed to general Clinch, March 2d, he was told: "If major general Gaines should fall back upon Fort King, or Drane, it is presumed that he will proceed to execute the orders of the government, which will carry him to another quarter. In that event, you will be the senior officer, and I am instructed by major general Scott to say that you are at liberty to detain the troops from Fort Brooke (Tampa) at either of the forts mentioned—Drane and King. Subsistence will reach you in five or six days."

A fourth letter on this subject, in part, was addressed by me to gen. Clinch, dated March 4th, in which it is said:

"I still presume that major general Gaines will be obliged to fall back upon Fort Drane, which increases my anxiety to send the wagons, with some additions, loaded. I would prefer, much, that the force brought with him were back at Tampa Bay, or, rather, that it had not marched from that place; provided that the movement fails to crush the enemy or to terminate the war. The worst result, next to the loss of that fine body of men, or a third of it, would be the mere success of driving the enemy into the lower country, where, I suppose, it would be almost impossible for us to follow; I mean, below the waters of Charlotte harbor. Hence my indignation that an isolated attack should have been made, from your vicinity, well calculated to produce that result, and at a time when you knew, and major general Gaines must have known, through you, (and before), that my plan, with ample means, was to move simultaneously upon the Wythlacoochee, in three columns—from Tampa Bay, the upper crossing on the Ochlawaha, and Fort Drane; so as to make it impossible for the enemy to escape into the lower country."

"I have not yet supposed that maj. general Gaines has not his retreat, upon Fort Drane or King, perfectly in his power. On account of subsistence, if he can cut his way through the enemy of Tampa Bay, I much prefer that his force were there; and when I wished him to march, or send that force to Volusia, it was because it could be infinitely more easily subsisted there than at Fort Drane. Should he, however, be in any difficulty in operating a retreat from the Wythlacoochee, I certainly wish you to afford him any succor that the slender means within your reach may allow; and this, doubtless, you would render without any special permission to that effect. If the force return to Fort Drane or King, it must be subsisted for at least five or six days upon means derived from this place, [Picolata], whence I now prefer that it should become a part of the right wing, [your command], rather than take that quantity of subsistence, [from you], and march back to Tampa Bay."

And, finally, I caused a fifth letter to be written to gen. Clinch, March 6, in which will be found this paragraph:

"Major general Scott is exceedingly anxious to hear the result of the operations on the Wythlacoochee. The last intelligence from that quarter (through you) was only to the 29th ult."

My reports on the same subject, addressed to the adjutant general for the information of government, dated at Picolata, the 26th and 28th of February, March the 2d and 6th, are to the same effect, all showing the embarrassments and delay which the isolated movement from Tampa upon Fort King and the Wythlacoochee caused in my plan of combined operations.

In the notes of the 28th of February, after recapitulating many of the facts already brought into view, among them the arrival of gen. Gaines at Fort King with 1,140 men, without bringing more rations than sufficed for his march, although he came from Tampa, where the amount of subsistence was great, after noticing his having drawn from Fort Drane nearly all the food for men collected there, together with the baggage train necessary

to transport that subsistence to him at Fort King, and which train, in the whole, had been required at Picolata to take further supplies to Fort Drane, the point the most difficult to supply in or about the whole theatre of operations, I add:

"It will be seen from the foregoing, that, to re-establish my plan of campaign, viz: to move simultaneously from Fort Drane, (or Fort King), from Volusia and Tampa, say about the 8th of March, the great difficulty will be to send supplies for the right wing, [Clinch's command], and the bad road from Picolata to Fort Drane, 65 miles, has, by a heavy rain, which has now been falling 46 hours, been rendered infinitely worse."

In the report of the 2d of March to the adjutant general, I said:

"By reference to the map, it will be seen that, even if major general Gaines could succeed in driving the enemy from the Wythlacoochee, there is no force to prevent the retreat below Charlotte harbor, or to any point in the lower [part of the] Peninsula. A small guard only was left [by him] at Tampa; col. Lindsay will not be in position in time, and gen. Eustis cannot cross the Ochlawaha earlier than the 13th or 15th instant. The retreat, it will be seen, is therefore open to the Indians. In this point of view then, it would be better for the public interests that the Indians should drive general Gaines, than that he should drive them. The war, in fact, would be forwarded by his being forced back upon forts Drane and King. In truth, according to his own showing, he ought to have fallen back on the evening of the 28th, or the morning of the 29th [of February]. The lives which he has lost have promoted no end. He must, I think, still fall back, and I wish to heaven that it may be without further loss. Brig. gen. Clinch, from his present want of wagons, can send him no efficient aid, and the wagons cannot be back [from Picolata] in four or five days. If the force with major general Gaines were now back at Tampa Bay, it would be in its true position; but he cannot retreat thither, for it will be seen by his letters [enclosed] that he has not the means of passing the river [Wythlacoochee]. He found the enemy where all my arrangements presumed the enemy would be found, and in the position the most favorable to us."

And on the 6th of March, I again write to the adjutant general, on the same subject, thus:

"No intelligence has been received of the movements of maj. gen. Gaines, of a later date than his letter of the 29th ultimo, a copy of which has been forwarded. He cannot, therefore, have marched upon either Fort Drane or King, or have fallen back upon Volusia. In either case, I should, doubtless, have received a further report of him from brig. gen. Clinch. It may then be hoped that he has beaten the enemy, or at least have succeeded in effecting his return to Tampa Bay. In this state of doubt and anxiety, I know not how long I may have to remain. Yet it is important that I should speedily learn what has become of his column; and particularly whether the position and number of the enemy have been materially changed by its operations."

"I send no more troops for the present to Fort Drane, on account of the difficulty of subsisting them there. If maj. gen. Gaines shall not fall back on that point, it will be indispensable to wait for captain Wharton, [with his company of United States dragoons]. In the mean time it is easy to subsist the forces here and at Gary's Ferry."

The 9th of March I reported to Washington as follows: "I have just set out for Fort Drane via Gary's Ferry, on Black creek, [just established as an army depot] with two companies of regulars, [foot], and intending to take with me from the latter place the small battalion of mounted Georgians (heretofore mentioned) under the command of maj. Douglass. Lieutenant colonel Bankhead is at the head of the first detachment, and the two together may make a total of about 240. But even this small force may be important to rescue maj. gen. Gaines. I had not received the slightest information of the operations on the Wythlacoochee (official or otherwise) of a later date than the 29th ultimo, up to this morning, and had concluded that he had effected his march with more or less success against the enemy upon Tampa Bay, when at daylight, the steamer that I am now in arrived, and brought the rumor, which is confirmed by the two accompanying notes from paymaster Lytle, received about six hours afterwards. On the reception of the rumor I immediately commenced preparations for this movement; but being delayed by the necessity of unloading and relading the boat, I am now at anchor at the mouth of Black creek. I hope to put the troops in march from Gary's Ferry early in the day of tomorrow, and to reach Fort Drane with a small escort the day following. It is possible that even these little detachments of horse and foot may reach

the Wythlacoochee in time to render a valuable service."

The parts of major Lytle's notes relative to this subject are: on the 5th of March he writes to me, "I have been directed by general Clinch to inform you that your communication of yesterday's date reached him at this place [Fort Drane] after he had mounted his horse and was on the move with the forces under his command, to escort supplies to general Gaines." * * * "Colonel Gadsden arrived here from Tallahassee on the 4th, (yesterday), and accompanied general Clinch this morning to the Wythlacoochee." And major Lytle says, "on the 8th, by direction of general Clinch I opened your communications of the 6th instant, which arrived late last night in advance of the wagons, [from Picolata, loaded with subsistence, &c.] You will perceive by the letter of the 5th, that general Clinch, with all the forces at his post, and one hundred mounted men from the vicinity, had left for the Wythlacoochee to escort a small supply of cattle, ammunition, &c. to general Gaines, having received the night before a third express from that officer. No word has been received from either of those generals since the 5th." * * *

"N. B. The amount of general Gaines' last express to general Clinch, dated the 3d instant, was merely copies of his previous letters, with a note stating that the Indians were still around him, but little or no fighting had taken place since his last communication;" that, it is presumed, of the 29th of February.

I beg the court to observe that those two notes of major Lytle, as has been shown in evidence reached me "at the same moment" at Picolata, about meridian, on the 9th of March.

I shall proceed to give further extracts from my report to the adjutant general of the same date, (March 9th).

"I am aware that the movements I am making may be condemned, if regarded in any other light than a *rescue*, as premature. In war, one false step drags after it many others. General G. made an isolated and unprovided movement. He arrived at the Wythlacoochee without boats, and without tools to construct them; without the means of transporting wounded men, and with limited subsistence. General C. was soon obliged to march to succor him, and I followed, under the impression that I might have to rescue both. Colonel Goodwin's mounted regiment [of South Carolinians] only arrived at St. Augustine last night, (or this morning), and consequently the *left* wing [general Eustis' command] cannot be in force on the Ochlawaha, in the direction of Pelakkehaha, earlier than the 17th, or up with the enemy before the 20th instant. Colonel Lindsay, who may already have arrived at Tampa Bay, cannot operate more than two days march from that place, from the want of the means of transportation—major general Gaines having taken away the horses which were there; and the basis of the right wing [Clinch's command] is merged in the force brought by that general [Gaines] into the field, and must participate in his success or failure. If it falls back with him on Fort Drane, it must suffer great loss, and if it follow him to Tampa Bay, it [the basis of the right wing] will be wholly out of position."

"In this, and even in a greater state of uncertainty, I have been held since the 26th ultimo.—The day after, I ordered back major Cooper's battalion of Georgia foot, to prevent starvation at Fort Drane; and though daily, from that time, in the expectation of receiving from Savannah horses and serviceable wagons, not one has arrived. The quantity of subsistence that will be at Fort Drane, say to-morrow, will only be that sent from Picolata on the 6th instant, viz: 17,497 rations of bread and flour; 11,000 rations of pork, (with beef-cattle in the neighborhood), 8,000 rations of beans, some coffee, vinegar, &c. &c. and the troops now about to proceed [with me] perhaps as far as the Wythlacoochee will not have the means of taking with them rations for more than six days [extra]."

"I beg leave to recapitulate the causes of my great deficiency in means of transportation: 1. The wagons and horses which I knew brigadier general Clinch to possess early in February have been more broken down by hard service and bad roads than I had expected to find them. 2. I had, upon what was considered in Georgia, and even at Picolata, the best information, confidently relied upon the use of the Ochlawaha, as late as the 2d instant. 3. No bacon has arrived, and the difference between it and pork, including wood and brine, is fifty per centum against the latter. 4. The [two] horse wagons purchased at Charleston and Augusta, by assistant quartermasters L'Engle and Peyton, are generally poor, and many of them unserviceable. 5. The six or ten wagons actually reported to have been shipped at Baltimore, in, I think, the

Arctic, with major Gates, were all left behind. 6. Of the 19,000 rations, known to be at Fort Drane about the 25th ultimo, nearly the whole have been drawn by a force not expected by government or myself to appear in that quarter; and 7. Not a horse for the baggage train, left by me at Savannah, or which I have since ordered to be purchased by assistant quartermaster Dimmock, has arrived in Florida."

"Instructions have been left behind me to send forward rations, should the means of transportation arrive in time and the troops already in the neighborhood of Picolata—major Cooper's and the remaining company of major Gates' battalion. I have also desired brigadier general Eustis to order to Fort Drane two companies of colonel Goodwin's regiment, and a further order will go back in this boat to lieutenant Dimmock, on the subject of horses and wagons."

"Some rifles and the tents arrived this morning at Picolata; but colonel Goodwin's regiment had marched, through six or eight storms, without cover, and now all companies in march are to be reduced to three tents each."

The following is the *postscript* to the foregoing report:

"Please remark that, in his letter to brigadier general Clinch, dated at New Orleans, the 2d ultimo, major general Gaines speaks of 'an efficient co-operation,' promises to be 'in readiness,' at Tampa Bay, by the 8th of the present month, (February) to form a junction at or near that place, with your (Clinch's) command, whenever, and as soon as, in your judgment, your force shall be sufficient to justify the movement, and concluded by saying—'A sufficient quantity of ammunition and provisions has been transported to Fort Brooke [Tampa] to divide with you, until further supplies are received. Yet he did not wait till the brigadier gave notice that he was 'in force;' came to Fort King, and swept nearly the whole of the subsistence collected at Fort Drane. A copy of that letter is in your [the adjutant general's] office, and I now enclose one from governor Eaton, from which it will appear that major general Gaines knew, at Tampa Bay, about the 14th ultimo, that I had been charged with the direction of this war. He first heard this at Pensacola, and received governor Eaton's despatch at Tampa, as I can establish. Hence his haste and neglect of the assurances given to brigadier general Clinch, his isolated attack," &c.

Mr. President—I am not, nor desire to be, the prosecutor or accuser of major general Gaines, either before this or any other court; nor before the public. In respect to the latter tribunal, I have not published, nor caused to be published, a word against any human being whatever, or even a word in self-defence, since, at the latest, I was ordered to Florida, unless, indeed, two simple notes of explanation may be regarded as exceptions; the first in May last, on the subject of a term hastily, and, I may say, accidentally, applied by me in an official report to the volunteers I then had the honor to command; and the second, written for publication a few days past, repudiating certain language which I saw myself reported as having applied, before this court, to a high political functionary. If many of my official reports, written in the field, and transmitted for the information of government, have, at Washington, been printed in whole, or in part, the act was done, in every instance, without my knowledge, or the expression of the slightest wish to that effect. The officers of my staff, sir, so far as I know or have seen, have been equally silent.

And what outrages have I not suffered from the publications of others during this period of silence? I shall speak in this place only of major general Gaines. I complain not that he and his staff should occasionally fill up a column or two of the newspapers in praise of the hero of Camp Izard. But what right or justice was there in the outbreaks against me on the part of that chief, on the Wythlacoochee, at Tallahassee, Mobile, and I know not at how many other places? All these effusions of spleen, whether in the form of orders, speeches or letters, have been carefully obtruded on the public. I have heard of many of those melancholy exhibitions, but have only read one—the order of the 9th of March, turning over the immediate command of the troops on the Wythlacoochee to brigadier general Clinch. It is, without any immediate agency of mine, in evidence before this court. In that paper I am very facetiously denominated "the officer charged with the diplomatic arrangements of the war department," approaching, as it is obliquely intimated, only to receive the formal surrender of that enemy whom he had, without a sortie, most strangely, but happily, conquered or subdued!

It has been seen, Mr. President, in every form, that this was a slight misapprehension, to which the enemy were by no means a party; and that no mi-

litary or diplomatic blunder of mine was necessary to resuscitate a war that had not then, nor has yet been terminated. It would be superfluous to quote the evidence. It abounds on the records of this court, and, what is worse, it yet abounds in unhappy Florida.

The judge advocate has read in evidence, furnished for this purpose by the war department, the official reports written by me at the time, for the information of government, in several of which major general Gaines' movements are mentioned. Those particular reports, in common with the others, it was my right and duty to make, being charged, at the time, by seniority of commission and special assignment, with the chief direction of the war against the Seminole Indians. Several passages of that part of the testimony have already been embodied in this summary, to show how far I was, in my plans and operations, hindered, crippled or defeated by the movements of that general. Without departing from the strict line of defence that I have prescribed to myself, and which, no doubt, this court would otherwise have imposed, it remains for me to show that major general Gaines, in his operations in Florida, so far as they embarrassed mine, constituted himself an intruder; that is, that he came into the field in his own wrong.

It has been seen Mr. President, in what terms of praise (in my letter to general Clinch of the 25th of February), I bore my humble testimony to general Gaines' movement from New Orleans, provided, that in violation of his express assurance previously given to Clinch, that he would wait for a junction with him at or near Tampa, it did not lead to a premature advance into the interior. But I then did not know the fact so cleverly disclosed in captain McCall's letter, republished in the *Army and Navy Chronicle*, ("whole No. 84") which has been verified, and is now in evidence.

Captain McCall was at the time with general Gaines, and his acting assistant adjutant general. He says in his letter, that "on the route, and within two days' march (by steam) of the Indian borders, he (general Gaines) received a notification that general Scott had been ordered to repair from the city of Washington to Florida, and to take command of the troops operating against the Indians in that quarter." At the same time, he [general Gaines] was informed that "the state of affairs west of the Mississippi might soon require his attention, if not his presence, in that quarter," and he was directed to "await further orders in the city of New Orleans."

The point "at two days' march by steam," from Tampa Bay, was evidently Pensacola, where, we know by governor Eaton's letter, above noticed [incidentally] that general Gaines touched, on his way from New Orleans to Tampa Bay. But the captain argues in the same letter, and, no doubt after general Gaines, that, had the latter, "obeyed the order [received at Pensacola] and by so doing left general Clinch in expectation of a promised co-operation, to extricate himself as he could from any difficulty into which the failure on the part of gen. Gaines in preconcerted movements might peradventure have thrown him, [Clinch] it is difficult to say whether the historian would have approved or condemned general Gaines." But we have seen, and I have probably already assigned the true motive, that the "promised co-operation" and "preconcerted movements" commencing with "a junction at or near" Tampa, was not observed by gen. Gaines.

The captain's letter continues—"and, without general Gaines, the volunteers [the Louisiana regiment] his principal force, were unwilling to proceed; for, before they left New Orleans he had pledged himself to accompany them whithersoever they went, and to stand by them," &c. &c. These again are evidently general Gaines' own pretexts for his intrusion.

First. The unwillingness of the Louisiana regiment to proceed without gen. Gaines to command it.

Finding at this place captain Thistle, who commanded a company in that corps in Florida, from some day in February, to the end of its term of service, I caused him to be interrogated on this point. To my third question he answered—"For my part, when I was raising the men for my company, I did not know there was such a man as gen. Gaines in the country. Col. Smith and [lieutenant] colonel Lawson I understood were to command. I speak only in reference to my own company, my own officers and men. When at Pensacola, I never heard any thing of the kind mentioned, nor did I ever hear there that general Gaines was about to leave us. When we got acquainted with general Gaines the officers and men were well pleased with him."

"Question 4. Did your regiment, as far as you know, obey with equal cheerfulness every officer of superior rank, whether of the regulars or volunteers?"

"Answer. They did so. I never heard the least murmur, neither among the officers or men, nor the first word of dispute. They were always ready to obey orders, both with the regulars and volunteers, from all officers placed over them."

The same disposition on the part of the regiment may be inferred from the letter of its commander, colonel Smith, to captain Shannon, dated at Fort King, Feb. 25th. In this the writer says:

"I find it is general Gaines' intention to go down to Tampa Bay by the scene of general Clinch's fight, and then to quit Florida. I would wish you to say to gen. Scott that, if he thinks my regiment can be of use to his operations, I would rather remain with it in Florida than go back without having seen a fight; though to tell the truth, I would rather have the fight before the grand army comes up. I should like, therefore, before we can be shipped back from Tampa Bay, to be ordered on some active duty by general Scott."

(Colonel Smith has been summoned as a witness, at my instance, but has not arrived.)

Who, Mr. President, would infer, from the spirit of this excellent letter, that the patriotic Louisiana regiment was a body of vassals, who only owed allegiance or service to a particular chief? or, rather, who would not affirm that it continued in the field to the last moment, and, in the language of captain Thistle, "always ready to obey orders, with regulars and volunteers, from all officers placed over them?"

(The deposition of Mr. Dyer, the commissary and quartermaster of the Louisiana regiment strongly supports what is said under this and the next head.)

The other pretext, as we learn from captain McCall's letter is—general Gaines had pledged himself to accompany the Louisiana regiment, &c.

It seems, from captain Thistle's testimony, that the corps was raised, in part, and that arrangements were in progress to complete it (no doubt by his excellency governor White) as soon as the news of the massacre of major Dade had reached New Orleans, and before it was known that general Gaines was in that part of the country. Colonel Smith's letter equally excludes the idea of a pledge. He speaks of general Gaines' intention of returning to Tampa, and thence embarking for New Orleans, and the wish of himself and regiment to remain.—The pledge, therefore, seems to have been a mere gratuitous flourish, made without any moving consideration, without acceptance, and without being known or remembered in the regiment. The troops, both regulars and volunteers, might very well have proceeded from Pensacola to Tampa Bay under colonel Smith, who was fully qualified to direct and command them. In this way, sir, I show that general Gaines came upon the theatre of operations as an intruder, and in his own wrong.

In my report of March 14th, I said, for the information of government, that "I have every reason to hope that the enemy remain nearly in the same position as before the isolated and, therefore, false movement of major general Gaines." An adroit and faithful negro spy, the same who had "been sent over the river" by general Gaines for a like purpose, was again despatched to ascertain the correctness of the impression so reported; but this spy never returned. We afterwards learned that he fell under suspicion, and was confined. The impression, however, was universal in the right wing, (with which I marched) up to its passage of the Wythlacoochee, as is stated by captain Thruston, the very intelligent chief of general Clinch's staff. This witness says: "I did not entertain a doubt myself that the enemy was still concentrated about the Wythlacoochee, where I believed, and think it was the impression of others who had the best opportunities of information, that the women and children were there placed by the enemy for security; that they would defend the passage of the river with all their force, as they had done when threatened by general Gaines," (and it might have been added, when previously approached by general Clinch—Dec. 31st) "I heard no other supposition than that there we should be resisted, and that there the principal battle would be fought. That impression continued with me and others, and I believe generally throughout the wing, until our advance had landed on the opposite bank. I will mention, in support of this opinion, the fact, that one of our men (a black wagoner) was cut off by a small party of Indians, said to be five, within eight miles of Fort Drane, on our first day's march."

According to my report, dated the 12th of April, and the testimony of captain Thruston, general Clinch's column, with which I marched to Tampa, passed the Wythlacoochee (that stopped general Gaines) with but little molestation; that we entered and scoured the Cove, the enemy's strongest hold, to its head, as we believed at the moment, and

without encountering a force of more than 130.—Indeed, in the whole period of my operations, as may be seen by the written reports made to me by Clinch, Eustis and Lindsay, and of mine to Washington, neither of those principal commanders, under me, at any time, met with a larger body of the enemy at any one place—that which attacked colonel Lindsay's column, on its last return to Tampa Bay, excepted, and which was estimated at about three hundred. By the term *principal commanders*, just used, I, of course, do not mean to include the officers who respectively commanded the two small posts established in the interior, denominated Forts Alabama and Cooper. These, from the enemy's perfect knowledge of his own most difficult country, and his consequent facilities of concentration, were reported to have been repeatedly attacked, and by several hundreds each time.

It has been further shown, in evidence, that the many columns and detachments under my orders traversed an immense space in a short period, and visited many of the enemy's favorite haunts and strongest holds, and I now read this passage from my report to Washington of the 30th of April:

"I am more than ever persuaded that the whole force of the enemy, including negroes, does not exceed, 1,200 fighting men. It is, probably, something less. Of that force, I am equally confident that not 500 have, at any time since the commencement of hostilities, been brought within the same ten miles square. In all our operations, within the last thirty days, [known to me], we have not found a party of probably more than 130; but parties of from 10 to 30 have been encountered almost everywhere. No Indian woman, child or negro, nor the trace of one, has been seen in that time. Those non-combatants, it has been evident to us all, have been removed beyond the theatre of our operations. They were, no doubt, even while the parley was going on with gen. Gaines, on the 7th of March, moving off to the south east, beyond Peas creek and lake Topkelika, and in that almost inaccessible region they are now probably concealed. That officer, it is said, caused Powell and his chiefs to be informed, by way of inducing them to accept the Wythlacoochee as a temporary boundary, that large armies were approaching, which would fill up the Indian country, and crush every thing in the way. The wily chiefs profited by the information, sent off their families, and dispersed their warriors into small parties. In this way, Powell expects to make good his threat, viz: that he would protract the war for three years."

Except on the supposition of this extract, how was I, Mr. President, to account for our not finding, three weeks after general Gaines, any considerable body of the enemy? He supposed himself to have been surrounded, in his breastwork, with his 1,000 or 1,100 men, by 1,200 or 1,500 warriors.—What had become of them? He certainly killed but few, and captured not one. Whence, then, the subsequent dispersion? My supposition is rendered more than probable by captain Hitchcock's letter to the hon. Mr. Lyon, M. C. dated Fort Drane, March 11, 1836, since published, and now in evidence. In this letter, the captain says, "a staff officer (himself) was, at Fort Izard, sent out by general Gaines to hold a parley or negotiation with the hostile chiefs," and "in the plainest language to tell them the exact truth as to the force ordered into the country to subdue them; that additional force was expected every day; that the time was near when every Indian found with a rifle in his hand would be shot down. This was communicated with such explanations as were deemed necessary to give it force," &c.

And what, sir, were the objects of that parley, or, "diplomatic" transaction? It seems, according to the published letters of captains Hitchcock and McCall, "that the Indians did not wish to fight any more, but they wanted him [general Gaines] to retire from the Wythlacoochee;" and, in the general narrative of captain Thistle, under a question put by the court, this witness said: "Captain Hitchcock and another officer (adjutant Barrow) went out and held a conversation with them [the Indians]; they inquired particularly as to our situation; whether we had provisions, and whether we had brandy and tobacco; they said they could supply us with provisions in abundance; that we could fish on the river bank, if we chose, and that they would fight no more if they were permitted to keep the opposite side of the Wythlacoochee, making that river the boundary."

Was this the language of a subdued people, humbly suing for peace? They had commenced the war without owning an acre of ground in Florida: they had ceded every foot. The time had arrived for their emigration to the west. Sooner than quit their natal soil, they had appealed to arms; they had massacred a detachment of a hundred men;

they had held their country, notwithstanding the gallantry of Clinch and his handful of troops on the 31st of December; they had even held general Gaines himself, with his strong and excellent column, penned up under their fire from the 27th of February; they had, in short, glutted their revenge, conquered the country up to the left bank of the Wythlacoochee, gained all they wanted, and felt themselves in strength to dictate the terms of peace. Hence the overture to make the Wythlacoochee the future boundary—to treat on the basis of the *ultimopossidetis*—each party to hold what it possessed; and, accordingly, we find capt. Hitchcock instructed to reply, on the part of gen. Gaines, "that if they would engage to cease from all acts of hostility, retire south of the Wythlacoochee, and promise to attend a council when called upon by the United States commissioners, they should not for the present be molested." Just at this critical moment, gen. Clinch arrived with the needed succor, and we hear of no farther negotiations!

Well, sir, general Gaines now left the theatre of operations. Near Micanopy he met colonel Bankhead's column coming up, and, as the latter has testified, said, "You may go on, colonel, there is nothing to be done now, it is all finished." His order of the 9th of March, boasting, among "the important objects" he had "accomplished," that "the principal force of the enemy had been beaten and forced to sue for peace," preceded or accompanied him. His progress towards Tallahassee and Mobile was one continued triumph. But, it may be asked, what had all this self-felicitation and those public gratulations to do with my operations? This, Mr. President, is precisely what I am about to show.

It will be remembered that two of the columns, those of generals Clinch and Eustis, of the army under my command, respectively, from Fort Drane and Volusia, arrived at or near Tampa Bay on the 5th and 6th of April, and the third, or colonel Lindsay's column, returned from the interior about the same time. All, much harassed and worn by long and fatiguing operations, looked to this great southern depot for the supplies and refreshments so greatly needed to enable men and horses to return to the field. To give some idea of what we were here doomed to experience, I will recall parts of my official report, written at Tampa the 12th of April, for the information of government, and which report has been given in evidence by the judge advocate.

"My disappointments on the Gulf have been as great as those experienced on the St. John's. The latter were pretty fully reported at the time, &c.

"Please now to refer to my joint letter to the quartermaster and the commissary at New Orleans, dated at Savannah, February 14, and acknowledged on the 20th of the same month. A copy was transmitted to you for the information of the proper departments at Washington. The letter, it will be seen, is both specific and urgent. Yet, instead of my finding here about 50,000 rations of hard bread and about 90,000 rations of bacon, I found but 12,740 of the former, and 21,600 of the latter! Not an additional ration of either has arrived since I came." (Both the quartermaster and the commissary here, alluded to, I have caused to be summoned as witnesses, and neither has appeared.)

"Colonel Lindsay (the report continues) had required for the use of his column, of the quartermaster at New Orleans, a number of wagons and horses, and not one has been sent. Again, the sutler (the person next in importance to the quartermaster and commissary, with every army) left this place more than a month ago for New Orleans, to bring back with him a large supply of goods for the troops which were expected (here). These supplies are exceedingly wanted by every officer and man. But the quartermaster writes that he hesitates about sending the wagons and horses, and the sutler that he declines sending his stores, because each has heard of general Gaines' triumphal entry into Tallahassee—in consequence of his having finished the war! It is presumed that the commissary at New Orleans stopped the shipment of hard bread and bacon for the same reason." (This presumption is now *fact*, as shown by the testimony of captain Thistle. Lieutenant Morris, who, at Tampa, had the letter from his brother, the sutler, confirms what was stated by me, in the report of April 12th, in respect to the sutler's stores. See on this point the testimony of cols. Lindsay and Bankhead, and for the sufferings of both officers and men, from the want of shoes, shirts, light garments and groceries, see the testimony of colonel Lindsay, Mr. Depeyster, and captain Thistle. In respect to the want and non-arrival of wagons and horses at Tampa, see testimony of colonel Lindsay, the letter of captain Shannon, (chief quartermaster) the deposition of Mr. Newcombe, late of the army and quartermaster at Tampa, with the letter of the quartermaster at New Orleans to him annexed). My report of the 12th of April continues:

"Capt. Green, of the cutter Dallas, was at Tallahassee when maj. gen. Gaines arrived at that place. He had been ten days soliciting permission to go and make a survey of the mouth of the Wythlacoochee. On renewing his application to some one of the territorial government, he was told the war was over. We have now to make the survey for the expedition that has been mentioned [which sailed under maj. Read the 17th or 18th of April]. These are new disappointments and vexations I have been doomed to experience."

This statement, given in the report from memory, has been fully sustained by the testimony of captain Green before this court, with this important addition; the captain would probably have ascended the river, having provided the necessary means.

But, Mr. President, to a question put by the court, gen. Clinch replied, "I am of opinion that the movement of gen. Gaines' command through Florida did not materially affect the operations of maj. general Scott."

Sir, no one entertains a more sincere respect and regard for this most excellent commander and citizen than I do, and I am sure the whole army regrets his retirement to civil life. His opinion is always entitled to great weight, and hence, mainly, the overwhelming facts which I have just embodied, and which otherwise I might have left scattered over your voluminous documents and minutes, to be remembered or hunted up by the court.

It is, moreover, evident to me, Mr. President, from the reply to another question, also propounded by the court, that, on the point of interference with my operations, the sound mind of gen. Clinch was too much influenced, at the moment, by the narrative he had so recently given of the neglects shown him by the war department prior to the time when I had the misfortune to be ordered to Florida. It is true, if his repeated calls for troops and supplies, and his wise admonitions on the *temper* early manifested by the Seminoles, had received but half the attention due to his position, this still raging war might never have burst upon the country. Under this ruling idea, the witness could see nothing but the imputed errors of the war department. Whilst that was on the throne of his mind, all the subsequent and minor causes of failure in sending the Indians out of Florida sunk into comparative insignificance. Be this as it may, I put in concurrence with the isolated opinion of gen. Clinch, on the subject of general Gaines' interference with my operations, the great body of facts already detailed, and the opinions of witnesses of no less intelligence and respectability. See the deposition of colonel Gadsden; the chief of my staff, who had marched with gen. Clinch to the succor of gen. Gaines, and who knew more of Florida and the Seminoles than perhaps any three individuals with the army; and see the testimony of col. Bankhead, who marched with me from Picolata to Fort Drane, where he came under the command and continued with general Clinch. The strong opinions expressed on this point by the two colonels, like the opposing one given by gen. Clinch, were all elicited without a question put by me.

The point which has thus been rather more fully discussed than I had, until lately intended, was, however, but the *second* cause of the failure of my operations to send out of Florida the great body of the Seminole Indians, and there were many other causes, besides the first in importance, some of which have already been partially, though but incidentally developed. It is now my purpose to bring rapidly the whole, in the same connexion, under the review of the court.

Of these causes, many, as will be seen, are closely united, and in the descending scale, consequent upon each other. For these reasons, the analysis and the enumeration will, in some instances, be rather difficult.

1. *The lateness of my orders, 12 o'clock in the night of January 21, with notice the day before to hold myself in readiness, and the short term of service of the great body of the troops.*

I do not mean to say, Mr. President, that any time was lost by the war department in putting me in motion after the news of Clinch's affair of December 31, which preceded at Washington the account of Dade's melancholy fate on the 28th. Nor shall I stop to discuss the question, why had not stronger measures been taken on the receipt of Clinch's warnings and calls for reinforcements, beginning in January, 1835, and reiterated October 8, October 17, December 9, and December 16, of the same year.

Well, sir, the court has seen that I was promptly at Augusta, where I completed my calls for volunteers or draughted men; two regiments from South Carolina, one of horse and one of foot; the same from Georgia, and one of foot from Alabama, at 740 men per regiment, making a total of 3,700. A fine spirit was abroad in those states, and great exertions

made in each to supply its quota. Yet, from many unavoidable causes—the immense spaces to be traversed, and others which I will not stop to enumerate, but not one of which can be charged to me—instead of finding myself in force, at Picolata and at Tampa Bay, as early as the 29th of February, as I had originally flattered myself that I might, I arrived in Florida on the 22d, much in advance of three-fifths of those troops. Only the foot of South Carolina and seven companies of Georgia had preceded me. The Georgia horse began to arrive about the end of the month, the three companies before mentioned, and another on the 10th of March, under captain Nelson, who had made an unparalleled march from the north west corner of Georgia. I ought, in my previous narrative, to have stated that this fine company joined at Gary's Ferry, and added about 70 men to col. Bankhead's little column, which set out with me for Fort Drane. The same day col. Goodwin's fine regiment of South Carolina mounted men reached St. Augustine over a long road, through rain and mud, and, like Nelson's company, without tents, and without a murmur. The Alabama regiment under col. Chisholm, and major Read's battalion of Floridians, arrived at Tampa Bay, with col. Lindsay, between the 1st and 10th of March. (It has been seen that this battalion had not been called for by me, and that it went to Tampa Bay without my knowledge at the time, and against my wishes; and that the second battalion of Georgia foot was, in accordance with my request, never furnished. Finally, six companies, instead of four, to make up for the defection of the first two, of Georgia horse, arrived at Gary's Ferry, via Middle Florida and Fort Drane, about the 10th of April, whilst I was at Tampa. These six companies were, nevertheless, mustered into service in accordance with instructions I had left behind, and immediately afterwards discharged, by the advice of major general Macomb, who then happened to be at Picolata.)

All the volunteers called for by me were mustered into service for only three months, according to the instructions I had received from the war department; and I suppose that the president of the U. States has no authority to require the services of militia by *draughting* for a longer period.

It has been seen that I was not in force to commence combined and efficient operations earlier than the 10th of March, and by this date the mass of volunteers, owing to the different periods of arrival at the several places of rendezvous, and consequent acceptances by muster, had only about 60 days to serve. This was the same thing nearly in a system of combined operations, requiring the services of the whole, as if none had had a longer time to serve; and all had been from home, with slight differences, equally long.

But let not these movements of the volunteers excite a smile to their prejudice. The delay in their arrival on the St. John's, as I have said, was unavoidable, and there was even a greater delay in the approach of three companies of regulars which were ordered to embark at Baltimore in the dead of winter, and with the mercury in the thermometer several degrees below zero. This battalion was delayed by ice in the Chesapeake, I know not how many weeks, and finally reached Picolata on the 6th of March. With all the lights of the quartermaster general, ten wagons were ordered to be purchased and shipped from Baltimore about the same time. Six came to Florida as late as the 11th of March, two earlier, and two in May! Now, if I were expected to make long marches through a savage country, without roads or bridges, why could not those three companies have been marched to Norfolk, or even to Wilmington, and thence embarked? Time would have been saved in either case. And why were not the wagons shipped from some port not obstructed by ice? Again, a detachment of United States dragoons, under capt. Wharton, that received orders for Florida at New York about the 24th of January, was delayed several weeks in that harbor, waiting for its arms and horse furniture, and joined me at Fort Drane, (after a short passage to Savannah), 60 days from the reception of these orders! There was no delay from the want of horses. They had been purchased by my orders, and placed at Savannah as early as the 12th of February.

Let it be remembered, Mr. President, that those shipments and movements were not made under my directions; yet I was advised of them, and suffered embarrassment from not earlier receiving the troops and wagons.

I have said that I was by the 10th of March, in sufficient force to commence operations, and that the mass of the volunteers had then about sixty days to serve—a part more and a part less. This period was rather more than was necessary for the marches and operations actually made under my orders, but wholly insufficient to enable us to scour

the country south and east of Peas creek, (the everglades), even if the lateness of the season, the sickness of the climate in those regions, as early as the end of April, and other causes, which will be noticed, had not interposed insurmountable obstacles. I ought, therefore, to have given me any prospect of success, to have been ordered to Florida several months earlier, and with a force of a much longer term of service. He who now directs the war in that quarter, besides other advantages, has had more time for preparation, a better season for operations, more regular troops, and volunteers of a longer period of service.

In respect to volunteers for ninety days, the testimony of gen. Eustis and col. Lindsay is strongly in support of what I urge on this point.

2. *The unexpected intrusion of gen. Gaines.*

This was the second cause of my failure, both in point of time and importance.

Now, although I considered myself in strength on the St. John's and at St. Augustine, to commence forward movements as early as the 10th of March, the court will please remember that my general plan of operations was to move at the same time, as nearly as practicable, from Fort Drane, Volusia and Tampa, upon the great body of the enemy supposed to be about the Cove of the Wythlacoochee; to march, in person, with Clinch, and to give instructions to Eustis and Lindsay so far as to deviate from that approximation of the three columns as to pursue any considerable body of the enemy, or any considerable fresh trail that might be discovered. Hearing of general Gaines' intrusion, and seeing that a consequent delay was inevitable, I called back a detachment already in march to join Clinch, and through the latter caused Lindsay to be advised of that delay, least he should make an isolated movement. And general Clinch has testified that a forward movement could not have been made, from Fort Drane, earlier than the 26th of March, (the day on which he actually moved), for two reasons: 1st. To give time for the troops which had been shut up in Camp Izard, with general Gaines, to recruit themselves, and 2d. To enable the last train of wagons sent to return from Gary's Ferry with the subsistence. The answer to the second question put to captain Thruston shows, more in detail, the reduced condition of those troops. Here, then, was the cause of a considerable delay—from the 10th to the 26th of March—less the time necessary to march from the St. John's to Fort Drane; and Eustis, in the mean time, instead of being forced to Volusia, which was to become his base of operations, was employed in scouring the country between the St. John's and the Atlantic, as far as Tomoka and Volusia. Lindsay was advised of this further delay. The court, too, has seen that it was my intention, on the 9th of March, to strengthen the right wing by troops drawn from the left, if gen. Gaines' detachment had not fallen back on Fort Drane.

3. *Insufficient means of transportation.*

This cause of failure in my operations has, like the one just noticed, been pretty fully developed in the former parts of this summary. I shall therefore, only remark, in this place, that the means of land transportation would have been nearly sufficient, notwithstanding the intrusion of gen. Gaines, if we could have used the Ochlawaha for about seventy tons of supplies (as I had expected to do) up to the 2d of March; and that those means, even without the use of the Ochlawaha, would have been sufficient by the 12th, but for that intrusion. The necessity of replacing the subsistence drawn from Fort Drane by general Gaines; of providing for a larger force than was expected there; of transporting articles of subsistence fifty per centum heavier than those I had early and specifically called for, both from the St. John's and Tampa, caused our wagons to be overloaded, the horses to be overworked, and many of both to be broken down. The court will further remember who took from Tampa the means of transportation which were there early in February, and what prevented the arrival of new means from New Orleans.

4. *Insufficient supply of hard bread and bacon for marches.*

On the 21st of January, in his office, the commissary general of subsistence and myself fully concurred as to the advantages of hard bread and bacon over flour and pork, on marches. Ten days after, in a letter to the adjutant general, I recurred to this subject, and required on the St. John's (at Picolata) large quantities of both hard bread and bacon, which passage of my letter, according to request, the adjutant general duly communicated to the commissary general before the 10th of February, as the former reported to me on that day.

Now, it is shown by the testimony of Mr. Locke, who was the assistant commissary at Picolata, that the quantity of hard bread which had arrived

prior to the march of Clinch's column from Fort Drane, and of Eustis' from Volusia, was much less than was wanted for those columns, although I had prohibited the issue of hard bread to the troops when at rest on the St. John's. The deficiency was made up, of course, in flour, of which, and of pork, our supply was abundant; and the testimony is express, that not a pound of bacon reached the St. John's from the commissariat, earlier than the 15th of April, when all the columns were near the Gulf of Mexico.

Though much embarrassed on the St. John's, and the march to the south, by the want of those particular items of food, as the court has seen, I have always been unwilling to suppose that the chief of the commissariat was in fault; and am now, since hearing read, before this court, his instructions to the agents of his department on the subject, yet more unwilling to impute blame to him. His merits are acknowledged by the whole army, and I am free to declare that I have never known a better man, or a more faithful public servant. The failure in the particulars stated, was, however, not the less embarrassing.

Well, sir, the army, early in April, was compelled to give up for the moment, the search for the enemy and to march upon Tampa Bay to seek for supplies. The court has seen what orders I had given to the assistant commissary at New Orleans, in respect to this depot; the large quantity expected, and the small quantity of hard bread and bacon found there, and that that little would not have been equal to three or four marches of the army, if col. Lindsay had not brought with him a small quantity from Mobile.

On this point, the testimony of lieutenant Morris, the then commissary at Tampa, is more explicit than even that of general Eustis and col. Lindsay. And the reason why more of those items of subsistence had not been sent from New Orleans, is also pretty fully shown in evidence. The then commissary, at the latter place, was duly summoned to appear here, and has not arrived. Mr. Locke stated, in his testimony, that the difference in weight, owing to the brine and wood necessary to the preservation in warm weather of pork, is fifty-one per cent. against the latter in favor of bacon. This difference is known to most marching officers, and that, between the ration of eighteen ounces of flour and twelve of hard bread, is evident to all the world.—To have been obliged then, as we were, to take with all the columns, in their several marches, nearly two-thirds of our whole subsistence in the heavier articles, was the same thing as if a large portion of our otherwise deficient means of transportation had been captured or destroyed; and even this was not the only evil consequent upon that necessity, as will be presently seen.

5. *Heat of the climate—badness of water—sickness.*

From the lateness of the season into which we were thrown, from the causes already stated, we found the heat, even before the 20th of April, so oppressive that the troops could not execute even ordinary marches, from this cause alone. (Testimony of Clinch, Eustis, Lindsay and Thruston; also, col. Smith's report of his expedition up Peas creek). The troops had still to wear their winter clothing from the non-arrival of sutler's goods at Tampa from New Orleans; the sink holes or ponds, on which both men and horses had generally to rely for water, were now, many of them, dried up, and in the others the water was tepid, besides being filled with vegetable matter and animalculæ.—(Testimony of Clinch, Eustis, Thruston, &c.) Add to these causes of distress and disease, the swamps and hammocks which were traversed; the deficiency in bacon, to which the volunteers had very generally been accustomed at home; and the necessity all were under the greater part of the time when in march, to eat unleavened dough, partially fried with pork, or half baked before camp fires, and it will astonish no one to learn from the testimony that we had very many individuals, officers and men, who could neither ride nor march. The only resource was to crowd them into wagons; for, in a savage country, we could leave no one behind.

6. *Forage and grazing.*

At St. Augustine, and on the St. John's as high up as the depot at Volusia, there was, on the requisitions of general Eustis and my own, upon lieutenant L'Eagle at Charleston, and lieutenant Dimmock at Savannah, an abundant supply of both corn and hay, and there was no positive deficiency in forage round Fort Drane. At Tampa we again found an abundance of corn and hay, with a small quantity of oats, all supplied in compliance with my requisition (as I suppose) upon the quartermaster at New Orleans. The corn, however, was generally bad, having, probably, been sweated on board of vessels. The good was mostly consumed at Tampa, during a rest to recruit the horses, of

eight or ten days at that place. The portion issued for renewed operations, was generally the refuse, which killed some horses and injured more. (Deposition of Mr. Newcombe, and testimony of capt. Thurston).

The grazing in the interior, as all the witnesses questioned on that subject have testified, furnish but an occasional and a slight resource. Hence the court will not be surprised that general Eustis caused every cavalry horse with him to be led by his owner on foot the last sixteen miles of the march from Volusia upon Tampa Bay. The grazing was but little less bad on the return marches.

But, it may be asked, why not have taken more corn with the columns from the depot which furnished that which was good? If our trains had been doubled, a sufficient supply could not have been transported even if there had been good roads. Let any gentleman make the calculation for himself to see how many wagons would be required, for example, to take corn enough for a thousand horses for twenty days, including the consumption of the draught horses so employed, and he will be astonished at the result. Again: why not make every rider put three bushels of corn in his saddle, and lead his horse for seven or eight days? Regular cavalry may be compelled to do this; but I know of no power of persuasion that can induce any body of volunteers whatever, unless it be under the highest calls of patriotic interest, thus, in their own estimation, to degrade themselves. I made the proposal, and although I commanded at the time corps of horse composed mostly of gentlemen of the highest spirit and devotion to country, I was advised not to issue an order to that effect, as it could not be enforced, although I pledged myself that I would do what I wished to require of others. I then reduced the quantity of corn to be so taken, in my order No. 28, and it is in evidence that considerably less, about an average of three pecks only, was actually put on each horse. And this court will readily conceive that the transportation of hay into the interior for the consumption of even two days, was wholly out of the question with marching troops, as well on account of its bulk as its weight.

From the foregoing circumstances it resulted that all surviving horses arrived at Tampa in a bad condition, and returned to the north of Florida in a worse, as is shown by the evidence.

7. Roads and bridges.

The only road within the theatre of our operations was that made by government, connecting Fort King with Tampa Bay. This road was very partially followed by all the columns under my command. Its three bridges were destroyed by the enemy at the commencement of hostilities. All the other routes were opened by the columns as they marched, and the streams roughly bridged at the same time. These labors were difficult and incessant, as may be supposed, and has been shown in the testimony of Eustis, Lindsay and Thurston.

8. Want of an auxiliary Indian force.

The court has seen by my order No. 13, (March 14), that I called for 500 friendly Creek Indians, to be commanded by gen. Woodward, major Watson, and major Flournoy. The first two have been summoned here, on this and another important point, but have not arrived. The third early fell in the Creek war. Col. Gadsden's deposition shows the importance of such force; and my successors in Florida have had the benefit of the suggestion. It was denied me by the agent of government, and that denial not even rebuked by the secretary of war. See major Hogan's letter to that functionary, and his reply, dated, respectively, March 28 and April 12. For the standing and qualifications of the two majors, named by me to bring on the Indians, see governor Eaton's letter to me, dated March 7, and general Clinch's notes of introduction. General Woodward is too highly distinguished, both as a commander of, and against, Indians, to require a word of support in this place; and it will be seen, in the agent's (major Hogan's) letter to me, dated the 1st of February, that he thought he could, "in ten days, raise [me] 1,000 warriors, and be on the march to join" [me].

9. Want of guides.

Eustis and Lindsay, as shown by their testimony, had no competent guides, and could obtain none.—Clinch's column was rather less badly provided in this respect, yet he had not a guide who knew any thing of the intricacies of the *Cove*—a Cretan labyrinth, held from the knowledge of the white man, as the sacred groves of the Druids were interdicted to all but the initiated. In short, all the difficult parts of Florida were, to the whole army, one *terra incognita*. Government gave me no topographical information, nor had any to give; and the booksellers' maps only afforded outlines, filled up with unlucky guesses.

10. The limited time for active operations.

From preceding causes, and deducting the time unavoidably lost at Tampa, the columns of Clinch and Eustis were actually in the field, beyond Fort Drane and Volusia, only about twenty-two days.

The testimony of both Clinch and Thurston shows that I could not have put the right wing in operation, from Fort Drane, earlier than I did (the 26th of March), and Eustis, with the left wing, crossed the St. John's, at Volusia, about the same time, to approach the *Cove*, by the way of Pelakle-kaha. Clinch, with his wing, was compelled to return to Fort Drane on the 25th of April, the term of service of a part of his volunteers having already expired, and, as he reports to me, the 27th—"Men and horses much exhausted by sickness and the heat of the weather. Another day's march would have occasioned the abandoning of a part of the train. Fifteen horses and mules died on the road, and eight more turned out that could not be got along by leading."

Eustis, with the left wing, (which I accompanied from Tampa) was in like manner, and very much in the same condition, compelled to return to Volusia on the same day—April 26th.

Colonel Smith who had, with his regiment, the Louisiana volunteers, been detached by the way of Charlotte harbor up Peas creek, about the 12th of April, returned to Tampa the 26th, and embarked for New Orleans, according to orders, where the regiment arrived, I think, a little after its term of service had expired.

The battalion of Floridians sailed from Tampa, about the 17th of April, for the Wythlacoochee, on its way to St. Mark's, where it was discharged. I do not know when this battalion was mustered into service.

The centre column, under colonel Lindsay, which at first included major Read's battalion, arrived by steam from Mobile, at Tampa, was the first of the three columns, under my orders, in the field. On the 15th of March he put himself in movement, established the post on the Hillsborough, 23 miles from Tampa, called Fort Alabama, as a place of deposit, and advanced towards the *Cove* as far as Chichuchatty, which he reached about the 24th—the letter, advising him of the delay in the movements of the two other columns, having reached him subsequently.

This column, consisting principally of the Alabama regiment of volunteers under col. Chisholm, and several times changed in its other parts, was also the latest in the field, by a few days. By my orders, No. 88, of the 16th of April, colonel Lindsay was instructed, on his return to Tampa, after my departure, to make any further movement, within the compass of his forces, in the prosecution of the campaign, that might be deemed useful, and then to cause the volunteers with him (the Alabama regiment and an independent company of Louisianians, under captain Marks) to be embarked for their respective homes. That embarkation was commenced by him, according to his report, May the 2d—"the rainy season having set in," and it being deemed "impossible to keep the field with bodies of troops, without great, and for any object that could be accomplished, a wanton waste of life."

Thus terminated, Mr. President, active operations under my command; and if from the causes assigned, without decisive results, at least without defeat or check, as without dishonor.

In my report of the 12th of April, from Tampa, I spoke in terms of high commendation of the three principal commanders under me—Clinch, Eustis and Lindsay. Each continued to the last to deserve greater praise than it is in the power of one, under my present circumstances, to bestow. I also had the benefit of colonel Gadsden's assistance, the chief of my staff, a volunteer in the war, a soldier and a patriot, who, independent of his particular knowledge of the enemy and the peninsula, of his services with me and on prior occasions, is endowed with talents and virtues which give him high claims upon the government and country. The handsfull of regulars who were with me in the field never faltered in difficulty or dangers; and if, now and then they yielded the post of honor, it was purely in compliment to their countrymen fresh from civil life, who were cherished and assisted on every occasion. Those patriotic volunteers of South Carolina, Georgia, Alabama, Louisiana and Florida, were no doubt (many of them) sometimes inefficient from the mere awkwardness of inexperience; but they very generally brought with them to the war high chivalry, which always inspires the wish of personal distinction, and this was frequently and nobly obtained by individuals and detachments.

On the principal commanders and the troops which were under me, I have then only to invoke

the approbation of their country. Let its censure, through this court, fall on me, and me alone, of that army, if all were done which it was possible to accomplish under the circumstances.

Some questions, Mr. President, were put to as many witnesses of the higher ranks who have appeared before this court, to ascertain whether I had failed in any particular as a commander in Florida, in point of judgment, zeal or personal conduct.—The answers were direct in every instance, but too complimentary to be here reproduced. Let them sleep on your records. They may, hereafter, perhaps be read by those who will not be made to blush for their parent.

A word, sir, as to my *plan of campaign*. I believe that this has been sufficiently developed in the evidence, and embodied in this summary. It has been censured by a writer, himself an old officer, and who delights to see himself in print, as being somewhat European, as if it were criminal to import professional knowledge, and who seemed to think that generals ought to make war without plans of any sort. This *vulgar error* has been incidentally but too signally rebuked by an eminent military critic and political functionary, to be further noticed in this place. I shall, therefore, here simply quote the opinions of two younger, but better soldiers, on the particular plan of operations by me laid down and pursued.

After exploring the country to a great extent, and learning much that was new of it, and the enemy, general Clinch says to me in his report (April 17th) of his operations returning from Tampa Bay, "that the true plan of operations against them [the Indians] will be that first designed by you, that is, by a force from Pelakle-kaha, a force ascending by my [late] route, and a corresponding one on the north side,"—his first route. This, the court will perceive, was the precise plan laid down by me for our first operations.

Captain Thurston, who, I knew, in March, at Fort Draue, did not altogether approve of the plan of campaign I was about to follow, and with whom I did not again converse on the subject, was, when before this court, at a venture, asked by me this question:

"17. The witness became acquainted with the general plan of operations projected by general Scott. With the benefit of the witness's subsequent knowledge of the enemy, and the country occupied by him, what is the witness's opinion of that general plan of operations?"

Answer. When I first heard general S. detail his plan of operations, I thought that he had taken more than necessary precautions, by advancing into the country with three columns, from different points of the peninsula, not doubting that our wing [Clinch's] of the army would be met by the enemy in force on the Wythlacoochee. Nor did I believe that a nation of 5,000 people could conceal itself so effectually in the peninsula, south and east of the Wythlacoochee, that they could not be found by one army [column or wing]. My subsequent experience taught me my error, and to consider gen. Scott's plan of operations as the true one."

But, Mr. President, it has been objected to me that, in my first operations, (towards Tampa Bay), I held the troops in masses unnecessarily large—of 1,800, 1,700 and 1,200 men, respectively. Of this I myself early became persuaded. But in connection with this point the court will please look at that part of colonel Lindsay's testimony, detailing the remarks and advice he gave me at Augusta, at the end of January, 1836. I regret that I am obliged to abridge it in this place. Col. Lindsay had served with major general Jackson against a part of the same Indians in the campaign of 1818, the "principal object of which was (according to the witness) to drive the Seminoles from the Georgia frontier," across the Suwanee; that "gen. Jackson carried into the field a force amounting to, perhaps, 6,000 men." This was said in answer to my 8th question. To the 6th the colonel had previously said, "the country east of the Suwanee is infinitely more impracticable than the country west." He adds many striking differences, all against our troops, and it is known that general Jackson's operations terminated on the west bank of that river. In respect to the advice given on the subject of *detaching*, the witness said, "I believe I mentioned to gen. Scott, that I derived that advice from gen. Jackson, who, on some occasion, when I wanted to go on detached service made use of this emphatic expression: 'sir, I never detach against Indians.'" And again, in the same campaign, gen. Jackson observed to the witness, "that he never detached, or suffered small parties to march through the Indian country." The court will please to bear in mind the official relation that subsisted in January, 1836, between general Jackson, col. Lindsay and myself; that I never had been in the interior of Florida; that

gov. Eaton, in his letter to me of February 3, 1836, speaking of the hostile Seminoles, said: "Their numerical force cannot be less than 3,000, probably more;" that colonel Lindsay has testified, in answer to my 27th question, what must be evident from the surface of the country, that, from dispersion, the enemy had great facilities of concentration, that I had seen, before the columns advanced from Fort Drane to Volusia, by general Gaines' letter to general Clinch, dated the 29th February, that the writer supposed himself to have been surrounded in Camp Izard, by "not less than 1,500" warriors, and that, although he had from a thousand to eleven hundred good troops with him, I saw that he could neither pass the Wythlacoochee, nor venture to make a sortie. All these considerations induced me, Mr. President, to hold the troops under my command, in three columns, until I could feel my way a little, and judge for myself. When I had satisfied my mind that there were not, in all Florida, more than 1,200 Indian warriors, probably less; and that, of that force, perhaps not 500 had been concentrated at any time in the war, the court will find that I then became a little bolder, and detached, freely, and far, in all directions; and it is gratifying to recall that, notwithstanding all the bugbears by which I had been for a moment frightened from my bent, not a disaster—not one defeat ensued. I speak, sir, of detachments *beyond supporting distance*; for all the columns were habitually subdivided *within* that limit in searching for and in attacking the enemy.

The first of these distant detachments was that of 340 men left under major Cooper, only twelve miles south of the Wythlacoochee, and which gallantly maintained itself from the 2d of April till the 18th, when it was absorbed on the return of Clinch's column. Major Cooper commenced a work for defence, but the enemy gave him no leisure to complete it. Gen. Eustis, approaching Tampa, brought his mounted men to the depot, but left his foot, from the 5th of April to the 18th, at *Camp Shelton*, under brigadier general Bull, sixteen miles in the rear, without even a breastwork for its defence.—With the same body of foot, I myself marched to Fort Alabama, whilst the South Carolina horse, under colonel Goodwin, was on the distant service of searching for the enemy, about the head of Peas creek. At the same time, colonel Smith, and his Louisiana volunteers, fit for duty, (about 200) with small parties from the U. S. ship *Vandalia*, under lieutenant Powell, and from the revenue cutter *Dallas*, under captain Green, scoured the lower part of that creek to the extent of about 60 miles from Charlotte harbor. Colonels Smith and Goodwin thus visited what we had supposed to be among the favorite haunts and strong-holds of the enemy. I, myself, the 20th of April, with a single company of South Carolina horse, marched from the Big across the Little Wythlacoochee; again, the 24th, with but two companies, I went to Volusia, a day in advance of Eustis' column; sent a small detachment the 25th to scour the country east of Spring Garden lake, and personally proceeded, with colonel Gadsden, captain Canfield and lieutenant J. E. Johnson and seventeen men, in a miserable little steamer, to explore the St. John's river to the head of Lake Monroe. Gen. Clinch and colonel Lindsay also made detachments about the same period, and I had detached major Read, with the battalion of Floridians, by water, to search the lower Wythlacoochee, as early as the 17th.

As this last expedition was the only one made under my command that failed to reach the destination given, and to accomplish its objects, and for that reason alone, has brought upon me infinite obloquy, I beg the court will pardon me for dwelling upon it a moment.

It has been seen by the deposition of Mr. Newcombe, the quartermaster at Tampa, in April last, that by extraordinary exertions on his part, and not a little energy on mine, ample, and even extra, means were provided for maj. Read's small battalion of, perhaps, about 200 men. First, there were two large and one smaller schooner; two (instead of one) cutters, under midshipmen Reid and Drake, manned and furnished, at my request, from the U. S. ship, *Vandalia*, captain Webb, a large scow, in pieces, with mechanics, nails, oakum and pitch, so as it might be put together, and launched in two hours, many ship boats or yawls, and *piLOTS*. The deponent, an experienced and excellent officer declares, in respect to the sufficiency of these means, both for transporting the troop to the mouth of the river, and for ascending it—"I did not doubt, nor do I know that any body else did—I do not think major Read himself doubted, although he attempted to find fault with the means." (See also col. Gadsden's second deposition).

But let us now see, what use was made, by the major, of the outfit thus furnished. I shall quote

his report to me, which is dated April the 27th, being himself near the mouth of the Wythlacoochee, he says:

"I despatched all the small craft to the transports, with orders to the officers in command aboard of them to commence debarking the men as fast as possible."

"On the return of the boats, transporting, as I had ordered, as many men as they could receive, the morning reports of the officers in command were handed to me, by which the frightful picture of an increase of forty, (40) to the sick list in less than two days was presented. Special communications from the surgeons were also handed me, in which the most horrible consequences were predicted, unless the men could be taken forthwith to some place where medicines and good water could be procured. The water on board the schooner *Caroline*, it was said had already become putrid. Without going a board, I despatched an order for [the transports to] hoist all sail, and to proceed with the utmost possible despatch to St. Marks, the nearest port, I remanded aboard the detachment first ordered to debark, and directed a select number of ten to join me on board the small craft for the purpose of making the *reconnaissance* and surveys, which I find, upon perusing my order more carefully than at first I did, were the principal objects of the expedition."

"When informed by the pilot that we were almost at the mouth, I went myself into the second cutter of the *Vandalia*; it draws less water than the other, taking with me only two of my detachment."

"When I had gotten over the bar, I proceeded some two miles or upwards, to within a short distance of a large smoke, the fire that afforded which, was, perhaps, three miles distant. I deemed it not prudent to go farther, and caused the boat to return." When the major proceeded to St. Marks after his battalion.

Here, I will not say, Mr. President, why all this fire and haste? But I may ask, sir, whence all this smoke and precipitation? Some parts of the report are doubtless, as obscure as others are strange. For example: When the major heard of the new cases of sickness, how many well men were left? He does not tell us. The water, too, on board of one of the transports had suddenly become putrid, and the medicines deficient. How so? Why not have gone on board, in order to inquire into these extraordinary matters in person? And was there no good water in the other vessels, or in the Wythlacoochee, at the farthest, within nine or twelve miles, at the falls? We have seen that there were many well men remaining, ten of whom he retained with him, and sent back others in the boats which had brought them from the transports. Why not have retained all these, and have sent for more, to enable him to ascend the river in his smaller vessels, scow, &c. In that case, he might have passed through the "large smoke," and have reached the falls. But the major appeals to his "order," and I shall exhibit both his instructions and orders.

By my directions, col. Gadsden, on the 14th of April, gives to major Read, in a letter of instructions, among other matters to be attended to, these: "You will embark with your whole battalion, including invalids and sick, for the mouth of the Wythlacoochee; that you come to anchor in the nearest and safest accessible harbor to the mouth of the stream, and that you proceed, with your effective force, (leaving your sick and invalids on board), with the boats at command, to examine its entrance, and to *penetrate as far as practicable*, and consistent with the security of your command," &c. &c. "You will preserve notes of your observations and report," &c.—"detailing, minutely, the character of the anchorage at the mouth of the Wythlacoochee; the navigability of that river for boats, the probable distance to which it may be penetrated; the character of its banks, and the facilities, generally afforded for the forming of depots, with a view to supplying an army operating hereafter on or near its waters. This duty performed, you will proceed to St. Mark's, Florida, in the transports, where your command will be honorably discharged." &c.

Mr. Depeyster, a gentleman of Florida, and then a volunteer in general Eustis' staff, has said before this court, that he was at my quarters the day before, (the 16th of April), major Read embarked, when that officer called on the subject of his expedition. The purport of this witness' answers, as the court will perceive is, that two days after the written instructions to major Read, I endeavored, in the most impressive terms and manner, to point out to him the importance of the expedition to ulterior operations; called his attention, specifically, to the necessity of examining the river, and making a sketch or draught of its soundings and course, up

to the foot of the obstruction or falls, believed to be twelve miles; and that I desired major Read to select a point, for a future post, with reference to wood, as near those falls as practicable.

In respect to every object, except the mere entrance into the Wythlacoochee, we have seen that the expedition was a signal failure.

The first knowledge that I had of this most unexpected result was received May the 1st, at St. Augustine, through a letter from governor Call, dated April 26th, and which gave me the more astounding intelligence, viz: "A few days since, I received a communication from major McLemore, stationed on the Suwannee frontier, informing me that, under orders from general Scott, he had ascended the Wythlacoochee river, and erected a block house on the south bank, some ten or twelve miles above its mouth, and that he had left a garrison of 40 men in the block house, and a large quantity of corn and pickled beef. This morning, at daylight, major Read, of the Florida battalion, arrived at [Tallahassee], bringing the intelligence that he discovered at the mouth of the river one-half of a large flat boat, which had been cut in two, apparently with a dull axe, and by an inexperienced hand. His description corresponds with that given of the boat left at the block house," &c.

As this letter was addressed to me, or the commanding officer at Fort Drane, like the report, dated April 11, of the establishment of the block house, and signed by major McLemore's adjutant, (McCants), both papers were read by general Clinch, and together transmitted to me, then at St. Augustine. I have said that I received them on the 1st of May.

The court has seen, Mr. President, the correspondence between general Clinch, then at Fort Drane, and myself, on this most painful subject. The time of his volunteers having expired, or being about to expire, he had already sent most of them home, and, in his attempt to raise a party of mounted men in the Alachua settlements to go to the relief of the block house, he utterly failed. I early became satisfied that gen. Clinch, under the circumstances, did all in his power in adopting the second suggestion of governor Call, viz: "But should it be impracticable for you to send a sufficient force, by land, to ascertain [the fate of the party in the block house] I have ordered a fortified boat to be in readiness at Suwannee Old Town, to proceed with a part of the men at that place to the relief of the garrison, and transport it back to Old Town, unless the commanding general should otherwise direct. You will, therefore, be pleased to send an express to major McCants, commanding at Old Town, and inform him whether troops have been sent by land to the relief of the block house, or whether the boat which will be in readiness shall be sent on that service." General Clinch sent the order for the boat to proceed, and the detachment in the block house was ultimately taken off by major Read, and without firing a gun.

It is in evidence that maj. Read's report to me, (of his first expedition), though dated the 27th of April, came to hand at Columbus (Geo.) as late as the 8th of June, when I had not leisure to give attention to it, even if it had been less illegible, and thus it happened that I never knew its contents until, with some accidental assistance, the judge advocate made out to decipher it before this court. The last paragraph of his report appears to be as follows:

"I discovered at the mouth of [Wythlacoochee] the half of a flat bottom boat, a common ferry flat boat it appeared to have been. It had been cut asunder," &c. "When I arrived at St. Mark's, I learnt, to my astonishment, mortification and regret, that your excellency [general Scott] had ordered major McLemore to establish a depot at that place," &c. "All which was studiously concealed from me. I did not learn, either from your order, or from the numerous interviews I had the honor to hold with your excellency, that major McLemore was even in the field, much less that I was going to relieve a detachment of his command ordered out by your excellency."

The court has seen in my report upon this subject to the adjutant general, dated at St. Augustine, May 11, which was founded on governor Call's letter noticed above, and an article in a newspaper, handed to me as the production of major Read. I said that he (major R) "has at Tallahassee, caused a statement to be made, declaring that I had refused him permission to ascend the Wythlacoochee! And again, presuming the statement to have been furnished by him, he denies having ever heard that, possibly, he might find a block house and garrison established near the falls of the river. Now, I affirm that it was generally known throughout the right wing of the army that it was just possible that major McLemore, a highly meritorious Floridian, had made such establishment. The possibility was mentioned to major Read, and although colonel Gadsden by acci-

dent omitted the subject in the letter of instruction, yet when the major saw half of a flat, rudely cut in two, [so gov. Call had written], that which was extremely doubtful before, became a matter of the most perfect certainty; and if the major had been bound home without other orders, it immediately became his imperative duty to go instantly to the relief of his countrymen. The flat could never have belonged to Indians, and it would not have been destroyed if the garrison had returned by water to the Suwanee, and major Read, knew that it could only have returned by water.

Now, sir, I did not say in this or any other letter that I had told major Read any thing of a detachment having been permitted to visit the Wythlacoochee about the end of March. The court will presently learn how it happened to be omitted in col. Gadsden's letter to major Read, and by me in conversation with the latter. Nevertheless, the subject was not forgotten at headquarters, nor had ceased to be occasionally mentioned among the officers who had come down to Tampa Bay from Fort Drane. One of these, captain Drane, has testified before this court that he, at Tampa, stated his impression to major Read that "there was a detachment of Floridians on the Wythlacoochee with provisions," the witness having heard "at Fort Drane [and thinks] general Clinch had stated it to [him] that major McLemore had volunteered his services to go to the mouth of the Wythlacoochee."

I do not here, Mr. President, embody this testimony to contradict major Read, but simply to account for the strong language applied to him in the letter last quoted. Two of the harsher expressions therein contained are here intentionally suppressed. I had not, in May, as has been seen, received his report. I, at that time, verily believed, on the opinion of others, as well as from internal evidence, that the false assertions of the article in the Tallahassee paper were from his pen, or his lips; and governor Call's letter had said not one word as to the causes which led to the failure of the expedition—the spread of sickness among the men, the want of medicines, and the want of good water. Now, sir, although I think that at least two of those causes might have been guarded against by due foresight and activity on the part of the commander, and when reported to him ought to have been closely scrutinized in person, before abandoning the great objects confided to his intelligence and conduct—I am not only unwilling to reproduce those harsher imputations, but regret that they were ever made. Sir, up to this day, I have received no note or message of any kind from major Read. My recantation is founded on the recent assurance of a friend, (general Clinch), that major Read had no agency in the published article alluded to, and to his previous and subsequent gallantry and good conduct in the same war against the Seminole Indians.

In the first deposition of colonel Gadsden, (which is in evidence), he gives the history of the block house on the Wythlacoochee, thus:

"Major McLemore sought the service, by a private letter to the undersigned, stating that he had, on the Suwanee, a boat suitable for the expedition, and supplies, which he could bring with him to that point, if with the consent and approbation of gen. Scott. The following is the reply penned by me, and by direction of the general, to whom it was read before transmitted."

I beg, Mr. President, that the court will again read every word of this letter. I regret that I am too much fatigued to embody it entire in this summary. The perusal of it will show how unnecessary it was deemed, at Tampa, to call the attention of major Read specifically to the very remote chance of his finding any detachment on the Wythlacoochee. Nevertheless, though it was more than a hundred to one that the detachment was not there, as late as the 14th of April, or even the 4th, if the major could have ascended only seven miles higher up that stream, (and nobody doubted that he could and would) he would have found the gallant band, still firm in its position.

The letter to major McLemore is dated at Fort Drane, March the 25th. Col. Gadsden, by way of giving to the major the outline of my plan of operations, says: "The whole army will, probably, form a junction at or near [the Cove] by the 29th or 30th inst. It is impossible, at this time, to anticipate the ulterior operations of the army after it has encountered and defeated the enemy in their probably strong hold in the Cove," &c. "It is more than probable, however, that we may be detained in that vicinity many days reconnoitering the hammocks and searching for Indians in the jungles and thickets of that section of the country. If so, your co-operation and the supplies which you report you can bring, may prove of essential service. I am directed, therefore, by the general commanding, to say that, after securing the post on the Suwanee with an

adequate garrison, you may proceed with the remainder of your command in the boat you have prepared for the service; provided, in addition to your own supplies, you can transport from 750 to 1,000 bushels of corn at least for the use of the army. Should your boat be properly secured, as you report, with bulwarks, you may enter the river and ascend to the rapids," &c. "You must be at that point by the 30th instant, or you will possibly, be too late to afford any aid to this wing of the army, the sole motive which sanctions the service to which you have been called."

"As your movement is intended to assist, and not to embarrass this wing of the army, you must not move without an adequate supply of ammunition, and from thirty to forty days' rations for your whole command at the least, in addition to the corn you may transport for our relief." (He is then requested to bring, if possible, extra pork or bacon.) "On reaching the point on the Wythlacoochee designated, you will use all due precautions to secure your boat and command, and, by building a block house, or by the construction of some other defence, until you hear from or of the army. If after, however, the second or third of April, you receive no tidings of or from this wing, under the command of general Clinch, you may be sure that it has proceeded south to unite with Eustis and Lindsay, and having left the Wythlacoochee, your detention on its waters will be no longer necessary. You will, therefore, return without delay to your post on the Suwanee, and there wait the future orders of the commanding general, or those which may be transmitted to you by the executive of Florida."

Col. Gadsden's first deposition adds, in continuation of this history: "It appears, however, from information received from one of the men who was in the block house, that the detachment did not reach the mouth of the Wythlacoochee until the fourth or fifth of April, two days after it had been ordered to quit it, and when gen. Scott" had reached the vicinity of Tampa Bay. "Notwithstanding, however, its fearless commander, and on his own responsibility, penetrated the river, established a block house, and left it garrisoned, with a promise to return and relieve it in eight or ten days. Unfortunately, however, as he entered the Suwanee, he was assailed with a fever, and fell a victim to its effects."

Thus perishes, Mr. President, a valuable citizen, whose patriotic zeal, pushed a little too far, has brought upon me, unintentionally, I know not what amount of general odium. This I have long borne in silence; but, sir, the star of truth approaches the zenith, and as it sheds its light over this court and land, the deep shades of calumny are made to disappear.

In relation to the Florida campaign, Mr. President, I have one point more to notice, and I shall have done.

Among the prodigious mass of documents turned over by the different offices of the war department to be read by the judge advocate in evidence against me, as if to crush by their physical weight, if they could not otherwise effect their purpose, there is from the hon. J. M. White, the Florida delegate in congress, a letter dated at Washington, May 28, to the president of the United States, with an endorsement in the hand of the latter, which directs "A copy of this letter to be sent to general Scott, with an order to withdraw from the command in Florida."

A. J."

Of this endorsement I had no knowledge until the original was read in this court. What were the feelings which it excited I may not, I will not say; but the associations recalled to my mind may be inferred from the following facts:

To my elaborate report of what I had done, and of the operations projected, the adjutant general, May the 5th, replied:

"Your communications of the 12th of April, reporting the operations of the army in Florida under your command, since your departure from Fort Drane and your arrival at Tampa Bay, has been submitted to the president, and this day to the secretary of war. I am happy to inform you that the president approves of your intended plan of operations," &c. "I am desired by the secretary of war to say that, from the tenor of your report, as well as by the communication he has just received from the governor of Florida, it is probably that, owing to the approaching season of the year, the campaign in the field cannot be much longer vigorously pushed. In this event you will make a judicious selection of the posts necessary to be occupied by the troops during the interval of active operations which may be best calculated to protect the frontier inhabitants, and prevent Indian depredation of any kind. For this purpose all the regular troops, including the 4th infantry, must be kept on duty in Florida."

As I had intimated in my letter of April 12 would be done, all this had been attended to before the receipt of the adjutant general's communication, and which is here cited principally to show that, certainly as late as the 5th of May, no displeasure had been officially expressed against me at Washington.

But in my report of the 11th of May, animadverting upon major Read, and which, according to a note on the original, (now in evidence), was received at Washington the 21st; seven days before White's letter to the president of the United States, there is this paragraph:

"I feel and know the risk I incur by the use of this language. Major Read is the favorite of governor Call, and his excellency's support may well turn the tables against me at Washington."

Sir, I had seen, among the papers which accompanied the instructions given me for the Seminole war, a letter, (in evidence with that document), from general Call to the president of the United States, dated Jan. 9, 1836, in which the writer says:

"I should be highly gratified to command the army, and believe that I could soon bring the war to a close, I fear, however, this I cannot do without injustice to general Clinch. He is a brave and good man; but I fear he is too slow in his movements to conduct a war against the Indians."

With an official copy of this letter in my possession, it may be supposed that I knew my danger. But, sir, I do not complain that, soon after my animadversions on maj. Read, he was appointed a brig. general in the militia of Florida; that a lieutenant colonel of the army, whom I reported in my letter of March 20th as having left for duty elsewhere, but went off to Washington, was, in a little time, rewarded by a colonelcy not by seniority; nor that the president's endorsement on Mr. White's letter was soon followed by governor Call's being "gratified," with the direction of the war in Florida. But, sir, I have, in defence, a right to advert to those extraordinary facts to show that if, in my operations to the south, I had the enemy to conquer in my front, I was, at the same time, not a little insecure in my rear. The effect of such position every soldier will readily comprehend; and I respectfully submit the point to the consideration of this court. A yet more extraordinary fact, of the same general character, will be developed in the sequel. But, at present, I will return to Mr. White's letter to the president of the United States.

I think, sir, that I have shown that this letter did not do me all the injury that was intended at the time. But why, sir, is it brought here with its endorsement, in accusation against me? Mr. White, in a letter to the president of this court, dated December 13th, 1836, says: "This places me in an attitude that I do not choose to occupy."

"Since the publication of that letter [to the president of the United States] I have, in the National Intelligencer, over my own name, as an act of justice to gen. Scott, corrected, upon better information, the complaints which I deemed it my duty as the representative of the people of Florida, to make against him. I am unwilling that the first letter shall be laid before the court without the second; and as I have no copy of it with me at present, I take this occasion to say that I am satisfied, upon a full and impartial review of the facts and circumstances connected with the Florida campaign, and upon evidence not then before me, that the failure is not to be attributed to major general Scott, nor to causes which it was in his power to control, or remove."

This voluntary and unsolicited retraction is manly and noble. In my judgment and feelings, it shows the correspondent of the court to be worthy of being called the honorable Mr. White, by a higher claim than that of mere courtesy. It is true, sir, that, in his recantation, he excepts what he had originally said of my order No 48, on the subject of panics. I know not that this reservation ought to break squares between that gentleman and myself.

The order, although there were many apologies for the inhabitants, was founded on information at once full and precise; and, as I said of it in my letter to the secretary of war, dated June 21st: "Besides, I was advised, by respectable citizens of Florida, to come out with an order in that spirit, as likely to rally the inhabitants, and I have reason to know that the order did good." If good resulted, I am content with the enmities I brought upon myself by the act; for, sir, since the war began to rage in that quarter, there has not been a moment, up to this time, when I would not have made any sacrifice of person to have stopped its ravages. I deeply mourn over the many afflictions the good people of that desolated territory have experienced; and I freely forgive, as I pray that God may forgive, the injustice of laying those evils, in part, to my account.

[TO BE CONCLUDED IN OUR NEXT.]

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[VOL. LI.—WHOLE No. 1,324.

THE PAST—THE PRESENT—FOR THE FUTURE.

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¶ The ceremony of counting the votes for president and vice president of the U. States, and the election of vice president, &c. are amply detailed in our congressional proceedings.

¶ The present sheet is filled with subjects of great interest. In addition to the second division and conclusion of the defence of general Scott, before the court of inquiry at Frederick, it contains a letter from the president of the United States to the committee appointed under Mr. Wise's resolution to investigate the manner in which the various executive departments have conducted their business, in which he refuses to assist the committee in investigations of the character they have instituted, &c.—a message from the same functionary to the senate of the United States, recommending the passage of an act authorising reprisals, and the use of the naval force of the United States by the executive, against Mexico in the event of the refusal of that government to come to an amicable adjustment of the controversy, upon another demand thereof made from on board one of our vessels of war on the coast of Mexico—the explanations of Messrs. Peyton, Wise, &c. in reply to Mr. Whitney's letter published in our last—Mr. Bell's bill to preserve the purity of elections—a synopsis of the land bill passed on Thursday last, in the senate, with the yeas and nays thereon—a detailed account of the proceedings on counting the ballots for president and vice president, &c.—a notice of Mr. Calhoun's remarks on a letter of the president to him, in which Mr. C. is charged by the president with having asserted that he, (the president) was concerned in speculations in public lands—together with detailed accounts of all business of interest that has transpired in both houses of congress, since our last publication, &c. &c.

THE UNITED STATES AND MEXICO. The message of the president of the United States to the senate recommending a war of reprisals upon Mexican commerce, will, no doubt, cause some surprise in the minds of our readers; but especially when they recollect that the last official communication from this government to Mr. Gorostiza, previous to his departure from this country, breathed the most conciliatory spirit, and that the last rumors from Mexico represented that nation on the point of declaring war against us for an invasion of her territory, &c. From the instructions of the secretary of state to Mr. Ellis, our minister to Mexico, which we have in type, but are unfortunately compelled to omit for want of room, it now appears, that an unfavorable issue of our negotiations was anticipated, and that that representative returned to this country, not because Mr. Gorostiza had closed his diplomatic relations here, but in pursuance of instructions from the secretary of state. The whole subject is one of curious interest, but is not intelligible without the documents referred to, which shall have a place in our next.

TRIAL OF GEN. GAINES. The military court at Frederick is still engaged in the trial of gen. Gaines. We see it stated that a court is to be held at the same place for the trial of major Gates, who was dismissed from the service, (but again reinstated) for alleged cowardice in the Florida war. His case has excited much sympathy, and the impression is general that the decision of the president was based on erroneous information.

MEXICO. In addition to the particulars given below, we have learned that gen. Bravo arrived at Metamoras on the 9th of January in advance of his troops, which were, however, arriving in small detachments, but in a very miserable condition.

The report of a revolution in California is confirmed, and it is stated that capt. Kennedy of the American squadron, had landed several hundred men to assist the insurgents.

Extract of a letter from an officer of the United States ship Natchez, dated at Vera Cruz, Mexico, January 9.

The Natchez touched off the port of Metamoras on the 28th ultimo, and was first to convey thither the intelligence of SANTA ANA's liberation by the government of Texas, and his departure for Washington. It was received with the most enthusiastic

demonstrations of joy by the officers at the port, some of whom are his personal as well as his political friends. They repeatedly caught the gentlemen who imparted the information, in the a la mode Castilian embrace, nearly overwhelming them with the extravagance of their caresses, and at evening entertained them with a serenade and salute from muskets, and treated them during their stay with a profusion of hospitality. A courier was immediately despatched to proclaim the glad tidings in the city, and a celebration of the event was had by the firing of artillery, accompanied by acclamations of "long live Santa Ana!"

"Thumpico, Jan. 12, 1837.

"Since the last uproar we had here with the conspiracy, tranquillity has not been disturbed, and public confidence begins to revive. The usual effects of a conspiracy of this kind having been kept down by the sagacity of a few individuals, in making the government believe there was no such plot; the elements for a revolutionary movement, however, still exist, though much deranged by the return of Bustamente, which has created such a division among those who professed to be *Santanites* or federalists, as to give more consistency to a government, which, previously to that event, could not be called one. I must here repeat what I stated in my preceding letter, that the Mexicans worn out with the mismanagement of the affairs under Santa Ana and Tornel's administration, are fast rallying to Bustamente's standard, in the hope of a change for the better. The clergy, the merchants, the land-owners, and a great majority of the military, have pronounced in favor of their former president; and, indeed, things are assuming such an aspect as to place beyond doubt the triumph of Bustamente and his party.

"The conduct of Santa Ana in the Texian campaign exasperated most of the officers of the army; and his journey to Washington to settle the affairs of Texas, at a moment when the people generally blame and condemn the conduct of the American government, and would prefer a rupture with the United States to the present state of things, has given great umbrage to the nation at large.

"The troops of our garrison, 900 strong, are constantly on the move, and so are the forces under Amador, at Metamoras, consisting of about 2,500 men. Bravo has still his head quarters at Saltillo, and his forces there amount to 1,500 men. The reserve, 1,200 strong, is at San Luis. The fears of some revolutionary movement here will not permit, at present, the troops of our garrison being removed; and as to the forces at Metamoras and Saltillo, they are watching the movements of the Texians, who, but a few days ago, it was reported, were meditating an attack upon Metamoras. The government has decided that the army designed to operate in Texas shall be composed of 7,000 men, 3,000 of whom are to form a division of reserve to be stationed at Metamoras and Saltillo. It is difficult to say when and how these troops are to enter Texas; for as yet the navy is not ready, and no magazines of any consequence have been formed for the campaign. A brig of war arrived at Metamoras from Vera Cruz, ten days ago, with warlike stores, and a floating bridge of boats constructed at Campeachy, and intended to facilitate the passage of the troops across the rivers and creeks in Texas. Indeed, my friends at Metamoras inform me that the preparations making there are on a larger scale than they were last year."

ENGLAND AND NEW GRENADA. A rupture is anticipated between these two countries. It appears that a rencounter that took place in one of the streets of Panama, between the English consul, Joseph Russell, and signor Paredes, on the night of the 20th November—in the course of which signor Paredes was severely wounded. The cries of his wife, who was with him at the time, attracted persons around—and Mr. Russel was knocked down without ceremony, after having been disarmed—and hurried to prison.

Mr. Turner, the British minister, has interfered and demanded the release of the consul, the removal from office of the functionaries who imprisoned him, the restoration of the consul's house, &c. and the payment of one thousand pounds sterling, as a compensation for the cruelties he suffered. All of which was promptly refused.

Santander has issued his proclamation, appealing to the honor and the patriotism of his countrymen to sustain themselves against the efforts of Great Britain or any other power, to humiliate them in their own eyes, and in the eyes of the world. He says the sons of New Grenada will choose the patriotic part of dying with glory, rather than to see their own country humble herself at the feet of the soldiers of Albion.

The secretary of foreign affairs (senor de Pombo) thus concludes one of his letters to the British minister:

"If you determine on adopting the alternative of hostilities, be pleased to communicate your intention as soon as possible, that we may prepare for our defence. New Grenada, in such cases possesses the indisputable right of repelling force by force; and she shall accordingly resist any hostile act of the British arms. The unequal contest, it is true, will be lamentable—but the world will see the justice of our cause, and that we are forced to this painful extremity, in defence of our national rights, and honor, and dignity, against the unjust demands of a powerful and hitherto friendly nation."

FROM THE WEST INDIES. The Barbadoes legislature was opened for the first time under the government of sir E. J. McGregor, on the 25th October. His excellency was addressed by "his majesty's loyal and dutiful subjects," a committee of the "free descendants of Africa" residing in Barbadoes, and by the free colored inhabitants of St. Kitts, with congratulations upon his appointment, and assurances of their high anticipations from his just and equitable administration, of their respect for the laws, and loyalty to the king.

The Jamaica house of assembly and council have passed a bill to regulate the qualification of voters and legislators, which seems to give great dissatisfaction. Voters must have a freehold of £30 per annum, or a rent charge of £50, and pay taxes to the amount of £5. Members of the assembly must have £3,000 real, or 5,000 personal property. A petition to the mother country against the law, was proposed to be circulated for signatures.

A bill was before the assembly, establishing a qualification also for admission into the ranks of the militia!

Another subject of warm discussion, in and out of the legislature, was the proposed establishment of a colonial bank.

THE NASHVILLE RAIL ROAD. The legislature of the state of Mississippi have, at the session just closed, after a close contest between the friends and opponents of the measure, passed an act granting a charter, within that state, to the Nashville and New Orleans rail road.

DEATH OF O'CONNELL. The Boston Galaxy states that information has been received in that city, via Halifax, of the death of Daniel O'Connell. All Dublin was in mourning, the shops shut, and the merchants meeting as though each had lost a friend. His age was sixty-four.

THE LAND BILL. In the senate on Thursday last, the land bill, as amended by the committee on public lands, to which it was recommitted, was passed by a vote of 27 yeas to 28 nays. We find the following synopsis of it in the *Intelligencer* of yesterday:

1. That no person shall be entitled to enter by entry, or at auction, more than two sections of the public land; and previous to entry or to purchase, must make and file with the register and receiver of the land district an affidavit that the lands are sought to be purchased for his own use, and not in trust for another, nor for sale or speculation; and that he has made no contract, written or verbal, to sell, lease, mortgage or otherwise encumber the land, or any part of it; that he is at least twenty-one years of age, and has not previously purchased or entered, under this act, any public land, which, together with what he now buys, would exceed two sections. He must then pay the money, whereupon he gets a receipt for it from the receiver, with the consent of the register endorsed on it.

2. Within five years from the date of his receipt he must prove, to the satisfaction of the register

and receiver, by the oaths of two competent and disinterested witnesses, that he has erected a dwelling house on the land, and cleared and cultivated at least one-tenth of it; or that he has resided on it one year of the five. He may then get his patent. If he fails in this proof he forfeits the purchase money. If he dies within the five years, and his death shall be proved within six years from the date of the receipt, the patent is still to issue.—Any sale, lease, or mortgage, or contract for sale, &c. before the patent, is void.

8. Before-emption is allowed, on proof as above, that the applicant has actually occupied and resided on any tract of the public land before the 1st of December, 1836, and has cultivated any part of it within the year 1836. There are several guards to this section of the bill to cover reserved tracts, lead mines, &c. lands to which the Indian title has not been extinguished, and lands beyond the bounds of the states and territories.

4. The owner of a farm may enter any adjoining land subject to private entry, not exceeding one section. An affidavit is required that the land is sought to enlarge his farm, and not for speculation, &c. and the whole must not exceed two sections.

5. A parent, being a citizen of the United States, may enter land for his children, but not over two sections in all; and no patent to come till the child becomes of age.

6. Purchases may be made in quarter-quarter sections; but no one shall enter more than four quarter-quarter sections not contiguous. All land to be taxable by state authority from the day of purchase.

7. The law to continue to the 30th of June, 1840.

THE RESTRAINING LAW. We subjoin a copy of the bill for the repeal of the restraining law, as it passed the senate, and substantially as it passed to a third reading in the house on Thursday, by a unanimous vote. It provides as the reader will perceive, for a simple repeal of the law, and for the re-enactment of the provision of the revised statutes in relation to foreign corporations. In this shape, the bill may be regarded as entirely satisfactory to every reasonable friend of the removal of the existing restrictions.

An act to repeal in part the revised statutes, relating to unauthorised banking, and the circulation of certain notes or evidences of debt issued by banks.

The people of the state of New York, represented in senate and assembly, do enact as follows:

Sec. 1. So much of title twenty, chapter twenty, part first of the revised statutes, relating to unauthorised banking, and the circulation of certain notes, or evidences of debt issued by banks, as prohibits a person or association of persons not incorporated, from keeping offices for the purpose of receiving deposits, or discounting notes or bills, be and the same is hereby repealed.

Sec. 2. This act shall not be so construed as to authorise or permit any incorporation created by the laws of any other state, to keep any office for the purpose of receiving deposits, or discounting notes or bills, or issuing any evidence of debt to be loaned or put in circulation as money within this state.

Sec. 3. No incorporated bank in this state, nor any officer or director thereof, shall open or keep an office of deposit or discount under this act, or be interested or concerned, directly or indirectly, in any such associations. The bank officer or director shall forfeit the sum of one thousand dollars for each violation of any of the provisions of this section.

Sec. 4. This act shall take effect immediately on its final passage.

The amendments made by the house are as follows: substituting in the second section the word "corporation," for "incorporations"—and adding the words, "or country" after the words "any other state," and erasing the word "immediately," in the fourth section. [Albany Argus.]

THE INVESTIGATING COMMITTEE AND THE PRESIDENT.

From the Washington Globe of Saturday, the 4th inst. In select committee of the house, to inquire into the executive departments, January 23, 1837.

The following resolutions, as amended, were adopted, and a copy of the same directed to be sent by the chairman to each of the heads of the departments.

1. *Resolved*, That the heads of the several departments be directed to furnish this committee with a statement showing the sums of money paid within the year ending on the first of December last, by such departments respectively, their agents, or deputies, without authority of law, if any, to printers or editors of newspapers; specifying the names and residence of such printers and editors, and also the

names and places of publication of the newspapers owned or published by them; and showing the services and consideration for which such sums have been paid, giving each item as stated in the accounts of such printer or editor, and the reasons for making such payments.

2. *Resolved*, That the president of the United States be requested, and the heads of the several executive departments be directed, to furnish this committee with a list of all the officers, or agents, or deputies, who have been appointed or employed and paid, since the 4th of March, 1829, to the 1st of December last, if any, without authority of law; or whose names are not contained in the last printed register of public officers, commonly called the "Blue Book," by the president or either of the said heads of departments respectively, and without nomination to, or the advice and consent of the senate of the United States; showing the names of such officers, and agents, or deputies; the sums paid to each, the services rendered, and by what authority appointed and paid, and what reasons for such appointment.

3. *Resolved*, That the heads of the several departments be required to furnish this committee with a statement showing the various amounts of money paid within the last four years, ending on the first of December last, for contingencies, whether appropriated or not by law, to whom and for what appropriations have been changed from specific to other objects of expenditure than those for which they were made, and how such change was authorised or effected; and showing the amount of illegal or irregular expenditures, allowances or payments of every description whatever, if any, made by said departments respectively, since the 4th day of March, 1829, to the 1st of December, 1836, and whether paid by treasury warrant or draft, or otherwise, to whom and for what paid, and the authority and reasons for such expenditures.

4. *Resolved*, That the heads of the several departments be directed to furnish this committee with a list of all officers, agents or deputies, who have, since the 4th day of March, 1829, to the 1st of December last, within the departments respectively, received salaries, pay or emolument of any kind, without rendering service to the government; who have received salaries, pay or emolument of any kind, without being in office; whose commissions have been ante-dated; who held other stations or appointments, state or federal, when receiving pay for particular offices or agencies, or who have been engaged in private employment, and what, whilst receiving pay from, and rendering no service to, the government of the United States, with the names of such officers, or agents, or deputies; the sums or salaries paid to each, and the times of service of each respectively.

5. *Resolved*, That the various executive officers, in replying to the foregoing resolutions, be requested, at the same time, to furnish a statement of the period at which any innovations not authorised by law, if such exist, had their origin; their causes, and the necessity which has required their continuance.

6. *Resolved*, That the secretary of the navy be directed to furnish this committee with the report, or copy of the report, of John P. Van Ness and Amos Kendall, commissioners appointed by authority of the president of the United States, to receive and report such testimony as might be offered touching certain charges preferred by Mr. Hanson Gassaway, relative to the condemnation, and delivery to him, of sundry pieces of ordnance at Washington arsenal; and certain other charges connected with sundry contracts, and other matters connected with the office of the navy commissioners, which commissioners sat during the year 1833.

A true copy from the journal.

Attest

B. F. HALLETT, clerk.

In select committee of the house to inquire into the executive departments, &c. January 23d, 1837.

The following resolutions were adopted and the chairman directed to furnish the president of the United States with a copy of the same:

Resolved, That the president of the U. States be requested, and the heads of the several executive departments be directed, to furnish this committee with a list or lists of all the officers, or agents, or deputies who have been appointed or employed and paid, since the 4th of March, 1829, to the 1st of Dec. last, if any, without authority of law, or whose names are not contained in the last printed register of public officers, commonly called the "Blue Book," by the president or either of the said heads of department respectively, and without nomination to, or the advice and consent of the senate of the U. States, showing the names of such officers and agents, or deputies, the sums paid to each, the

services rendered, and by what authority appointed and paid, and what reasons for such appointment.

Resolved, That the various executive officers in replying to the foregoing resolutions, be requested at the same time to furnish a statement of the period at which any innovations not authorised by law, if such exist, had their origin; their causes and the necessity which has required their continuance.

Attest,

B. F. HALLETT, clerk.

The president's letter to the committee.

[COPY.]

Washington city, January 26, 1837.

SIR: I received on the evening of the 24th inst. your letter, covering a copy of certain resolutions purporting to have been adopted by a committee of the house of representatives, of which you are chairman, and request that you will lay before that committee, this, my reply, which I hasten to make.

It appears, by the published proceedings of the house of representatives, that the committee, of which you are chairman, was appointed on your motion. The resolution offered by you, and finally adopted by the house, raised a direct issue with that part of my annual message in which I held the following language: "Before concluding this paper, I think it due to the various executive departments, to bear testimony of their prosperous condition, and to the ability and integrity with which they have been conducted. It has been my aim to enforce in all of them a vigilant and faithful discharge of the public business; and it is gratifying to me to believe that there is no just cause of complaint, from any quarter, at the manner in which they have fulfilled the object of their creation." Your resolution is in the following words:

"*Resolved*, That so much of the president's message as relates to the 'condition of the various executive departments, the ability and integrity with which they have been conducted, the vigilant and faithful discharge of the public business in all of them, and the causes of complaint from any quarter, at the manner in which they have fulfilled the objects of their creation,' be referred to a select committee, to consist of nine members, with power to send for persons and papers, and with instructions to inquire into the condition of the various executive departments, the ability and integrity with which they have been conducted, into the manner in which the public business has been discharged in all of them, and into all causes of complaint, from any quarter, at the manner in which said departments, or their bureaus or offices, or any of their officers or agents of every description whatever, directly or indirectly connected with them in any manner, officially or unofficially, in duties pertaining to the public interest, have fulfilled or failed to accomplish the objects of their creation, or have violated their duties, or have injured and impaired the public service and interest, and that said committee in its inquiries, may refer to such periods of time as to them may seem expedient and proper."

It also appears, from the published proceedings of the house, that this resolution was accompanied and supported by a speech of considerable length, in which you preferred many severe but vague charges of corruption and abuse in the executive departments. The resolutions adopted by the committee, as well as that adopted by the house itself, must be taken in connection with your introductory speech, which gives a character to the whole proceeding. When thus regarded, it is obvious that, by the resolution of the house, an issue is made with the president of the United States; as he had alleged, in his annual message, that the heads of the executive departments had performed their official duties with ability and integrity. In your speech you denied this; you charged them with manifold corruptions, and abuses of trust, as you had done in former speeches, to which you referred; and you demanded an investigation through the medium of a committee. Certain other members of congress, as appears by the published debates, united with you in these accusations; and for the purpose of ascertaining their truth or falsehood, the committee you demanded was ordered to be raised, and you were placed at its head. The first proceeding of the investigating committee is to pass a series of resolutions, which, though amended in their passage, were, as understood, introduced by you, calling on the president and the heads of the departments—not to answer to any specific charge; not to explain any alleged abuse; not to give information as to any particular transaction; but, assuming that they have been guilty of the charges alleged, calls upon them to furnish evidence against themselves!

After the reiterated charges you have made, it was to have been expected that you would have been prepared to reduce them to specifications, and that

the committee would then proceed to investigate the matters alleged. But instead of this, you resort to generalities even more vague than your original accusations, and in open violation of the constitution, and of that well established and wise maxim, "that all men are presumed to be innocent until proven guilty, according to the established rules of law," you request myself and the heads of the departments to become our own accusers, and to furnish the evidence to convict ourselves; and this call purports to be founded on the authority of that body in which alone by the constitution, the power of impeaching us is vested! The heads of departments may answer such a request as they please, provided they do not withdraw their own time, and that of the officers under their direction, from the public business, to the injury thereof. To that business, I shall direct them to devote themselves, in preference to any illegal and unconstitutional calls for information, no matter from what source it may come, or however anxious they may be to meet it. For myself, I shall repel all such attempts as an invasion of the principles of justice, as well as of the constitution; and I shall esteem it my sacred duty to the people of the United States, to resist them as I would the establishment of a Spanish inquisition.

If, after all the severe accusations contained in the various speeches of yourself and your associates, you are unwilling of your own accord to bring specific charges, then I request your committee to call yourself and your associates, and every other member of congress who has made the general charge of corruption, to testify before God and our country, whether you or they know of any specific corruption or abuse of trust in the executive departments; and if so, what it is. If you are able to point to any case where there is the slightest reason to suspect corruption or abuse of trust, no obstacle which I can remove shall be interposed to prevent the fullest scrutiny by all legal means. The offices of all the departments will be opened to you, and every facility furnished for this purpose.

I hope, sir, we shall at last have your charges, and that you will proceed to investigate them, not like an inquisitor, but in the accustomed mode. If you either will not make specific accusations, or if, when made, you attempt to establish them by making freemen their own accusers, you will not expect me to countenance your proceedings. In the short period which remains of my official duty, I shall endeavor, as I have heretofore endeavored, to fulfil the obligations of that oath of office by which I engaged "to the best of my ability, to preserve, protect and defend the constitution of the U. States;" and for this, and other reasons of the most solemn character, I shall, on the one hand, cause every possible facility consistent with law and justice, to be given to the investigation of specific, tangible charges, and, on the other, shall repudiate all attempts to invade the just rights of the executive departments, and of the individuals composing the same. If, after all your clamor, you will make no specific charges, or bring no proof of such as shall be made, you and your associates must be regarded by the good people of the United States as the authors of unfounded calumnies; and the public servants whom you have assailed will, in the estimation of all honorable men, stand fully acquitted.

In the mean time, I cannot but express my astonishment that members of congress should call for information as to the names of persons to whom contingent moneys are paid, and the objects of those payments, when there are six standing committees under the seventy-seventh rule of the house of representatives, whose special duties are to examine annually into all the details of those expenditures in each of the executive departments. The like remark is applicable to some other branches of the information sought by you, ample details in respect to which are to be found in the reports laid before congress, and now on your files, and to which I recommend you to have recourse. I am, respectfully, &c. (Signed) ANDREW JACKSON.

To the hon. Henry A. Wise, chairman of the investigating committee of the abuses and corruptions charged against the executive departments.

I certify that this is a true copy from the original sent. Test, A. JACKSON, JR.
Private secretary, &c.

DEFENCE OF MAJOR GENERAL SCOTT. Reported for the National Intelligencer.

THE SECOND DIVISION AND CONCLUSION OF THE DEFENCE OF MAJOR GENERAL WINFIELD SCOTT, BEFORE THE COURT OF INQUIRY AT FREDERICK CITY, JANUARY 20, 1837.

II.—Delay in opening and prosecuting the Creek Campaign.

MR. PRESIDENT: Through much labor and several weeks of indisposition, I have at length reached in this summary the second general head of inquiry

directed against me, and here again the evidence in my favor is ample and overwhelming. The whole of this I anxiously desire to compress and embody; but fear that my diminished strength will prove unequal to the task. The records, however, are before the court; and, on its researches, as well as its intelligence and justice, I confidently rely.

On the 15th of April, Mr. Secretary Cass wrote to me to say that, as soon as the state of affairs in Florida would, in my judgment, permit, he wished me to direct my attention to the Creek Indians, and to adopt such measures as I might "find necessary to preserve or restore tranquillity to that part of the country." By accident this letter was not received before the 20th of May, as is shown by major Kirby's endorsement.

In the secretary's next letter, dated May 16th, my attention was again strongly called to the Creek country, with power to require troops from Alabama.

From the same source I received a third letter, dated the 19th of May, transmitting "for [my] information a copy of a letter [that] day addressed to brevet major general Jesup," in which copy it is said: "Should major general Scott, under the instructions he has heretofore received, proceed to the theatre of operations, he will of course be entitled to the command, and you will serve under him."

On the 19th of May it was known at Washington that I was, about the beginning of the month, sick at St. Augustine, and hence the doubt whether I had proceeded to the Creek country. The 19th was two days prior to the receipt of my letter of the 11th, animadverting on major Read, and nine before the date of Mr. White's letter to the president of the United States.

On the 12th of June, a fortnight after I had reached the Chattahoochee, I received another letter from the acting secretary, (Mr. Harris), dated the 1st, and directed to me at Fort Mitchell, in which was enclosed a copy of Mr. White's, without the president's endorsement, and without the slightest allusion to it. After adverting to a previous letter, of May 25th, enclosing me a copy of the full instructions to governor Call, to assume, in a certain event, the command against the Seminoles, Mr. Harris concludes: "I am instructed to inform you that, under these circumstances, the president deems it unnecessary for you to return to the command in Florida."

Now, the 20th of May, immediately on the receipt of the letter of the 15th of April, I had charged brig. gen. Eustis with the full command in Florida, and had personally set out for the Creek country.

Behold me, then, Mr. President, from the 31st of May to the 6th of July, (the day on which the letter of recall reached me), in the larger, and at the moment the more important command, against the Creeks, without having heard that my conduct in Florida, even by letter respecting major Read, or Mr. White's to the president, had led to the expression of one syllable of official displeasure at Washington. On the contrary, sir, the letter from the adjutant general, (of May 5th), written by command of the president, on the receipt of my report from Tampa Bay, contained expressions of decided approbation, and the secretary's letters of the 16th and 19th, written after the receipt of mine of April 30th, reporting that active operations in Florida had terminated for the season, contain nothing but the language of consideration and respect. The elements of discontent, it seems, began to lower and mutter between the 21st and 28th, although I heard them not; but when a celebrated letter reached Mr. Blair, the storm thickened, the clouds were rent, and I was struck by the winged bolt on the distant banks of the Chattahoochee. I must not, however, sir, anticipate.

Before leaving St. Augustine, as I reported from Savannah, May 22d, "I ordered the new musket accoutrements, [about 1,800] the new arms, [750 Hall's patent rifles], and the new tents from Picolata, and St. Augustine, to Augusta, and also some spare fixed ammunition from the former place." The route of these articles was immediately changed, after writing this letter, from Savannah via Augusta, &c. to from Savannah, by the way of Darien, the Altamaha and Ochmulgee, to Hawkinsville or Macon, distant from Columbus, Hawkinsville about 110 miles, and Macon about 88. This change of route was made upon the information of the hon. Mr. Justice Wayne, and the assurance of the agent of the navigation company then in Savannah, that the Altamaha and Ochmulgee would remain navigable for common, if not for steam boats, many weeks longer, and which assurance, aided by a long succession of heavy showers, was more than verified. The court has seen that the rifles, accoutrements, &c. took this better route instead of ascending the Savannah river to Augusta, and thence by land 220 miles to Columbus.

Having transacted other business in Savannah, the court has seen that I was at Augusta on the 25th of May. Here I learned that, by orders from Washington, a large quantity of subsistence had been purchased in Charleston, to be transported thence by land carriage, via Augusta, to Columbus, and immediately I directed lieutenant Dimmock, the quartermaster at Augusta, to write to Charleston to cause that subsistence to go by the way of Darien, for the reasons already mentioned. This letter, however, did not arrive in Charleston in time, which produced at Augusta a part of the embarrassment experienced there in obtaining wagons. (See lieutenant Dimmock to me, May 29th). Subsequent instructions were given by me in respect to all the other heavy articles, which, by orders from Washington, were to take the route from Charleston via Augusta.

According to the testimony of major Kirby, I called, when at Augusta, for a return of property at the United States arsenal near that city; marked upon the return the arms (including the only six pounder fitted for the field) and ordnance stores which I thought might be wanted, and ordered that the articles so marked should be forwarded to Columbus. The arsenal contained no accoutrements, and few or no cartridges for muskets. It contained, however, several thousand of muskets.

But this, sir, was my position in respect to arms. 1. I had already ordered, from Florida, 750 rifles, complete, and 1,800 musket accoutrements, because I had learned, by recent experience, as is in evidence, that the United States southern arsenals contained but few or none of those articles, and I wanted them to make up deficiencies. 2. I did not know, nor could I tell, until I could see governor Schley, at Milledgeville, what muskets he might want to arm the troops he had ordered to the Creek country. 3. I confidently relied, as a farther resource, should it be necessary, on the United States arsenal at Mount Vernon, from which, by steam, arms, &c. might be obtained more promptly than by wagons from Augusta, and I had then in my possession, transmitted by the adjutant general, a letter from captain Hardin to governor Clay, dated February 8, 1836, which showed that there were, at that date, in the Mount Vernon arsenal, "10,000 superior new muskets, with buck shot and ball cartridges, and ten pieces of field artillery, completely equipped." 4. I arrived at Milledgeville the 28th of May, when I learned that the state arsenal being deficient in arms, the governor had the day before required from the arsenal at Augusta, 1,000 muskets, &c. which his excellency thought would be enough to make up deficiencies, even before he knew that I had ordered to Columbus the 750 rifles (mentioned above) for a like purpose. See major Baden's letter to me, dated May 31, enclosing the requisition of his excellency, dated the 27th. Major Baden said to me in that letter, "I have this day turned over to the assistant quartermaster here for transportation to Columbus **** one thousand muskets," but not the accoutrements (also required) because there were none in the arsenal.

Well, sir, I reached Columbus on the 30th of May. Many companies of the Georgia line, ordered out by the governor, had preceded me, and others were coming up daily. It was soon ascertained by major Kirby, the mustering officer, that those troops had brought with them a smaller number of arms, and those of a more inferior quality, than governor Schley and myself had expected. (See testimony of the major under my 15th question, and the deposition of the honorable colonel Dawson, M. C. to answer to my third interrogatory.) The heavy rains which had been falling for a week, and which, by carrying off bridges, and rendering bad roads worse, also soon alarmed me on the subject of the thousand muskets coming from Augusta, and the rifles and accoutrements coming from Hawkinsville. Accordingly, on the 3d of June, I addressed the urgent letter of this date to captain Hardin, commanding the United States arsenal at Mount Vernon, in which I said:

"On the receipt of this, you will lose no time in hiring a steamer of light draught of water, and put on board of her for this place, four pieces of ordnance, two howitzers and two six-pounders, with harness and implements complete, and at least one hundred and fifty rounds of ammunition (fixed) for each piece. If you have no howitzers, you will send four six-pounders. Let the greater number of rounds of fixed ammunition be grape and canister, with some shells for the howitzer and some round shot for the six-pounders. Put on board the same boat 3,000 stands of muskets, complete; but I fear you have no accoutrements. Nevertheless, send the arms, with prickers, primers, &c. Send, further, 100,000 rounds of fixed musket buck and ball, and some buck cartridges, and 50,000 flints. I rely upon your using the utmost despatch," &c.

In his reply, dated June the 14th, captain Hardin said to me, that "the governors of Alabama and Florida have completely exhausted my stock of arms and ammunition," and that hence he sent my requisition to the Baton Rouge arsenal; that "governor Clay had drawn from this depot the following ordnance and ordnance stores, to wit: 4 six-pounders, complete; 6,800 muskets, complete; 175,000 buckshot and ball cartridges; 307 six-pounder canister; 105 six-pounder strap-shot; 9,700 flints; 1,492 sets of infantry accoutrements; 50 yards of slow match; 1,000 priming tubes and 133 port-fires. Of the above, 6,000 muskets, 4 pieces of ordnance and a due proportion of other stores were shipped to Montgomery, and the balance were ordered to Claiborne, for the troops called out by the governor, and to be rendezvoused at Irwinton, Barbour county, in this state. I am at this moment engaged in preparing ammunition, and shipping it to Montgomery, which I shall continue to do until the close of the campaign."

Now, when it is recollected that Montgomery is less than fifty miles from Tuskegee, the headquarters of the Alabama line, the court will begin to see by what superior energy and despatch major general Jesup was enabled, without giving me the least intimation, and against my orders, to commence operations on the 12th of June, and to invert my plan of campaign! At Tuskegee he found the troops in great numbers, already assembled, and armed from the United States arsenal, conveniently situated in his rear. But to return to my situation on the Georgia side of the enemy.

I have said that I arrived at Columbus the 30th of May, accompanied by his excellency governor Schley, major general Jesup, major Kirby and captain Parrott; the three latter of the army. I had not with me one staff officer, not even an aid-de-camp, except paymaster Kirby; but he was, as I have elsewhere said, almost a host within himself, performing in rapid succession the duties of adjutant general, inspector general, quartermaster general, &c. but even his zeal and abilities had their limits, and I found, at Columbus, no staff officer, and no depots or stores of any kind. On the latter point, see the testimony of major Kirby. Every thing was still to be collected, or created and organized. No subsistence, and no stores of any kind had yet arrived or were near at hand, by any order issued at Washington.

The instructions for general Jesup I hastily drew up, when already much indisposed. I had left St. Augustine in a convalescent state; but travelling night and day from Augusta, in storms of rain, I had now relapsed. General Jesup set out for the headquarters of the Alabama line, at Tuskegee, on the 4th, and took with him captain Parrott.

The Georgia troops continued to arrive at Columbus as late as the 28d of June. Of the regulars, one company (captain Monro's) reached that place on the 14th; major Lomax's small battalion, that of major Pierce, and colonel Henderson's first detachment of United States marines, followed at intervals of two, three and five days. The remainder of the United States troops came even a little later. And here it is proper to say, that not a man was in the field by my order. The regulars were all sent from the north by directions from the war and navy departments, and the volunteers, mediately, at least, by the governors of their respective states.

Hearing, from passengers arriving at Columbus in the public coaches from the east, that the wagons, loaded with muskets, &c. sent by maj. Baden from the Augusta arsenal, were much delayed by the heavy rains, and consequently injury to the roads and bridges, I despatched, the 18th of June, an intelligent volunteer, John Crowell, jun. esq. remarkable for his zeal and energy, to proceed rapidly until he should meet the train, and then to hire extra wagons, distribute the loads and force the whole to move, day and night, towards Columbus. See his report to me, dated the 16th, and the disposition of governor Schley, (answer to my 23d interrogatory). This train, which Mr. Crowell thought would reach Columbus the 19th, did not arrive until the night of the 20th.

The 18th, having heard nothing of the approach of the rifles, musket accoutrements, &c. which had been expected at Columbus about the 12th, from Hawkinsville, I instructed an aid-de-camp, lieutenant Betts, to proceed day and night to meet, and to hasten on by similar means, those articles. After he was in the saddle for this purpose, major Beard, who had been for some time employed in the quartermaster's department on the Ochmulgee, arrived, and assuring Mr. Betts and myself that he (the major) had placed the Hawkinsville train under a most energetic conductor, I permitted Mr. Betts to dismount. Two steamboat accidents had delayed these arms, &c. coming up from Darien to Hawkinsville; and on the road thence a most extraordi-

nary panic seized the conductor and his wagoners, by which several days more were lost. (See Mr. Betts's testimony). The rifles, accoutrements, &c. did not arrive at Columbus till the 23d or 25th, after I had moved with the whole disposable armed force of Georgia and the regulars who had come up.—Major Alford's mounted battalion was left to arm itself with a part of the rifles, and to follow; and directions given for sending down the river the remainder of the rifles, the musket accoutrements, &c. for the use of the troops in advance. Major Alford, in a few days overtook the foot, and participated in the operations which ensued.

That every exertion and much foresight had been exhibited by me to obtain the arms, &c. needed to equip the Georgia volunteers as early as possible, say by the 12th, or at the latest, the 14th of June, is further and conclusively shown by the depositions of governor Schley, major general Sanford, and colonel Dawson, in answer to my 23d, 15th and 3d interrogatories, propounded to those distinguished individuals respectively, to whose depositions I particularly invite the attention of this court.

If the question be asked why I did not take the field, say as early as the 15th of June, with the armed portion of the Georgia line and the only company of the regulars (Monro's) that had then arrived—the answers are numerous, but I shall here only give two: 1st. The want of subsistence for four more days, none having yet arrived, principally from the same causes which had delayed the arms, and this reason will be more fully developed in the sequel. 2d. There were not armed men in sufficient numbers (before the 21st of June, the day when the muskets were distributed, and a movement in force actually commenced), on the eastern side of the enemy, even to guard the important points on the Chattahoochee, to prevent parties of Indians from escaping across towards Florida. (See, on this point, the decisive replies of governor Schley to the 22d question; of major general Sanford to the 5th and 2d, and of colonel Dawson to the 3d, addressed to them respectively). And so important was this object considered by the government, that the unusual course was adopted of causing major general Macomb to write to me, with his own hand, June 26th, as follows:

"The secretary deems it very important that a strong force should be stationed so as to prevent the escape of the Creeks in that direction (towards Florida); it is, therefore, the order of the secretary of war, that you station a sufficient force so as to prevent them making their escape and taking that direction."

I apprehend, Mr. President, that it would be difficult to employ language at once more urgent and specific. When I received that letter, I flattered myself that I had in hand the emphatic approbation of government; for the measure therein enjoined, originally adopted by his excellency governor Schley, before the Georgia troops had been mustered into the service of the United States, was followed out after I had assumed the command, in proportion to the arrival of men with arms. O, most simple and short sighted mortal! Only three days thereafter, another letter from major general Macomb, dated June 28th, followed:

"SIR: I have received through the secretary of war, the order of the president to recall you to the seat of government. You will, therefore, on the receipt of this letter, turn over to brevet major general Jesup the command of the troops serving against the hostile Creeks, and repair to the city of Washington."

This order, sir, was brief and emphatic, and I felt it as it was intended—a heavy punishment.—No cause was assigned—not the slightest explanation of the grounds of dissatisfaction intimated. I quietly and courteously obeyed; set out for Washington—wearing myself but little with conjectures, and expressed not one. At Norfolk, as I afterwards found to be the fact, the true cause was very fully mentioned to me. I repelled the rumor, which however gained strength at Baltimore; but, on arriving at Washington, I saw the treacherous weapon that had stabbed me in the dark—the original letter from major general Jesup to Mr. Blair, marked "private," and only to be shown to the president of the United States!

Since this deep degradation, and lying prostrate under the ban of executive displeasure, I have been assailed from several quarters, without intermission and with perfect impunity. I shall cite here but two examples of this servile war made upon me—both of which are in evidence, and belong to this branch of inquiry.

1. General Jesup, at his headquarters in the Creek country, found leisure to write a second letter to Mr. Blair, dated September 3d, 1836, and published in the *Globe* of the 26th. This letter was accompanied by some selected letters from me

to general Jesup, and his replies, with ingenious notes. To the trick of the publication, and the false impressions given by it as a whole, I may, perhaps, recur before closing this address.

2. A neat little pamphlet (pink paper) written in the "Creek country, August 8, 1836." This was evidently gotten up with the assistance of gen. Jesup and the use of his official papers, and which ingeniously mixes together misstatements of facts with false principles. Among the latter, the secretary's order, and my measures to prevent the enemy from escaping across the Chattahoochee towards Florida, are ridiculed and derided. The joint production of the general and his captain-aid-de-camp, is, however, only signed by the latter.—The road to favor had already been discovered, and the captain was soon rewarded with the rank of colonel.

A word more, sir, in respect to arms prior to the arrival of the muskets on the 20th, and the rifles and accoutrements about the 25th of June.

Major Kirby said to this court that he "mustered into the service of the United States forty-five companies of the Georgia troops, at Columbus, early in June. They were generally entirely destitute of arms and accoutrements. The few arms they had were generally unfit for service in the field."

Soon after this period, it ought to be stated, in justice to governor Schley, that some wagon loads of state arms which he had mentioned to me at Milledgeville as being already on the road to Columbus, arrived, which enabled us to arm and despatch several heavy reinforcements to guard the passes of the river below, in the direction of Irwinton. I have no memorandum of the number of these arms, and I can only conjecture that it might have been from 600 to 800, that is, muskets, but with few or no accoutrements. But after those arms were distributed, and as many troops sent below, or put on board armed steamers, to cruise up and down the river, for the important purposes mentioned in colonel Dawson's answer, to the first interrogatory, (and on which duty he was himself placed as a captain), major general Sanford, in his reply to the second interrogatory submitted to him, says:

"Of the troops remaining under my immediate command, less than one-third were armed, and those variously and indifferently. Our miserable deficiency in this respect was strikingly displayed to my view when, upon the occasion of an alarm, it was expected that the enemy would be upon us in full force, I had the mortification of beholding, within my lines, 1,500 or 1,600 men with no weapons of defence beyond their side-arms, clubs and club-axes."

General Sanford's camp was at this time four miles in advance of Columbus, on the west side of the river, towards the enemy.

But, Mr. President, there was another, and a conclusive reason why it was necessary to wait, at least as late as the 17th of June, for muskets and rifles, with which to arm the whole of the Georgia line, before commencing active operations on the east side of the enemy: for, as late as the 17th, I had cause to entertain serious doubts whether the Alabama troops would consent to come into the service of the United States.

General Jesup arrived at Tuskegee, the headquarters of the Alabama line, on the 4th of June. The 8th he wrote to me, in advance of the return to Columbus of his escort, a strange letter, containing this sentence: "I have not yet obtained the command of the troops, but if I obtain it at all, I shall probably enter on duty to-morrow;" and not a word of explanation preceded or followed.

Surprised, in the extreme, at this intimation of a want of zeal and constitutional devotion on the part of the Alabama troops, I eagerly inquired, and caused others to inquire among the very intelligent officers of the escort, and several gentlemen who accompanied it as individuals, and the apprehensions excited by the letter were much increased.—(See, on this point, governor Schley's answer to my 18th interrogatory). Nay, it appeared to me, and to many others, who knew the circumstances, as certain, that the Alabamians had, from the 4th to the 8th of June, refused to come under the authorities of the United States, or, at least, under the command of general Jesup, and that they would continue so to refuse was even more than probable.

In this state of apprehension, I reported the circumstance to the adjutant general, June the 12th, adverted to the subject in my report to him of the 14th, and again in my report (by means of the paper enclosed) on the 17th.

In reference to the doubts so reported, the secretary of war in his letter of the 20th of June, instructed me, in the name of the president, that if,

contrary to the confidence reposed "in the governor and citizens of Alabama," the militia of that state should "not have been mustered into the service of the United States agreeably to the requisition of the department." I was immediately to "stop all expenditures and supplies of every kind whatever, on the part of the United States, for such militia."

The next letters from general Jesup were received by me on the 17th of June, and dated the 15th and 17th. These I acknowledged in a letter to him of the 17th, in which I said:—"You had not informed me—you do not even now tell me, that you are in command of the Alabamians." It is true that that fact might, on the 17th, have been inferred; but it was not explicitly stated before his report to me dated the 20th.

Hence, Mr. President, the justness and force of governor Schley's answer to my 22d interrogatory, in which he says:—"With the great uncertainty with regard to the Alabama troops, and the situation of general Jesup, I considered it all-important that the whole of the Georgia troops should be prepared to take the field." And, sir, it has been shown that the muskets arrived on the night of the 20th were distributed on the 21st of June, and a general movement immediately commenced.

I have thus incidentally shown that I was without any letter from general Jesup after that of the 8th, until the 17th of June, when his two letters of the 15th and 17th were received. Whence this long silence, Mr. President? In his report of the 20th—the first paper sent by him to me deserving of that name—he said:

"I was not aware, until yesterday, that a letter which I wrote to you on the 9th instant had not been sent to you. It was accidentally put up with a bundle of papers, and I found it only yesterday morning, and from no notice having been taken of my letter of the 12th, I fear it has not been received. It was sent by a runner. I enclose a copy of it."

Sir, I am sorry to say that this account of the letter of the 9th is strange, if not altogether improbable; and I think, for reasons which will appear, that it is doubtful whether the letter of the 12th was ever confided to an Indian runner. Perhaps, on further search, it has been found, like its predecessors retained among other papers. And as the point is far otherwise than trivial, I will here quote, in support of my conjectures, what the same writer found himself compelled to say, in similar cases, to a higher functionary.

From Tuskegee, Alabama, August 2d, 1836, general Jesup said to governor Schley: "Knowing that I had written to you in reply to your communication, I was surprised when I received a copy of a letter you wrote to the president, in which you declare that I treated *with silent contempt* the reasonable request of the governor of Georgia." I examined my letter book, and found my letters to you recorded in their proper places," &c. "I felt indignant that a charge so entirely unfounded, as I then thought, should have been made; but am now induced to believe that, by some oversight or omission, my letters or at least one of them, had not been sent to you." He adds that an officer, late of his staff, "left Fort Mitchell for Washington city on the 1st of July. In looking over a file of papers put up by him the morning he left, and not opened since, until last night, I found the enclosed letter. The endorsement is in — hand, and I think it probable that it was put upon file in place of being sent to you."

August 28th. The same to the same. "I received your letter of the 15th instant at the moment of setting out for," &c. "I was detained longer than I expected, and only returned this morning.—Your letter of the 30th of June was not answered; but the omission was inadvertent, not intentional. I had forgotten that letter until I received yours of the 15th."

Now, sir, I will ask, what credit is to be attached to the declarations of one, upon a subject like the present, who has shown himself so forgetful, and of habits so irregular?

But, bad as was his memory, and disrespectful as were his practices, in matters of imperious duty, towards the chief magistrate of Georgia and myself, it is in evidence, sir, that, when the object was either to give effect to malignity, or to emblazon his own judgment and prowess, general Jesup never forgot, and always had the leisure to address the president of the United States, through Mr. Blair, or the less effective channel—the secretary of war. See his two letters to "Francis P. Blair, esq." dated, respectively, June the 20th and September 8, 1836, and his three official communications addressed to the secretary of war, dated, respectively, the 10th, 11th and 25th of June, 1836.

These five extraordinary productions, for they may be respectively denominated—the first two

mentioned, *private-official*, and the last three *official-private*, call for a few specific remarks:

1. The whole are highly laudatory of the writer, major general Jesup himself, to a degree which might have palled upon the palate of his correspondents, but for the equal and happy admixture of censure of me.

2. The two private official letters have both been printed in the *Globe* newspaper: the first, with the president's endorsement, but without the initial and most sinister word (*PRIVATE*) on the face of the letter. Public rumor, without the least agency of mine, and which, indeed, was rife in Washington, Baltimore and Norfolk, whilst I was yet far to the south, without suspicion, and without knowledge of the matter, ultimately forced out this production, but not in all its deformity, for it was mutilated in the *Globe* of that word which gave character to all the others.

3. The letter of the 3d of September was expressly written in support of that of the 20th of June, and accompanied by official documents with notes—all professedly furnished by general Jesup for publication. As the best evidence, Mr. Blair was summoned as a witness to establish that fact. At first, he informed the judge advocate that he would attend on a given day, but afterwards wrote to that officer that he would prefer that his testimony should be taken by deposition at Washington. I immediately drew up interrogatories, which were duly transmitted by the judge advocate. Ample time had elapsed when I was last in court, and no answer having been received, the printed communication and Mr. Blair's letter to the judge advocate were offered by me, and received, in evidence. One important object I had in view remains, however, unaccomplished. The *Globe*, under the editorial head, speaking of my official reports made in the field, said, August 8, 1836. "Some were sent to us for publication, as we understood, at his [general Scott's] instance." Now, as I knew that this was not so, and had uniformly denied the charge—which, moreover, if true, would have rendered me justly obnoxious to the censure of this court, under the instructions given to it by the president of the United States—one of my interrogatories requested Mr. Blair to inquire into the grounds of that *understanding*, and to favor me with his answer.*

4. The three letters of Mr. Secretary Cass were given in evidence by the judge Advocate. They had never been published, nor had I heard of them until they were read in court. Whether the writer was ever rebuked by that functionary may be more than doubted. They were certainly not sent back, as they ought to have been, or they would not now have been here. I have denominated them *official-private*; for, sir, it is evident to me that, when severally written, they were, like the celebrated letter to Mr. Blair of the 20th of June, intended, by general Jesup, only for particular eyes. Thanks to the chief magistrate, he made one public by his endorsement, and thanks to the justness and manliness of Mr. Secretary Butler, the other three were not retained in the secret pigeon holes of the war office. And what is the character of these so long held *official-private* documents?—This it is now my purpose to expose.

It has been seen that gen. Jesup says he reported to me on the 9th of June, put the letter in a bundle, and forgot it. No wonder. His vanity was too much flattered with the honor of writing to Mr. Secretary Cass, for the eye of the president, to think of me who was charged, at the moment, with the general direction of the war. On the 10th, he made a report to the secretary, overlooking, as he did me, the adjutant general and the general-in-chief. The next day he made another report to the same functionary. In the first, he says that he has "about 900 volunteers and militia," and "about 200 friendly Indian warriors." "I shall move to-morrow, or the next day, at the farthest, against the hostile Indians," that he expected "to be joined by 500 mounted men," and "by 200 Indian warriors, and [he] hoped to strike the enemy in five days." But not an allusion to me, nor the instructions I had given him.

The 11th, from the same place, Tuskegee, he makes his second report to Mr. Secretary Cass.—He says that he has been delayed. "I shall move forward to-morrow, however, and occupy a position on the Fort Mitchell road, about twenty eight miles in advance, and there await the arrival of the Indian warriors under," &c. "or, if I can find the enemy without Indian guides, attack him immediately."

*The deposition was presented by the judge advocate at the opening of the court; but there was not time to read it. Gen. S. was understood to say that it acquitted him of the charge above specified.

[Reporter.]

Now, not a word is said, in either of these reports, of his having commenced defensive operations "for the purpose of staying the tomahawk and scalping-knife, and of preventing the devastation of entire settlements or neighborhoods on the frontier;" nothing of his having "none of that courage that would enable [him] to remain inactive when women and children are daily falling beneath the blows of the savage." These were flourishes which occurred to him subsequently, after I had rebuked him for violating my orders; for moving prematurely, and without notice to me, and operating on a line which inverted the plan of operations agreed upon between us. From his two reports to the secretary, it is plain that none of those devastations and horrors were then going on. The frontier settlements of Alabama had been tranquilized and rendered secure before his arrival at Tuskegee, and every white inhabitant within the enemy's country, who was at all exposed, had been previously murdered or had escaped. (See gen. Sanford's answer to my sixth interrogatory. It is conclusive on this point, for nobody better knew the Creek country). No, sir, gen. Jesup commenced operations on the 12th, without the crying necessity afterwards invented; without "the altered circumstances of the country" from the date of my instructions, (1st of June), which he alleges, in his letter to me of the 17th. He says not a word of the kind in his two formal reports to the secretary of the 10th and 11th; but, on the contrary, suppressing all allusion to my instructions, shows himself in haste to take the war into his own hands; and the court will recollect how it happened, no thanks to his foresight or activity, that he found the Alabamians amply provided with arms and ammunition.

The court has also seen, by the deposition of gov. Schley, under my 2d, 3d, 4th, 5th and 6th interrogatories, and the answers of major Kirby to my 3d, 4th and 5th questions, that general Jesup not only fully concurred in my plan of campaign against the Creeks, without suggesting a modification, but, claimed to have had the same plan in view as a conception of his own; and that I steadily adhered to it in all its outlines and details, until it was inverted or broken in upon by the isolated and unexpected movement of that general. The plan and its details, so shamefully denounced (with my Florida operations) in his letters to Mr. Blair, and pamphlet, will appear in the sequel.

In my instructions to gen. Jesup, dated June 1st, founded on the views so fully and frequently developed in conversations with him, I directed that he should repair to the head quarters of the governor of Alabama, understood to be either at Montgomery or Tuskegee, in order that the former, by an interview with the latter, might charge himself with the command of the Alabamians, and the direction of the war on that side of the enemy. His first step, after the interview, was to cause the volunteers, already called out in sufficient numbers, to be mustered into the service of the United States—if the enemy allowed time for that essential measure.

"His excellency the governor of Alabama [I said, in continuation] has proposed, in a letter that you have seen, [to the commanding officer of the Georgia militia, who might be at Columbus] to commence vigorous operations against the enemy, as early as the 5th instant. You have seen my reply to that letter, and are well acquainted with all the considerations which have induced me to propose a postponement to the 15th. In the meantime, however, and before the regulars and all the forces of Georgia shall arrive, I think something very advantageous may be safely attempted from a point at or below Irwinton, and operating up the country." (The court has seen that I then had expectations of receiving at Columbus the arms ordered, by the 12th or 14th). My letter to gen. Jesup continues: "I shall wish you, therefore, as soon as you are in command, to send as many of the Alabamians as can be safely spared from other great objects [evidently the defence of the Alabama frontier settlements] to co-operate with any surplus troops of Georgia that we may have for the field, after guarding the important points on this river [the Chattahoochee]. What that surplus may be, at the end of (say) eight or ten days, I cannot speak with confidence; but from the expectations of his excellency governor Schley, I think we shall by that time be able to send to that point from 1,000 to 1,500 men, including horse and foot. With this force, and a little addition to that which governor Clay, as you have seen, proposes to send to Irwinton, and some four or five companies of regulars, which may be here in time, I think we may clear the lower part of this river: that is to say, the whole of Barbour county, of the enemy, by the 17th instant, and before the arrival of the last of the regulars expected from the north. By that time all our forces on this side will be up, and be ready to be thrown across

the river for vigorous co-operation, and, as we advance up the country, a portion of the volunteers guarding the river may be crossed over and united with the pursuing army." Many of the regulars, however, were unavoidably behind this calculation, from four to seven days. The letter concludes: "You will take care to communicate to me fully, from time to time, your means, your movements, and your plans, and you will hear from me frequently."

Yet the court has seen that, after the receipt of the enigmatical and alarming letter of the 8th of June, I did not again hear from general Jesup till the 17th, when he reported himself to be within fourteen miles of Fort Mitchell!

Sir, he not only did not report to me himself (until long afterwards) any of the important facts which he so fully disclosed to the secretary of war, as we have seen; but his presence at Tuskegee, in all probability, prevented his excellency governor Clay, then there, from acknowledging my two letters of the 31st of May, as I now certainly know it prevented any reply to a letter of the same date and tenor from governor Schley. This fact is established by the answers of the latter to my 15th and 16th interrogatories, in which it is said that gov. Clay replied to another letter written by the deponent many weeks subsequently, "that the management of the war had devolved on generals Scott and Jesup, which seemed to render any further correspondence between us [the two governors] upon that subject unnecessary." Yet a reply to either the letter of governor Schley, or the two from me, would, under the mysterious silence of gen. Jesup, have much diminished my embarrassments at the time.

In general Jesup's second report, dated the 11th of June, to the secretary of war, he says: "I have no means of communicating directly with general Scott. This circumstance inclines me to strike a blow at once, though there is some hazard in it.—General Scott, when I left him, expected to be ready by the 15th."

Why, sir, had he no direct means of communicating with me? His letter of the 8th came to Fort Mitchell by an Indian runner. My letters to him of the 10th, 16th, &c. were sent by single Indians, and he had a large body of friendly Indian warriors with him. I early charged captain Page, who was, at the time, caused with the Indian department, and the transmission, by Indian runners, of my letters to general Jesup, to be summoned here; but the judge advocate informs me that the captain is detained at the south by illness. General Jesup, however, has nowhere remarked the non-reception of any one of my letters.

My second letter to him was dated the 10th, alluded to in the third [16th of June] by mistake, as if dated the 12th. In this letter [of the 10th] I said:

"We shall be much delayed in taking the field, on this side, by the non-arrival of our most essential supplies—rifles, muskets, musket accoutrements, ammunition, &c. I had expected these, with subsistence stores, to begin to arrive here from the Ochmulgee by the 7th instant; but here is a letter from the agent, Mr. Beard, dated at Hawkinsville, the 5th, in which he reports that nothing had reached that place. He immediately despatched a boat to Darien to make inquiries, to hasten, &c.—We have now on the Chattahoochee about 3,000 Georgians, most of them remarkably fine men.—Of the whole number, however, not a third have sufficient arms, and a still smaller number good accoutrements. It will, therefore, be impossible to arm and equip the remaining two-thirds without the muskets, the Hall's rifles, and musket accoutrements expected by the Ochmulgee. From the foregoing, it will be seen that it is impossible for the Georgians to commence operations from the neighborhood of Irwinton, say in eight or ten days, nor even then, unless the arms and accoutrements shall have arrived. I have not had a line from governor Clay," &c. "We have more than doubled the force placed in the lower counties of Georgia to prevent the Creeks from escaping to the Seminoles."

In my third letter to general Jesup, dated June 16, after telling him (as in my second letter—in order that his own movements might not be precipitated) of the arms, &c. having been heard from, and that they might be expected in a few days, I say: "At present, of the 2,200 men major general Sanford has in his camp, (on the other side of the river), only about 400 are armed, [and these but indifferently]; all the other armed men have been detached below, to guard the river, and which, as yet, from the want of armed men is but very imperfectly guarded." I then allude to the mysteries and omissions of his letter of the 8th. After animadverting on several, my letter proceeds:

"You further tell me that if a movement be determined on, I will send you information of it by a runner. A movement to be determined on! By

whom? The Alabama commanders, or those in conjunction with yourself? Either you were placed in command, or you have not been. In the first case you would certainly determine on no scheme of offensive operations without my previous concurrence and readiness to co-operate; yet, without receiving any runner from you, or communication of any kind, since the 8th instant, a passenger in the stage by the upper route, just arrived, here reports that you, at the head of about 3,000 Alabamians, and 1,000 friendly Indians, was about to march upon Ne-o-mi-co's band, and to commence operations on a grand scale! I have no doubt there is a gross mistake in this report. You may, perhaps, have been about to make some defensive movement, or operation, to clear a frontier settlement of a portion of the enemy; but I will not believe that you have declared your independence of my authority."

The court will be pleased to remark that I was, until very recently, ignorant of the fact that general Jesup, though silent towards me, had been quite communicative against all regulations and decent usages of the army, to the secretary of war.

My letter to him, of the 16th, continues: "It is certain that brigadier general Moore, of Alabama, has commenced a course of offensive operations, from Irwinton up the country. From this fact alone, I have rather inferred that you have not even yet been invested with the command of the Alabamians, or you certainly would have stopped his premature and isolated movement. These doubts and conjectures, in the absence of all direct intelligence from you, are sufficiently harrassing."

"I mean to be explicit and precise on my part.—I desire you instantly to stop all offensive movements, (if you are in command), on the part of the Alabamians, until the Georgians are ready to act; say on the 21st inst. the greater number of them will be armed and ready for the field. By that time, too, there will be on the frontier the greater part of the regulars and marines ordered from the north. On that day, if the movements of general Moore shall not render a modification of my plan necessary, I shall begin to assemble the troops on this side of the nation, some where in the neighborhood of Irwinton, and operate up the country. It is my desire that you meet me about that time and place, and that you bring with you any disposable force you conveniently can, or that you hold the whole of the Alabamians in defensive positions on the frontier settlements till I shall bring the war into their neighborhood, when you can come into the general line of operations with me."

June 17th, I addressed a fourth letter to general Jesup, of which the following are extracts:

"Sir: I have this moment received your two letters of the 15th and 17th instant."

"I am infinitely astonished and distressed to hear of your near approach, and in a starving condition, to Fort Mitchell. You knew that your forces were not wanted there; you knew that no supplies would reach Irwinton from New Orleans earlier than the 21st instant, if so soon; and you knew by my letter of the 10th inst. that nothing had arrived as high as Hawkinsville upon the Ochmulgee, and, consequently, nothing could have reached this place by the present date, from that river. I ought, also, to add, that you knew when you left here, that the troops, daily increasing, were living from hand to mouth on the precarious supplies of the neighborhood. Under these circumstances, imagine my astonishment to learn that, instead of marching the disposable force of Alabama upon Irwinton, with subsistence for at least ten or five days in advance, you have come through the heart of the Indian country, seeking private adventures, which, if successful, could hardly have advanced the war, and against my known plan of operations, to Fort Mitchell, forty five miles out of position! It is precisely general Gaines' movement upon Fort King, where there was no subsistence, and there is none, as you ought to have known, at Fort Mitchell! My grief and distress are at their utmost height. This strange movement you have made, without giving me the slightest notice. You have not informed me—you do not even now tell me, that you are in command of the Alabamians; and your last letter states that it was doubtful whether you ever would be invested with that command. All this is infinitely strange, and was the last thing in the world that was to be expected from you."

The letter concluded with these words: "Though in grief, I still remain yours with great regard."

General Jesup has given this letter, with notes of his own upon it, as part of his communication to Mr. Blair, printed in the *Globe* September 20, 1836. In one of those notes he says, "to dis credit my describing him to be approaching Fort Mitchell in a starving condition," that, at the time, "he had subsistence for the troops under his command to the 22d of June."

Now, in his letter of the 15th, written from the interior of the enemy's country, he had said to me: "I find it impossible to obtain either corn or subsistence here. The hostile Indians have destroyed all that they have not taken away." Same letter: "June 16th. I am now at the Big Spring, within fourteen miles of Fort Mitchell." "I have to request that provisions and corn be sent to Fort Mitchell. I have only five days' rations, and not a grain of corn." "I shall, probably, be compelled to fall back on Fort Mitchell, or to a position near to it.—I hope to receive orders from you at that place, to which, if I do not go myself, I shall send wagons for subsistence." And in his note to me of the 17th, received with the letter of the 15th-16th, he says: "I find that we have less than two day's rations in addition to two day's rations in the hands of the men. Whether successful or not against Ne-o-a-mathla, I shall be compelled to go to Fort Mitchell. Can you give us provisions and corn there? By all means do so."

Here, then, Mr. President, is a great general, who takes the field against the orders and without the knowledge of his commander; puts himself on a wrong line of operations, without plan or object; without the assured means of subsistence, and, when out but from three to five days, breaks silence only to call for help, and in piteous accents declares that, whether successful or not, he will be obliged to fall back! We may now see why these letters were not given to the *Globe*; they would have supported every assertion of mine so indecently contradicted in the printed notes. Take this as a second example: General Jesup says that, when he arrived at Fort Mitchell "he found in the neighborhood several thousand bushels of corn, which he had directed captain Page to secure early in June." If so, why the urgent entreaty that I would send provisions and corn there? I again regret the absence, by sickness, of captain Page. My accuser adds, in the same place, "If general Scott was not acquainted with the resources at his command, it was not the fault of general Jesup." This sneer is happy enough; but, unluckily for its author, I myself gave him, in my letter of the 19th of June, the first information he had probably ever received of that corn! In the same printed notes, general Jesup says, when he "arrived at Fort Mitchell, on the night of the 18th of June, he found a steamboat with 70,000 rations, which he had ordered from New Orleans before he had left Washington city." How exclusive in his foresight! Again, "he expected the arrival of the steamboats with supplies at Columbus by the 15th of June."

The court will here please refer to my letter, written at Augusta, May 26th, and repeated from *Milledgeville* the 28th, addressed jointly to the quartermaster and commissary at New Orleans, and then turn to the testimony of major Kirby. From the latter it will be seen that, upon a calculation made by general Jesup and myself, we both thought that his letter from Washington and mine from Augusta, on the same subject, would, very probably, reach New Orleans together. And, according to major Kirby's letter to general Irwin, dated June 2d, it was thought the first supplies might arrive from that city by the 18th or 19th. General Jesup, therefore, could not have expected those "supplies at Columbus by the 15th of June;" and he knows, in fact, as I several times told him in my letters, that we both thought it would be fortunate if they arrived by the 22d. By great good luck, however, the first steamboat did actually arrive at Fort Mitchell on the 18th or 19th, whereby the whole army was saved from the misfortune which general Jesup's false movement would otherwise have occasioned, viz: of being reduced to half or third rations for many days. (See, on this point, the testimony of maj. Kirby, lieutenant Waite, and lieutenant Betts; also, the deposition of major Huson).

In all this time, Mr. President, from the 4th of June, when he reached Tuskegee, to the 17th, it had never once occurred to general Jesup that a movement from the frontier settlements of Alabama, upon Fort Mitchell, (at the opposite side of the Creek country) was the way to protect the women and children (whom he left far behind) against the uplifted tomahawk and scalping knife; or that he had none of that courage that would enable him to look on such scenes. No, sir, "devastations of entire settlements," as well as women, children, the tomahawk and scalping knife, are entirely omitted in all all his letters—the two to the secretary of war, dated the 10th and 11th of June; his letter to me of the 8th; the copy of that dated the 12th, but handed to me by his aid-de-camp on the 20th, and his two other letters to me dated the 15th-16th, and on the morning of the 17th." But, after he had taken the war out of my hands, and found himself "compelled to fall back on Fort Mitchell" for corn and subsistence; when, in short, he had, late on the 17th, re-

ceived my letter of the day before, quoted in great part above, then, and not till then, did those moving topics occur to him—in the use of which he has been as happy, as in the invention. See his *second* letter to me, dated the 17th of June, in which those weapons are powerfully handled both for defence and offence, and which letter closes his communication in the *Globe* of the 26th September. But, powerful as that letter may seem, he did not dare to include my reply to it, dated the 19th, and which, in all fairness, ought to have been published at the same time. This the court will perceive, from the following extract:

"On my return to Columbus, late last evening, I received your *second* of the 17th inst. This is fully as strange as any of your previous communications. In it you repeat nothing of your previous intention of marching upon Fort Mitchell, but you take care to insert two or three topics which would furnish a good basis for a popular appeal against the hardship imposed upon you of undertaking no system of offensive operations without my previous concurrence and readiness to act in concert with you. It would seem to be for this purpose, I can imagine no other, that you tell me that your operations have been 'commenced, and have been continued for the purpose of staying the tomahawk and the scalping-knife, and preventing the devastation of entire settlements or neighborhoods on the frontier.' Nothing, certainly, could have been more meritorious. The direct protection of the Alabama settlements was within your competency, and, indeed, among your paramount duties. But why commence a grand system of offensive operations, which has brought you out on this side of the Creek nation at a point where I did not want you, without giving me the slightest intimation that you were about to commence, and, of course, without waiting for my approbation and co-operation? To have waited for such co-operation, and to have given me notice of your intended movements, were, allow me to say, also, among your paramount duties.

"Your next popular flourish is in these words: 'I have none of that courage that would enable me to remain inactive when women and children are daily falling beneath the blows of the savage!' I certainly believe that you have not, and there was not the slightest objection, in any quarter, to your protecting the women and children of the frontier, with the defence of which you were directly charged. Again, nothing could have been more praiseworthy; but how does this excuse your leaving those women and children, and, instead of marching upon Irwinton where you were required, marching in hostile array, seeking battles, upon Fort Mitchell, where you were neither expected nor wanted?

"On the subject of the Alabama frontier settlements, I am happy to learn by your letter, that you made such arrangements for their safety as to leave you assured on that point.

"The last dead point you make, as if it were for future use, against me, is this: 'I would have struck the enemy to-night but for your letter; if he is not struck to-morrow morning, he will escape for the present, but the force I have in the field is sufficient to pursue and reduce him.' Here I am made to deprive you and the country of a great imaginary victory. I say imaginary, for I am inclined to think you are a little too sanguine on this occasion in your calculations. But the true answer is this: Who gave you authority to roam at pleasure through the Creek nation, at the head of the Alabamians and a body of friendly Indians, without giving notice to, and without concert with, the Georgians and regulars brought to this frontier for the same war, and at an enormous expense to the government? Besides, from the position now occupied by you, you are forced to operate *down* the country, instead of getting below the enemy and operating *up*. This precisely inverts what you knew to be my plan of campaign—a plan fully developed in conversation with you, and to which you did not in the least object, although you were invited to discuss it freely!"

Here, sir, it will be seen that I distinctly predicted that general Jesup's second letter, of the 17th, assuming new and unfounded reasons for his false and unauthorised movements, was intended much more for the public than his immediate commander. Hence those topics of appeal, and hence its appearance in his communication to the *Globe*, without my reply!

The court has also seen in that reply, that I discredited the idle vaunt that he would have struck the enemy a fatal blow on the 17th or 18th, but for my letter of the 16th. Now, sir, it is distinctly in evidence, notwithstanding that gasconade, that he not only disobeyed my orders, but, in the attempt to strike the blow, egregiously failed! See his third *official-private* letter, addressed to Mr. Secretary Cass, dated June 25th, and which so unexpectedly

has been brought within my knowledge. It was on this, and the circumstances connected with the point, that I wanted the testimony of gen. Woodward. My 14th interrogatory to governor Schley relates to the same matters.

I have given above an extract of my letter to general Jesup, of the 19th of June. The following is a continuation of the same communication:

"Whilst writing the above, I received your letter of this date, written at Fort Mitchell. You charge me with harshness. I have certainly, in previous letters, complained heavily of you, as in the beginning of this, and have, in every instance, I think, given the grounds of those complaints. The facts stated by me, I think, bear the construction I have placed upon them, and I have infinitely regretted the existence of those facts.

"You are mistaken in supposing that I upbraided you for asking for small supplies of rations and forage for your troops. I regretted the scarcity of your resources in such supplies, and apprehended a scarcity bordering on starvation, for a few days. Fortunately 80,000 rations have arrived at Fort Mitchell, (and about 20,000 here), which yesterday were not expected earlier than the 22d, perhaps the 23d instant; and I am confident that, when here, we both, by calculation, did not expect any thing from New Orleans before the 21st or 22d. I am rejoiced as much on your account as my own, that we both have an abundant supply of rations for the present; and we know that 150,000 more will soon follow."

"General, in haste, I have not intended to say any thing to injure you. I have shown in strong terms the construction I had a right to place upon your acts and letters. This, I know, may appear harsh. But on the other hand, allow me to say that I have the greatest, and an undiminished confidence in your honor, your intelligence, gallantry and capacity for war. You use the word *friendship*. I have cherished for you for more than twenty-two years a warm and a sincere affection, which I would not part with on any consideration. It has been a little shaken since I saw you, but one expression of your letter goes far to recall it. I think you have not been attentive to my plans and instructions. In this I certainly believe that you have erred, and also in your failure to report fully to me. Throwing for a moment seniority aside, I ask it of your ancient connexion with me to be more careful in those particulars in future. It will give me sincere delight to put down this war with you, and to give you all the fame which I know you are so capable of winning."

The letters between general Jesup and myself were duly, from time to time, enclosed by me to the adjutant general for the information of government. In writing to the latter on the 21st of June, I enclosed general Jesup's letter to me of the 19th, and the above reply, of the same date, and said to the adjutant general:

"With respect to this distinguished officer, [gen. Jesup], I have every motive in the world, public and private, to act in perfect harmony. All my ancient affection for him is fast returning. I hope it will be entirely restored in a day or two, that is, as soon as I shall learn that he conforms himself to my plans and instructions."

Having subsequently received gen. Jesup's report dated the 20th, giving his operations and motives from the 12th to that date, with several other official letters, (in evidence); having, as I passed down the country the evening of the 23d, met and conversed with him on the subject, confiding in the facts and motives alleged by him on the several occasions, and being absolutely ignorant then, and long afterwards, of his letters to Mr. Secretary Cass, and, above all, of the dastardly attack through Mr. Editor Blair, in the since notorious letter of the 20th, the court may imagine how, with my reviving feelings of kindness, I was led to write the voluntary apology for gen. Jesup's conduct, dated the 23d of June, and addressed to the adjutant general. In this letter I requested that such of my reports as had animadverted on general Jesup might be returned to me, on the ground that, as we were *again friends*, no trace might remain on record to show that we had ever been otherwise. He had met and rode some miles with me that evening. As he entered my room I finished the letter, handed it to him to read, (before I had read it myself), and it was instantly recorded by an aid-de-camp in my letter book. I did not tell him "on the morning of the 24th," as he writes to Mr. Blair, September 8d, that I "would ask to withdraw" the letters, &c. The request, and my reasons for it, he had seen the night before. With the letter in his hands, he intimated an objection to the word *explanations*, offered by him; but, on an admonition, on my part, of firmness and kindness, he read the letter through, and expressed himself gratified. Why, sir, did he

not then tell me of, or instantly take measures to counteract, his assassin-like letter so recently written to Mr. Blair, and which, beyond all doubt, he despatched after the receipt of mine of the 19th?

A miserable apology is attempted, by general Jesup, for addressing the president of the United States on official matters, through the secret channel of Mr. Blair, in the printed sheet or pamphlet, (before noticed), signed by gen. Jesup's aid-de-camp. In this joint production, it is said: "The official channel of communication was through gen. Scott. To make the application through him would have been indelicate," &c. But where was the convenient channel, through Mr. Secretary Cass, which gen. Jesup had twice used, (on the 10th and 11th of June), before the letter of the 20th to Mr. Blair, and once afterwards—the 25th of June—on other military subjects—all whilst I was in command? Have those acts of direct insubordination towards me ever been rebuked? It is to be presumed not, sir, or those letters would not have been found in the same department in the time of Mr. Secretary Butler.

The truth is, Mr. President, general Jesup left Washington on the 22d of May—the day after the receipt of my letter respecting major Read; and, aware of the displeasure which that letter had brought upon me, he believed himself at liberty to defy my authority, with but little observance, as often as his vanity might dictate. Hence his repeated boasts, (in his letters), that he had been sent into the field by the president himself, although, in the instructions to him, he was expressly told that if he found me there, he was to serve under me, and obey my orders—as the rules and articles of war would have told him, independent of those instructions; and hence, from the same cause or causes, of all those letters *official-private* and *private-official*, with the pamphlet and communications in the *Globe*, which I have brought under the review of this court. The blood of the Seminoles may be made to crimson the waters of Florida, but neither one nor both can wash away that stain which his conduct to an ancient friend has brought upon him. Sir, a moment more, and I shall be done with his name forever.

Much having been objected to my plan of operations against the Creeks, as against that in Florida, and there being really some danger that any plan of campaign may, from the sneers of some of my contemporaries, be, in future, considered as unworthy of the native genius of American commanders, I beg leave, Mr. President, to fortify my last humble conception in this way, by the opinions of three highly distinguished gentlemen who have favored me with their depositions. The following interrogatories, but slightly and accidentally varied, were propounded by me to each of the deponents:

1. "What, in the opinion of the witness, were the relative advantages or disadvantages between the plan of operations beginning on a line at or a little above Irwinton and below the hostile Creeks, and acting *up* the country, and beginning, (say), on a line from Tuskegee to Fort Mitchell, above the greater number of the enemy, and thence operating *down* the country?"

2. "If the whole disposable force of Georgians, Alabamians and regulars, with the friendly Indians acting as auxiliaries, had been placed in line below the enemy, and had operated *up* the country, whilst the frontier settlements of Georgia and Alabama were guarded by competent detachments, is it not probable that fewer of the enemy would have escaped across the Chattahoochee, in the direction of Florida, than actually did so escape; and also, that the war would have been earlier finished than it actually was?"

3. "Is it not probable, or certain, that the movement of general Jesup and the forces under his immediate orders from Tuskegee upon Fort Mitchell, and from that line below, before all the other forces (upon the Chattahoochee) were ready to take their positions on that river and the base line below the enemy, put the enemy upon the endeavor to escape in the direction of Florida, and led to the many severe conflicts which took place on the soil of Georgia?"

4. "Which of the two plans of operations—that of operating with the whole disposable force under the general command of the said Scott *upwards* from a line below the enemy, and beginning, (say), about the 25th of June; and the plan pursued by the said Jesup, viz: beginning an isolated movement, (say), about the 12th of the same month, from Tuskegee towards Fort Mitchell, and thence operating *down* the country—would, in the opinion of the witness, have the sooner terminated the war by the capture of a great body of the enemy?"

These questions are here differently numbered from the numbers they bore in the several papers drawn up by me to be submitted to the witnesses.

I regret, Mr. President, that I have not the time or strength to embody the answers to the several interrogatories given by his excellency governor Schley, a near, an anxious, and close observer of all that passed; of major general Sanford, who commanded the Georgia line from an early period to the end of the war; and of the hon. Mr. Dawson, a colonel at home, but a captain in the campaign. Each is clear and emphatic in favor of my plan of operating *upwards* in preference to the reverse plan; in favor of a delay to about the 25th of June, with a view to a united movement *upwards*, with all the disposable forces; and of the opinion that the war would sooner have been terminated by that delay in the beginning, and with better results. I know not an intelligent officer, who was with me in the campaign, who would not have given a like opinion if called on for the purpose.

To this, or a similar question propounded, viz: "Is the witness aware that the said Scott, in any particular, when not ill in bed, (about ten days), failed in point of zeal, activity or judgment, in the direction of the war against the hostile Creek Indians before mentioned?"

The answers of governor Schley, major general Sanford, colonels Dawson and Kenan; and major Kirby, to this question, are all again too complimentary to be by me reproduced, and no other witness with me in the Creek campaign was interrogated on the subject.

Mr. President and gentlemen of the court:

I am exhausted; but should do equal wrong to justice and to my own feelings not to offer to each and every one of you my hearty thanks for the patience and impartiality you have all shown, including the judge advocate, in this long investigation.

Every material fact that has been given in evidence, which more than by mere possibility could effect your judgments to my prejudice, and I recollect but few of that character, will be found carefully embodied, or specifically referred to, in this summary. Much I know to be wholly omitted on the other side. These declarations I am confident no examination will be able to controvert. And here I may add that there is not an important circumstance in all my recent conduct in the field which was not at the time duly reported, and with my own hand, for the information of government. With, then, this overwhelming mass of testimony in my favor, permit me again to ask, by what strange fatality do I find myself *here*? It is for this court, with the approbation of the president of the United States, to bid me *depart in honor*; and that that decision may be without the farther alloy of suspense—in which I have now but too long been held, under circumstances perhaps uncontrollable—I will ask that it be speedily awarded.

FREEDOM OF ELECTIONS.

The bill introduced by Mr. Bell into the house of representatives on Wednesday the 25th ult. to secure the freedom of elections is as follows:

A BILL TO SECURE THE FREEDOM OF ELECTIONS.

Whereas, complaints are made that officers of the United States, or persons holding offices and employments under the authority of the same, other than the heads of the chief executive departments, or such officers as stand in the relation of constitutional advisers of the president, have been removed from office, or dismissed from their employment, upon political grounds, or for opinion's sake; and whereas, such a practice is manifestly a violation of the freedom of elections, an attack upon the public liberty, and a high misdemeanor; and

Whereas, complaints are also made that officers of the United States, or persons holding offices or employments under the authority of the same, are in the habit of intermeddling in elections, both state and federal, otherwise than by giving their votes; and whereas, such a practice is a violation of the freedom of elections, and a gross abuse, which ought to be discountenanced by the appointing power, and prohibited by law; and

Whereas, complaints are also made that, pending the late election of president and vice president of the United States, offices and employments were distributed and conferred, in many instances, under circumstances affording a strong presumption of corruption, or that they were conferred as the inducements to, or the reward of, influence employed, or to be employed, in said election; and whereas, such a practice, in the administration of the patronage of the government, will speedily destroy the purity and freedom of the elective franchise, and undermine the free system of government now happily established in these United States, therefore, to prevent the recurrence of any practices which may give rise to similar complaints in future,

Sec. 1. *Be it enacted, &c.* That, from and after the 4th day of March, one thousand eight hundred and thirty-seven, no officer, agent, or contractor, or other person, holding any office or employment of trust or profit, under the constitution and laws of the United States, shall, by the contribution of money, or other valuable thing, or by the use of the franking privilege, or the abuse of any other official privilege or function, or by threats and menaces, or in any other manner, intermeddle with the election of any member or members of either house of congress, or of the president or vice president of the United States, or of the governor, or other officer of any state, or of any member or members of the legislature of any state; and every such officer or other person, offending therein, shall be held to be guilty of a high misdemeanor, and, upon conviction in any court of the United States having jurisdiction thereof, shall pay a fine not exceeding one thousand dollars; and any officer other than the president, vice president, and judges of any of the courts of the United States, so convicted, shall be, thereupon, removed from office, and shall be, ever after, incapable of holding any office or place of trust under the authority of the United States: *Provided*, That nothing herein contained shall be so construed as to interfere with the right of suffrage as secured by the constitution: *And provided further*, That nothing herein contained shall so operate as to prevent the president, or the head of any department, who is invested by law with the power of appointing inferior officers, from removing from office, at any time, any incumbent, who the president or the head of a department, as the case may be, shall be satisfied has intermeddled in any election, state or federal.

Sec. 2. *And be it further enacted*, That, from and after the 4th day of March, 1837, no officer who, by the constitution and laws of the United States, is authorized to appoint, or nominate and appoint, any officer or agent of the government, shall, by himself, or by any other person or persons in his behalf, give, or procure to be given, or promise to give, or procure to be given, any office, place, or employment to any person or persons whatsoever, with intent to corrupt or bribe him or them, or upon any agreement that such person or persons to whom, or for whose use, or on whose behalf, such gift or promise shall be made, shall exert his or their influence in any election, or by himself or themselves, or by any other person or persons, at his or their solicitation, endeavor to secure the election of any person or persons to represent any state, or any district in any state, in congress, or of any person to be president or vice president of the United States, or of any person to be governor or other officer of any state, or of any person or persons to be a member or members of the legislature of any state; and every such officer offending therein shall be held to be guilty of a high misdemeanor, and, upon conviction in any court of the United States having jurisdiction thereof, shall pay a fine not exceeding five thousand dollars; and any officer other than the president, or the judges of any of the courts of the United States, so convicted, shall be thereupon removed from office, and shall be incapable ever after of holding any office or place of trust under the authority of the United States; and every person who shall receive or accept, by himself, or by any other person or persons, in trust for or in behalf of such person, any office, place, or employment, with the intent aforesaid, shall be held to be guilty of a misdemeanor, and, upon conviction in any court of the United States having jurisdiction thereof, shall pay a fine not exceeding one thousand dollars, be removed or dismissed from such office, place, or employment, and shall be incapable ever after of holding any office or place of trust under the authority of the United States.

Sec. 3. *And be it further enacted*, That the several fines imposed by this act shall, when collected, be paid into the treasury as other moneys belonging to the United States.

ADMISSION OF MICHIGAN.

The following were the yeas and nays in the house of representatives on the 25th ult. on the passage of the bill from the senate for the admission of Michigan into the union:

YEAS—Messrs. Adams, Chilton, Allan, Anthony, Ash, Ashley, Barton, Bea n, Beaumont, Bell, Black, Bockee, Bonldin, Bovee, Boyd, Brown, Buchanan, Burns, John Calhoun, Canbreleng, Campbell, Carr, Carter, Casey, Chan ey, Chapman, Chapin, N. H. Claiborne, John F. H. Claiborne, Connor, Cramer, Cushman, Denny, Dou ble lay, Dromgoole, Dunlap, Efner, Farlin, Foreste r, Fry, Fuller, Galbraith, James Garland, Rice Ga rland, Gholson, Gillet, Glascock, Graham, Grantla nd, Grayson, Haley, Joseph Hall, Hamer, Hannega n, Albert G. Harrison, Hawes, Hawkins, Haynes, He nderson, Herod, Holt, Howard, Hubley, Hunt, Hun tington, Hunts-

man, Joseph Johnson, Richard M. Johnson, Cave Johnson, B. Jones, Kennon, Kilgore, Klingensmith, Lane, Lansing, Lay, Joshua Lee, Thomas Lee, Luke Lea, Leonard, Logan, Loyall, Lucas, Lyon, Abijah Mann, Job Mann, William Mason, Moses Mason, May, McComas, McKay, McKim, Miller, Montgomery, Moore, Muhlenberg, Page, Parks, Patterson, Patton, Dutee J. Pearce, Peyton, Pinckney, John Reynolds, Joseph Reynolds, Richardson, Robertson, Rogers, Schenck, Seymour, Shepperd, Shields, Shinn, Sickle, Smith, Sprague, Standefer, Sutherland, Taylor, Thomas, John Thomson, Toucey, Turrill, Vanderpoel, Wagener, Ward, Wardwell, Washington, Webster, Weeks, White, T. T. Whittlesey, Yell—132.

NAYS—Messrs. Bailey, Bond, John Chambers, Chetwood, Corwin, Crane, Darlington, Dawson, Elmore, Evans, Graves, Griffin, Hardin, Harlan, Hazletine, Heister, Hoar, Hopkins, Ingersoll, Janes, Jarvis, Jenifer, Lawrence, Lewis, Lincoln, S. Mason, Mercer, Milligan, James A. Pearce, Pearson, Phillips, Pickens, Potts, Reed, Russell, Steele, Storer, Taliaferro, W. Thompson, Underwood, Elisha Whittlesey, Lewis Williams, Sherrod Williams—43.

[When the name of Mr. Wise was called, that gentleman rose in his place, and asked to be excused from voting, on the ground that he had been absent during the whole discussion on the bill, (on the select committees, of which Mr. W. is a member), which was granted.]

TWENTY-FOURTH CONGRESS,

SECOND SESSION—SENATE.

[The following gentlemen compose the joint committee of the two houses of congress to ascertain and report a mode of examining the votes for president and vice president of the United States, and of notifying the persons elected of their election, viz:

Of the senate. Mr. Grundy, Mr. Clay, and Mr. Wright.

Of the house of representatives. Mr. Thomas, Mr. Cambreleng, Mr. Reed, Mr. Connor and Mr. Lyon.]

February 1. Mr. Nicholas' resolution calling on the secretary of the treasury for information obtained by special agents, in relation to alleged frauds on the public lands in the state of Indiana, having been amended and passed, (as stated in the last "REGISTER,") the senate resumed the consideration of the land bill. A series of amendments were offered, some of which were adopted and others rejected—but without taking a final vote, the senate, at about 7 o'clock adjourned.

[We will hereafter publish a detailed notice of the various amendments, &c.]

February 2. Mr. Moulton having qualified and taken his seat, Mr. Clay presented an address from certain living authors of Great Britain, requesting the passage of a law, by which their right of property in the works written and published by them may be protected—after a brief discussion, which shall have a place in our next, the memorial was, on motion of Mr. Grundy, referred to a select committee consisting of Messrs. Clay, Preston, Buchanan and Ewing, of Ohio.

Among the resolutions offered was the following: By Mr. Calhoun—*Resolved*, That the secretary of the treasury be directed to report to the senate, as early as practicable, the aggregate expense of collecting the duties on the lakes during the year 1836, including the expense of revenue cutters, the nett amount of duties collected, and the expenditure of the government on the lakes during the same period, in constructing harbors, breakwaters and light houses, with the current expense attending the light houses on the lakes during the year.

As stated in our last, the remainder of this day's session was taken up with the consideration of Mr. White's substitute for the land bill; without coming to any action thereon, the senate adjourned.

February 3. After the presentation and reference of petitions,

Mr. Davis, from the committee on commerce, to whom was referred the senate bill No. 79, made a written report, accompanied with a substitute for the bill; which substitute suspended, for one year, the tax of 20 cents each on American seamen, for a hospital fund, and appropriated \$150,000, for one year, in lieu thereof, to be paid from the treasury. The report was accompanied with the following resolutions, calling on the secretary of the treasury for information on the subject:

Resolved, That the secretary of the treasury be instructed to ascertain what it will cost to erect three hospitals, of suitable dimensions, for the relief of sick and disabled seamen and watermen upon the waters of the Mississippi river, at the most suitable places for that purpose; also, what it will cost to erect the same number, if needed, on the most important points on the Atlantic and Gulf coasts.

Resolved, That the secretary of the treasury be further instructed to draw up the project of a law to regulate the disbursement of funds for the relief of sick and disabled seamen, and for the government of hospitals erected for that purpose.

Resolved, That the secretary of the treasury be instructed to enumerate those posts and places in the United States where, because suitable accommodations for the sick cannot be obtained, or from any other cause, there is a strong necessity for hospitals, and to make report upon this and the other instructions in those relations at the next session of congress.

Mr. Davis, after the reading of the report, asked for the immediate consideration of these resolutions; which requiring the unanimous consent of the senate, Mr. Calhoun who had not heard the report, expressed a wish that the resolutions might lie one day on the table.

Mr. Davis briefly explained the nature and objects of the bill and the resolutions, remarking that the bill was designed to supply the deficiency in the interim, while congress might obtain the requisite information, and mature and adopt some proper system on the subject.

Mr. Calhoun said he understood this to be the commencement of a change in the system as heretofore existing, by which the hospital fund was supplied by a tax on seamen. He believed that the great and prevailing disease of the times was centralism here; and he was utterly opposed to any thing which would tend to increase it. As soon as the system of affording relief to seamen from the treasury should commence, there would be no limitation; and he would, therefore, give his protest in advance against the measure proposed by the bill. He was opposed to opening all sluices to further expenses of the government, as tending to corrupt the public morals, and to endanger our institutions.

The burden (Mr. C. maintained) of relieving sick and disabled seamen did not fall on the seamen themselves, but on the particular branch of business in which they are employed, by which it ought to be borne; otherwise it would become, like harbors on the lakes and light houses, an improper burden upon congress.

Mr. Davis said he was not exactly willing that the measure should go off under such an impression. Mr. C. he thought, would withdraw his objection, if he had paid better attention to the subject. The hospital tax, Mr. D. maintained, fell on the wages of the sailor; and the senator would agree with him that no class required a higher degree of protection, or were more worthy and meritorious; and no class asked less of the government. When did the senator know a sailor to ask for any thing? Mr. D. had not known an instance in which a sailor had asked for a pension or any other grant. He would call the attention of the senator to a notable case, the destruction of the Philadelphia.—While a large number of people engaged in that portion of the service had been for a number of years asking congress for something, it had never been done by a sailor; it had been demanded by their representatives, and not by themselves.

But all this had nothing to do with this matter. It was thought that something ought to be done for this class of persons on the western waters, exposed to the peculiar diseases of that region, far away from their friends and the means of comfort. In order to effect this purpose, a tax of twenty cents each had been laid upon their wages by congress.—The government had not been so liberal as the senator supposed. The tax, indeed, proved inadequate to the purpose, and the government had every year appropriated more or less, not much, but enough to cover the expenses. The fund had been conducted, as far as Mr. D. was able to ascertain, with prudence and economy, and had been disbursed under the direction of the government. But there had been no law on the subject, though the committee thought it was best that it should be regulated by law.

Now, all Mr. D. proposed by the resolutions before the senate was, an inquiry as to the expense of erecting three hospitals on the western waters, and three on the Atlantic coast, and so many he was sure were needed. He did not propose now to commit the government to any course of policy.—In the bill there was indeed a proposition to change the policy for a single year; but the government then retained the matter in its own hands, to pursue such a course as might be found expedient and proper. The passage of these resolutions was as much wanted, if the bill should not pass, as if it should.

Mr. Calhoun said he knew the resolutions did not involve the principle to which he objected, but the bill did; and it was his design now to give notice that he should, therefore, oppose it. He agreed with the senator that seamen were a meritorious

class, and that they were not importunate on congress. They would not do the mischief, but the persons interested in erecting and conducting the hospitals. Mr. C. again insisted that though the tax imposed on seamen was taken in the first place from their wages, it ultimately fell on the branch of business in which they were engaged; and the interest concerned ought to pay the expense. The patronage of the government, he maintained, ought not to be extended. He saw no reason why the government should pay the expense of sickness in one branch of business more than in another. They might just as well pay such expense in the cultivation of sugar, or rice, or cotton. The tendency of the government was already to the destruction of liberty, and he was opposed to every thing that would give impulse to that tendency. He had no objection to the resolutions, but hoped the bill would not receive the sanction of the senate.

Mr. Davis said he thought there was a very wide difference between the cases which Mr. Calhoun had made parallel. Legislation in regard to seamen commenced with the existence of this government, and was intimately connected with the subject of commerce, which was wholly subject to the legislation of congress; and one leading object in this connexion had been to cherish the employment of seamen as necessary to the defence of the country; and on this same account a preference had been given to American seamen in contradistinction from foreigners. Was there no difference between extending protection to these men, far from home, destitute of the means of comfort, and not addicted to laying up their wages, and those men who lived on plantations, directly surrounded with the means of health and comfort? And were the two classes equally important in providing for the defence of the country? Mr. Nicholas moved to amend the resolutions by inserting "the gulf," in connexion with "the Atlantic." Mr. Davis thought it was unimportant; the gulf was a part of the Atlantic, and the insertion of it might lead to the enumeration of bays and inlets. Mr. Nicholas preferred that it should be noticed more distinctly; and the amendment was accordingly adopted. The resolutions, as amended, were then adopted. The bill also was read, ordered to a second reading, and the accompanying report was ordered to be printed.

After several bills of minor importance, had been reported, read and ordered to a second reading—

Mr. Davis offered the following resolution, on which he asked immediate consideration, and accompanied it with an introductory explanation, as follows:

"Mr. Dodge, the consul at Bremen, represents his belief that the merchants of that place, who import goods to this country, evade the 7th section of the act of 1823, which requires that such persons should verify their invoices before the consul, by neglecting to take the oath before him. This implies that entries are fraudulently made here, by the perjury of those who take the necessary oath, or by the negligence of the custom house officers."

Resolved, That the letter of Mr. Dodge be referred to the secretary of the treasury, with instructions to inquire if any abuses, such as he intimates, are practised here, or in any other country, in the importation of goods into the United States; and to report to the senate, at the next session of congress, the result of his investigation.

The resolution was, by consent, adopted.

The following resolutions were offered, and by consent adopted:

By Mr. Linn—*Resolved*, That the committee on Indian affairs be instructed to inquire into the propriety of making some compensation to the Iowa tribe of Indians for their interest in the lands ceded to the United States by the Sac and Fox Indians in the treaties of July 15, 1830, and 21st September, 1832, to which lands it was admitted in the treaty of August, 1825, the said Iowa Indians had a joint claim with the said Sacs and Foxes; and also into the expediency of negotiating with the deputation of Iowa Indians now in this city, for the extinguishment of their title to the lands to which the Sacs and Foxes and themselves have still a joint claim under said treaty of 1825.

By Mr. Swift—*Resolved*, That the committee on pensions be instructed to inquire into the expediency of so amending the act of congress of the last session, granting pensions to the widows of deceased officers and soldiers of the revolution, as not to exclude from the benefit of its provisions any person who shall be a widow at the time of her application for a pension under said act, in consequence of her having married subsequent to the decease of her former husband, for whose services she claims the benefit of said act.

By Mr. Morris: (lies over one day)—*Resolved*, That the committee on the judiciary inquire whether the river Nile is navigable, and the navigable waters

leading into the river St. Lawrence, which are declared by the ordinance for the government of the territory north west of the river Ohio to be common highways, and forever free to the inhabitants of that territory, as well as the citizens of the U. States, are so far within the power of the general government as that congress can provide by law for the regulation of steamboat and other navigation of the same, for the security of commerce, the prevention of casualties and accidents, and the recovery of damages for injuries from neglect, or purposely done, and for the punishment of acts of violence.

The bills from the house making appropriations for the current expenses of the Indian department, and for the fulfilment of Indian treaties, and for the support of the army for 1837, were severally read twice, and referred.

The bill for the relief of John E. Wool was read a third time, and passed.

The senate were occupied until a late hour upon the land bill, which received a number of additional modifications. The question was at length obtained on striking out the whole to receive Mr. White's substitute, but it was negatived; yeas 14, nays 29.

Mr. Walker, now considering the bill and amendment as both lost, moved, as a last resort, to recommend the bill to the committee on the public lands and, pending this motion, the senate adjourned.

February 4. A message was received from the president of the United States through Mr. Jackson his private secretary.

Mr. Clay presented a list, on parchment, of additional names of British authors to the address which he had submitted the other day, and which by mistake he had not received. He moved that it be printed with the other names attached to the address, and that it be referred to the select committee raised on the subject: which was accordingly ordered. He also moved the appointment of an additional member of the select committee, which was ordered.

Mr. Clay also presented a petition from sundry American authors, praying amendments in the law of copy rights, which was, on his motion, referred to the select committee heretofore appointed.

Other petitions and memorials were presented and appropriately referred, when

Mr. Grundy, from the select committee on the election of president and vice president of the U. States, reported that some five or six cases had been found in New Hampshire, Connecticut and North Carolina, of electors of president and vice president having voted who had the same names with officers under the government; that the committee had confined their investigation to those states in relation to which charges had been made; that owing to the want of time, and the certainty that the number of spurious votes could not change the result of the election, the investigation had not been so full as it would otherwise have been; and that the committee had not made inquiry on the subject of a general law to prevent the casting of spurious votes. The report was read, and ordered to be printed.

Two resolutions accompanied the report: the first resolution providing that the two houses should meet on Wednesday next, at twelve o'clock, in the hall of the house, to determine and settle the election of president and vice president, in the usual manner, which was specified.

The second resolution provided that the votes of Michigan should be recorded, with a statement that if they were counted, the vote would be so; and if they were not counted, the vote would be so; and in either case the general result would be the same. Thus leaving the question of the genuineness of the Michigan votes undecided.

Mr. Grundy moved that these resolutions be now considered.

Mr. Hubbard inquired if the committee had examined the case of the pension agent in New Hampshire, (who was understood to have resigned his agency after he was chosen an elector).

Mr. Clay said in reply, that all the committee had concurred that the resignation of a government officer subsequent to his election as an elector could not remedy his constitutional disqualification; otherwise the whole design of the constitution would be defeated, in addition to the violation of its express injunction, that no officer under the government should be appointed an elector. The great object of this provision of the constitution was to secure the election against official influence which could not be done after the election.

Mr. Webster inquired if the committee had examined into the vote of Massachusetts.

Mr. Grundy said that had been omitted by him, because he did not believe the charge that one of the votes was spurious, and because it would have required a day's time to make the inquiry. He

also said that a resignation, after being chosen an elector, could be of no avail.

Mr. Norvell asked a division of the question on the two resolutions. Michigan had given her vote while she was a state, and before the counting of the votes she had been solemnly admitted into the union. He would therefore protest against any measure which went at all to invalidate her vote.

Mr. Grundy said that in the 2d resolution the same course was pursued as formerly, in the case of Missouri. He thought that there was imminent danger in pursuing any other, on account of a difference which might arise between the two houses, which might defeat the election wholly. But if he were compelled now to give his opinion, he would say that the vote of Michigan was not valid.

Mr. Norvell said Missouri was not admitted to the union when her votes were counted; and Indiana was not admitted when her votes were counted.

Mr. Clay said he agreed with the gentleman from Tennessee (Mr. Grundy), that the committee had pursued the right course in the 2d resolution, relating to Michigan. Exactly the same course had formerly been pursued in regard to Missouri. The question in regard to Michigan was now to be left merely undecided; and he thought all would admire the discretion of their predecessors in congress, in avoiding a difficult question on this subject, till it became necessary that it should be decided. In the case of Indiana she had fully complied with the conditions of her admission into the union before her votes were cast, and there was therefore nothing wanting but a mere formality, which, in the case of Ohio and other states, had been dispensed with entirely.

Mr. Calhoun insisted that if it was proper to admit to their seats her senators and representatives, who were chosen prior to her admission into the union, it was equally proper to admit her votes for president and vice president, given under similar circumstances.

Mr. Lyon inquired what would be done if the vote of Michigan should decide the election. He would protest, with his colleague, against rejecting her vote.

Mr. Grundy said such a case had never occurred. And what would be done when it should occur, the wisdom of the day must decide.

Mr. Preston entered at considerable length into the argument which had been suggested by Mr. Calhoun, that Michigan, before her admission into the union, was fully as well qualified to elect a president as members of congress.

Mr. Webster said he wished the chairman of the committee had inquired into the alleged spurious vote in Massachusetts; but, as he had not done so, Mr. W. would say that the office of the gentleman who cast that vote had been some time vacated by him, and filled by another person before he cast it.

The first resolution was adopted without a division.

The second resolution was adopted by yeas and nays, on the call of Mr. Norvell, as follows:

YEAS—Messrs. Bayard, Benton, Black, Brown, Buchanan, Clay, Clayton, Crittenden, Cuthbert, Dana, Davis, Ewing, of Illinois, Ewing, of Ohio, Grundy, Hendricks, Hubbard, Kent, King, of Ala. King, of Georgia, Knight, Linn, Moore, Nicholas, Page, Prentiss, Rives, Robbins, Robinson, Sevier, Southard, Swift, Tipton, Tomlinson, Wright—34.

NAYS—Messrs. Calhoun, Fulton, Lyon, Morris, Niles, Norvell, Preston, Walker, Wall—9.

On motion of Mr. Grundy, the chair was authorized to appoint a teller for the senate.

After a number of reports had been received and disposed of, and several bills from the house had been twice read and referred, a struggle ensued as to the order of business.

Mr. Buchanan expressed his hope that the land bill would be taken up, and some final disposition made of it, so that the other business of the country might proceed. Mr. Walker expressed the same desire, and said that it was his intention to move that the bill be recommitted to the committee on public lands. Mr. Webster inquired of Mr. Walker whether, in the general bill reported by the latter to-day, there was not one section exactly the same as one of the sections in this land bill? Mr. Walker replied in the affirmative. Mr. Webster then observed that it was contrary to the rules of the senate that they should have two bills before them at the same time, for the same thing. He had no objection, as at present advised, to the principle to which the section related, which was that of the power of a state to tax the public lands within its bounds as soon as sold, and made the inquiry only that the due order of business might be preserved.

The senate then proceeded to take up the land bill; and the question being on the motion of Mr. Walker to recommit the bill to the committee on

public lands, Mr. Webster inquired whether the motion had not been to recommit the bill, with all the amendments thereto which had been agreed upon in the senate, to the land committee. The chair replied that, by a rule of the senate, when a bill was recommitted to the committee which had reported it, all amendments dropped, of course, and it went back to the committee in its original form. A discussion arose on the point of order, which occupied the senate a considerable time, but which was finally arranged by the adoption of two distinct motions: one to recommit the bill, (which went back in its naked form); and another to commit to the same committee the several amendments made thereto, with the understanding that the committee would not, in again reporting the bill, change the great and leading points on which the senate had come to a deliberate decision; though, on points of minor consequence, and on those not decided, they would be considered as at liberty to modify it at pleasure. Before the question of recommitment was decided on, Mr. Calhoun took the floor on the negative of that question, in a speech in which he discussed the general merits of the bill, opposing it with great earnestness, and in the most decided manner. Mr. Calhoun having concluded, the question was taken by yeas and nays; and decided in the affirmative—yeas 23, nays 20. So the bill was recommitted. And the senate then adjourned.

February 6. Nearly all of this day was spent in the presentation and disposition of petitions from various quarters of the union, praying for the abolition of slavery in the District of Columbia, &c.—They gave rise to considerable discussion, and several decisions of interest—of all which we must postpone an account until we have more room at our disposal.

Mr. Walker, from the committee on the public lands, reported, again, the land bill, with sundry amendments, which were ordered to be printed, and made the order for to-morrow.

And then the senate adjourned.

February 7. The following message was received from the president of the United States, through Mr. Jackson, his private secretary:

To the senate of the United States:

At the beginning of this session, congress was informed that our claims upon Mexico had not been adjusted, but that, notwithstanding the irritating effect upon her councils of the movements in Texas, I hoped, by great forbearance, to avoid the necessity of again bringing the subject of them to your notice. That hope has been disappointed. Having in vain urged upon that government the justice of those claims, and my indispensable obligation to insist that there should be "no further delay in the acknowledgment, if not in the redress of the injuries complained of," my duty requires that the whole subject should be presented, as it now is, for the action of congress, whose exclusive right it is to decide on the further measures of redress to be employed. The length of time since some of the injuries have been committed, the repeated and unavailing applications for redress, the wanton character of some of the outrages upon the property and persons of our citizens, upon the officers and flag of the United States, independent of recent insults to this government and people by the late extraordinary Mexican minister, would justify, in the eyes of all nations, immediate war. That remedy, however, should not be used by just and generous nations, confiding in their strength for injuries committed, if it can be honorably avoided; and it has occurred to me that, considering the present embarrassed condition of that country, we should act with both wisdom and moderation, by giving to Mexico one more opportunity to atone for the past, before we take redress into our own hands. To avoid all misconception on the part of Mexico, as well as to protect our own national character from reproach, this opportunity should be given, with the avowed design and full preparation to take immediate satisfaction if it should not be obtained on a repetition of the demand for it. To this end I recommend that an act be passed authorizing reprisals, and the use of the naval force of the United States by the executive against Mexico, to enforce them, in the event of a refusal by the Mexican government to come to an amicable adjustment of the matters in controversy between us, upon another demand thereof made from on board one of our vessels of war on the coast of Mexico.

The documents herewith transmitted, with those accompanying my message in answer to a call of the house of representatives of the 17th ultimo, will enable congress to judge of the propriety of the course heretofore pursued, and to decide upon the necessity of that now recommended.

If these views should fail to meet the concurrence of congress, and that body be able to find in the condition of the affairs between the two countries,

as disclosed by the accompanying documents, with those referred to, any well-grounded reasons to hope that an adjustment of the controversy between them can be effected without a resort to the measures I have felt it my duty to recommend, they may be assured of my co-operation in any other course that shall be deemed honorable and proper.

ANDREW JACKSON.

Washington, February 6, 1837.

The message was read, and,

On motion of Mr. Buchanan, it was ordered to be printed, together with the accompanying documents, and referred to the committee on foreign relations.

A number of petitions were presented and variously disposed of; when Mr. Morris presented an abolition petition from Ohio, which was read at his request. Mr. Walker moved that it be not received. Mr. Hubbard moved to lay this motion on the table, which was done accordingly by yeas and nays, on the call of Mr. Morris, as follows:

YEAS—Messrs. Bayard, Benton, Black, Brown, Buchanan, Clayton, Dana, Ewing, of Illinois, Fulton, Grundy, Hubbard, Kent, King, of Alabama, King, of Ga. Linn, Lyon, Mouton, Nicholas, Norvell, Parker, Preston, Robinson, Ruggles, Strange, Walker, White, Wright—27.

NAYS—Messrs. Ewing, of Ohio, Hendricks, Knight, McKean, Morris, Niles, Prentiss, Robbins, Swift, Tipton, Tomlinson—11.

Mr. Bayard presented the preamble and resolutions of the legislature of Delaware, instructing their senators to introduce and support a resolution to rescind the expunging resolution of Mr. Benton, and to restore the journal of the senate to the state in which it was before this act of violence was committed upon it.

Mr. Bayard said it would be impracticable, or at least improper, to obey these instructions at this session of congress, as Mr. Benton's resolution must be regarded as expressing the sense of the senate as at present composed. But he gave notice that, in compliance with these instructions, he would introduce such a resolution at the next session, and would do so at every succeeding session, as long as he should continue a senator, till the object should be accomplished; which attempt he hoped would be followed up by every senator from Delaware. Being thus actuated by the same spirit of *continence* which had been so much lauded by the senator from Missouri, and which in his case had proved so successful, he hoped the day was not distant when they would restore the journal, and make it what he believed was, at this moment, the public sentiment of the people of the United States. He moved (after its reading) that the resolution be laid on the table, and printed.

Mr. Brown said he did not doubt the perseverance of the gentleman. He would also vote for printing the document, as a matter of respect to the legislature of Delaware; though in one case, which he instanced, he believed a motion to print such a document had not been carried.

The motion to print and lay on the table was then carried.

The following resolution was offered by Mr. White, and, by consent, adopted:

Resolved, That the secretary of war be, and he hereby is, requested to inform the senate whether commissions or any other compensation is allowed to officers of the army, or to other persons who receive salaries, monthly or daily pay for disbursing public moneys in payment of annuities to Indians, or for any other purposes connected with the Indian department, and, if so, what is the measure of compensation allowed or claimed, and to whom have such allowances been made, or by whom have such claims been set up.

Several resolutions of a private or local character having been offered and appropriately referred, various committees were discharged from the consideration of subjects referred to them; and others reported bills in favor of petitions, &c. referred to them, which were ordered to a second reading.

Mr. Hendricks, from the committee on roads and canals, reported a resolution appropriating \$5,000, to make experiments on "the self-acting double safety valve" of Samuel Broad. Two thousand extra copies of the report were ordered to be printed.

Mr. Wright, from the committee on finance, reported, without amendment, the bill referred to them to amend the act establishing branch mints; and the bill, by consent, was considered, and ordered to a third reading.

Mr. W. also reported the bill making appropriations for the army for 1837, with a verbal amendment, and with notice that he should call it up to-morrow morning.

The resolution offered by Mr. Calhoun, calling on the president for information in regard to the

aggression committed by the authorities of Bermuda on a southern vessel, freighted with slaves, which was driven by distress into the ports of Bermuda, being before the senate,

Mr. Calhoun explained the character of the aggression, expressing his surprise and regret at such an aggression by the authorities of a nation so just, honorable and humane as Great Britain. The resolution was then adopted.

The resolution authorising the distribution among the new senators of nineteen copies of the American state papers, published by Messrs. Gales & Seaton, coming up for consideration, it was, after a brief discussion, laid on the table on motion of Mr. Walker.

The other resolutions and unfavorable reports on the table (with two or three exceptions), were taken up and adopted.

The senate took up the land bill, reported with amendments from the committee on public lands; and the discussion of the bill and amendments occupied the senate to a late hour, when the amendments were finally agreed to, and the bill ordered to its third reading. The senate then adjourned.

February 8. The chair presented a communication from the war department relating to the compensation of Indian agents. Ordered to be printed, and referred.

Also, the report of the second auditor respecting trade and intercourse with the Indians. Ordered to be printed.

A message was received from the president of the United States, through Mr. Jackson, his private secretary, with communications from the war department, in relation to the treaty with the Sac and Fox Indians.

Mr. Webster addressed the chair nearly as follows:

I rise, Mr. President, for the purpose of presenting to the senate a petition signed by fourteen or fifteen hundred mercantile houses in the city of New York, praying the establishment of a national bank in that city. These petitioners, sir, set forth that, in their opinion, a national bank is the only remedy, of a permanent character, for the correction of the evils now affecting the currency of the country, and the commercial exchanges. The petition is accompanied by a short communication from the committee raised for the purpose of preparing the petition, in which they state what I believe to be true, from some knowledge of my own, that the petition is subscribed without reference to political distinction; and they inform us, on the authority of their own observation and knowledge, that, in their opinion, on no subject did the mercantile community of New York ever address congress with more entire unanimity than they now approach it, in favor of a national bank.

Mr. President, (said Mr. W.) my own opinions on this subject have long been known; and they remain now as they always have been. The constitutional power of congress to create a bank is made more apparent by the acknowledged necessity which the government is under to use some sort of banks as fiscal agents. The argument stated the other day by the member from Ohio, opposite to me, (Mr. Morris), and which I have suggested often, heretofore, appears to me unanswerable; and that is, that, if the government has the power to use corporations in the fiscal concerns of the country, it must have the power to create such corporations. I have always thought that, when, by law, both houses of congress declared the use of state banks necessary to the administration of the revenue, every argument against the constitutional power of congress to create a bank of the United States was thereby surrendered; that it is plain that, if congress has the power to adopt banks for the particular use of the government, it has the power to create such institutions also, if it deem that mode the best. No government creates corporations for the mere purpose of giving capacity to an artificial body. It is the end designed, the use to which it is to be applied, that decides the question, in general, whether the power exists to create such bodies. If such a corporation as a bank be necessary to government, if its use be indispensable, and if, on that ground, congress may take into its service banks created by states, over which it has no control, and which are but poorly fitted for its purposes, how can it be maintained that congress may not create a bank, by its own authority, responsible to itself, and well suited to promote the ends designed by it?

Mr. President, when the subject was last before the senate, I expressed my own resolution not to make any movement towards the establishment of a national bank, till public opinion should call for it. In that resolution I still remain. But it gives me pleasure to have the opportunity of presenting

this petition, out of respect to the signers; and I have no objection certainly to meet with a proper opportunity of renewing the expression of my opinions on the subject, although I know that so general has become the impression hostile to such an institution, that any movement here would be vain till there is a change in public opinion. That there will be such a change I fully believe; it will be brought about, I think, by experience, and sober reflection among the people; and when it shall come, then will be the proper time for a movement on the subject in the public councils. Not only in New York, but from here to Maine, I believe it is now the opinion of five-sixths of the whole mercantile community, that a national bank is indispensable to the steady regulation of the currency, and the facility and cheapness of exchanges. The board of trade at New York presented a memorial in favor of the same object some time ago. The committee on finance reported against the prayer of the petitioners, as was to have been expected from the known sentiments of a majority of that committee. In presenting this petition now to the consideration of the senate, I have done all that I propose on this occasion, except to move that the petition be laid on the table and printed.

Sir, on the subjects of currency and of the exchanges of commerce experience is likely to make us wiser than we now are. These highly interesting subjects—interesting to the property, the business and the means of support of all classes—ought not to be connected with mere party questions and temporary politics. In the business and transactions of life men need security, steadiness and a permanent system. This is the very last field for the exhibition of experiments, and I fervently hope that intelligent men, in and out of congress, will co-operate in measures which may be reasonably expected to accomplish these desirable objects—desirable and important alike to all classes and descriptions of people.

The petition and accompanying letter were then ordered to be printed.

Mr. Morris presented a petition from a large number of the inhabitants of Lorraine county, Ohio, praying the abolition of slavery in the District of Columbia, and moved that it be received, read and referred. Mr. Grundy moved that the whole matter be laid on the table; and it was so ordered.

Other petitions and memorials were presented and several bills reported by various committees disposed of.

The bill to amend the act establishing branch mints of the United States was read a third time, and passed.

A message was received from the house of representatives, through Mr. Franklin, their clerk, informing the senate that the house were ready to proceed to count the votes for president and vice president of the United States.

The senate accordingly adjourned to the hall of the house.

The senate having returned to their chamber, and the president resumed the chair,

On motion of Mr. Grundy, a resolution was adopted for the appointment of a joint committee to wait on MARTIN VAN BUREN, and inform him of his election. And Mr. Grundy was appointed by the chair to act on the part of the senate.

Mr. Grundy then, from the joint committee on the election, reported a preamble and resolution, stating that no election of vice president of the United States had been made by the college of electors; that Richard M. Johnson, of Kentucky, and Francis Granger, of New York, were the highest on the list of persons voted for; and resolving that the senate do now proceed to elect one of these gentlemen vice president of the United States; and that senators give their votes, *viva voce*, in their places on the call of the secretary.

The resolution was agreed to, and the senate proceeded to vote accordingly, the result of which was as follows:

For Richard M. Johnson.

Mr. Benton, of Mo.	Mr. Morris, of Ohio.
" Black, of Mississippi.	" Mouton, of Lou.
" Brown, of N. C.	" Nicholas, of Lou.
" Buehanan, of Penn.	" Niles, of Conn.
" Cuthbert, of Georgia.	" Norvell, of Michigan.
" Dana, of Maine.	" Page, of N. H.
" Ewing, of Illinois.	" Parker, of Virginia.
" Fulton, of Arkansas.	" Rives, of Virginia.
" Grundy, of Tenn.	" Robinson, of Illinois.
" Hendricks, of Ind.	" Ruggles, of Maine.
" Hubbard, of N. H.	" Sevier, of Arkansas.
" King, of Alabama.	" Strange, of N. C.
" King, of Georgia.	" Tallmadge, of N. Y.
" Linn, of Missouri.	" Tipton, of Indiana.
" Lyon, of Michigan.	" Walker, of Miss.
" McKean, of Penn.	" Wright, of N. York.
" Moore, of Alabama.	

For Francis Granger.

Mr. Bayard, of Del.	Mr. Prentiss, of Vermont.
" Clay, of Kentucky.	" Robbins, of R. I.
" Clayton, of Delaware.	" Southard, of N. J.
" Crittenden, of Ky.	" Spence, of Maryland.
" Davis, of Mass.	" Swift, of Vermont.
" Ewing, of Ohio.	" Tomlinson, of Conn.
" Kent, of Maryland.	" Wall, of N. Jersey.
" Knight, of R. Island.	" Webster, of Mass.

The president of the senate (Mr. King, of Alabama) then rose, and proclaimed the result of the election, as follows:

The whole number of senators of the U. S. is	52
Majority necessary to a choice	27
Quorum required by the constitution	35
Whole number of senators present	49
For Richard M. Johnson, of Kentucky,	33
For Francis Granger, of New York,	16

From which it appears that RICHARD M. JOHNSON, having the votes of a majority of the whole number of senators, as required by the constitution of the United States, is duly elected; and I therefore declare that RICHARD M. JOHNSON, of Kentucky, has been chosen by the senate, in pursuance of the provisions contained in the constitution, VICE PRESIDENT OF THE UNITED STATES for four years, commencing with the 4th day of March, 1837.

On motion of Mr. Grundy, a resolution was adopted for the appointment of a joint committee to inform R. M. JOHNSON of his election; and the chair was authorised to appoint the member thereof on the part of the senate.

On motion of Mr. Webster, the senate then adjourned.

HOUSE OF REPRESENTATIVES.

Friday, Feb. 3. Mr. W. B. Shepard from the committee for the District of Columbia, reported the following resolution:

Resolved, That, on Wednesday and Thursday, the 15th and 16th days of February, this house will consider the bills relating to the District of Columbia, at 12 o'clock each day.

Several amendments were proposed, and disagreed to; and the question being taken, the resolution was rejected.

Mr. Jarvis from the committee on naval affairs reported the following resolution, which was concurred in:

Resolved, That the committee on naval affairs, be instructed to inquire into the expediency of instituting an examination of George's bank, for the purpose of ascertaining the practicability of forming an artificial island upon it, to lessen the perils arising from that most dangerous shoal, to every vessel approaching the eastern coast of the United States from foreign countries, and to vessels of the United States engaged in the coasting trade, between the eastern and southern states.

The house proceeded to the consideration of the resolution reported on yesterday by Mr. Sutherland, from the committee on commerce; which was read and agreed to, as follows:

Resolved, That the secretary of the treasury be requested to report to the house of representatives, at its next session, upon the propriety of establishing a system of telegraphs for the United States.

Mr. Reed, from the committee on naval affairs, reported the following resolution; which was read, and agreed to by the house:

Resolved, That the committee on naval affairs be instructed to inquire into the expediency of building six sloops of war of the second class.

Sometime was spent in considering a resolution from the committee on commerce for the relief of John Kern, deputy collector, and John D. George, deputy naval officer of Philadelphia—but before coming to a decision thereon, the house proceeded to the private orders of the day: but on motion of Mr. Phillips, suspended the rule to enable him to offer the following resolution:

Resolved, That the president of the United States be requested to inform this house of the progress which has been made in the arrangements for the surveying and exploring expedition, authorised at the last session of congress, and of the objects and measures to which said expedition is to be devoted, and also of the size and names of the vessels designated by the department to be employed in the exploring expedition with the number of the officers and men necessary to receive them, together with a statement of the expenditures already incurred in fitting out the expedition, and an estimate of the further expenditures which will be necessary until its successful termination, on the plan now projected.

The house, by consent, proceeded to the consideration of the resolution, when a motion was made by Mr. Robertson to amend the same, by striking out all after the word *Resolved*, and inserting as follows:

"That the secretary of the navy be directed to communicate to this house the number of vessels designed and fitted out, or now fitting out for the exploring expedition to the Pacific ocean and South seas, the class to which they respectively belong, the cost already incurred, and that which it is estimated will be incurred, in completing their equipment, the time when the expedition may be expected to sail, and its probable cost afterwards; also, whether either of the said vessels, or any other public vessel, has been put in requisition for the conveyance of general Santa Ana to Mexico or elsewhere; and, if so, the authority under which such requisition has been made, with all orders to and from the department in relation thereto."

And on the question to agree to this amendment, it was decided in the negative.

A motion was made by Mr. Mercer to amend the resolution by adding thereto as follows:

"Also, a list of the officers of the navy, the dates of their respective appointments, and the number of years that each has been at sea since the year 1814."

This amendment was disagreed to; and the resolution was then agreed to by the house.

The house proceeded to the consideration of the joint resolution granting a pension to Susan Decatur, widow of the late commodore Decatur; which said resolution is as follows:

Resolved by the senate and house of representatives of the United States of America in congress assembled, That Mrs. Susan Decatur, widow of the late commodore S. Decatur, be paid from the navy pension fund a pension for five years, commencing from the 30th June, 1834, in conformity with the provisions of the act concerning naval pensions and the navy pension fund, passed 30th June, 1834; the said pension not to be liable for her responsibilities on account of the debts of her late husband; provided that the said pension shall cease on the death or marriage of the said Susan Decatur.

A motion was made by Mr. Washington to amend said resolution by striking out the words "the said pension not to be liable for her responsibilities on account of the debts of her late husband," and inserting, in lieu thereof, the following: "and that she be allowed, from said fund, the arrearages of the half pay of a post captain from the death of commodore Decatur to the 30th June, 1834, together with the pension hereby allowed her."

To which amendment the following was offered by Mr. Mercer, and accepted by Mr. W. "And that the arrearage of said pension be vested in the secretary of the treasury in trust for the use of the said Susan Decatur."

Mr. Whittlesey, of Ohio, moved to commit the resolution to the committee on naval affairs; which was lost. The amendment of Mr. Washington was then agreed to, and the resolution as amended was then engrossed, read a third time, and passed, and sent to the senate for concurrence.

The speaker laid before the house a letter from the secretary of war *ad interim*, transmitting a report of the survey of the harbor of Havre-de-Grace, and other documents connected therewith, called for by the house on the 30th of January.

The speaker laid before the house a report of the secretary of war *ad interim*, transmitting a report of the survey of James river, and other documents connected therewith, called for by the house on the 30th of January. Also,

A letter from the secretary of the navy, setting forth that it does not appear that any resolution has been received at the navy department directing a survey of the coast from the Rigolets to Mobile point. Information as to the progress made in said survey was called for by the house on the 30th ult.

The engrossed bill authorizing the secretary of the navy to place the name of Dr. John P. Briggs on the navy pension list, was read a third time and passed, and sent to the senate.

The following engrossed bills were also severally read a third time and passed, and sent to the senate. An act granting an increase of pension to Empson Hamilton; an act for the relief of Abigail Appleton. And the house adjourned.

Saturday, Feb. 4. Mr. Cushman presented the joint resolutions of the legislature of the state of New Hampshire, instructing her representatives in congress to use their influence to procure a reduction of the tariff, and in favor of such graduation and limitation of the sales of the public lands as will best promote the actual settlement and occupancy of the same. Also, to vote against any bill providing for the distribution of any moneys to the states, which may hereafter be in the treasury of the United States; or for any change of the law now in existence regulating the deposit of public moneys so as to distribute or relinquish the payment thereof.

Mr. Garland, of Virginia, from the select committee appointed to investigate the agency of the deposit banks, reported the following resolution:

Resolved, That the chairman of the select committee of investigation, appointed on the 2d of January, 1837, be directed to ask the house of representatives for an order to print so many copies of the journal of this committee as they may think proper to order, for the use of the members, to be printed, and laid on their tables with their report.

Mr. G. gave as a reason for asking that the journal be printed at this time, that the session was so near the close, and as the journal would be indispensable to the understanding of the report, there would not be time to print the former, unless the printing were now commenced.

On motion of Mr. Cave Johnson, the resolution was so amended as to restrict the number of copies to the ordinary number in cases of documents published for the use of the house, namely, one thousand and thirty.

And the resolution thus modified, was concurred in.

Some time was occupied in considering the report of the committee on commerce on the petition of John Kern and John D. George, which was finally laid on the table. Several bills, &c. were reported, among them the following:

Mr. Cambreleng, from the committee of ways and means, reported amendments to the bill making appropriations for the civil and diplomatic expenses of government; which were committed to the committee of the whole house on the state of the union, and ordered to be printed.

Mr. Sutherland, from the committee on commerce, reported a bill making appropriations for the improvement of certain harbors therein mentioned, for the year 1837; which bill was twice read, and committed.

On motion of Mr. Sutherland, the reports and surveys in relation to the harbors at Havre-de-Grace and James river were ordered to be printed.

On motion of Mr. Thomas, the committee on the judiciary had leave to sit during the sittings of the house for the purpose of investigating the charges of official misconduct against judge Thruston, of the district court of the United States for District of Columbia.

The following engrossed bills, on motion of Mr. E. Whittlesey were read a third time and passed:

The bill to amend an act entitled an act to establish branches of the mint of the United States.

The bill respecting discriminating duties upon Dutch and Belgian vessels and their cargoes.

[At the suggestion of Mr. Adams this bill was so amended, by general consent, as to strike out the words "234th chapter."]

On motion of Mr. Garland, of Louisiana, the bill from the senate to extend the limits of the port of New Orleans, was read a third time and passed.

The house, on motion of Mr. E. Whittlesey, passed to the previous orders of the day; and the bill for the relief of David Kilbourn coming up on its final passage, an animated debate ensued, which was terminated by the previous question, moved by Mr. Reynolds, and the main question being taken, the bill was passed—ayes 83, nays 78.

The bill for the relief of Robert Waln was next taken up, and the question being on its third reading, a debate ensued, but before the bill was disposed of,

Mr. McKenna moved that the house do now adjourn, but withdrew his motion in order to afford opportunity to the committee of five appointed on a former day to make their report in relation to the counting and declaration of the votes for president and vice president of the United States; which report on motion was ordered to be printed.

Mr. Peyton asked the indulgence of the house to notice a matter personal to himself, which had appeared in the official journal of this morning.

Leave being given,

Mr. Peyton rose and said: The house would bear him witness that he had not been in the habit of annoying them with matters personal to himself which occurred out of doors. Now, however, he felt bound to request a moment's indulgence, not so much on his own individual account, as because it was due to the committee, and to the house of which he was a member. He (Mr. P.) referred to a statement which appeared in the Globe of this morning, which was as follows:

"If this statement be true, or even approach the truth, it is evident that a gross outrage was committed by Mr. Peyton towards a witness summoned to testify before the committee, and therefore under its protection; and an act of such disrespect to the committee itself, as should have subjected Mr. Peyton to its severest censure."

The statement of Whitney alluded to was not only untrue, but it did not even approach the truth. In answer to it nothing more was necessary for him to do than simply to state to the house the facts of the case, as they appeared upon the journal of the committee.

It would be sufficient to state that his friend from Ohio, (Mr. Hamer), though differing from him (Mr. P.) in politics, moved, on the conclusion of the occurrence in question, a resolution of censure against Reuben M. Whitney for *insulting him*, (Mr. P.) which passed *unanimously*. The committee had authorized him (Mr. P.) to publish this resolution, which he (Mr. P.) would lay before the house.

Extract from the journal of the committee of investigation, J. Garland, Chairman, Wednesday, Jan. 25, 1837.

By Mr. Peyton. Question 15—Did you receive any letter of recommendation from Roger B. Tane, or did he in any manner countenance or encourage you in applying for the agency contemplated, or did he positively refuse to recommend, receive, or countenance you in that capacity, while he was at the head of the treasury department?

Mr. Whitney. Answer—I decline answering this interrogatory; more particularly as the individual propounding it has asserted, positively and publicly, that the substance of the latter part of it is true, beginning with "or did he," &c. therefore, being the party accused, I am not a proper witness. I think, in justice that the individual who has made the allegation should be called to produce his proof.

The witness was desired to withdraw.

Mr. Hamer moved that the foregoing answer to the 15th question be returned to the witness, leaving no reply to the interrogatory, and disrespectful to a member of the committee.

The witness, (R. M. Whitney), immediately after the passing of this resolution, was brought into the committee room, out of which he had been sent, and the resolution of censure was read to him, (R. M. Whitney), and his answer was returned to him. He (R. M. Whitney) then apologized to the committee, and took back his answer, after which he peaceably answered the next question which was propounded to him, and such as before he had most indecorously refused to answer. This statement of the simple fact would at once show who was wrong in the occurrence referred to; it would show the unanimous decision of the committee to be that the witness was wrong, and his subsequent apology was an acknowledgment of it.

Having stated thus much, which he (Mr. P.) flattered himself was an ample refutation of the charges implied in the Globe, and other papers, perhaps it might not be unnecessary to relate what was the actual occurrence on the occasion referred to. His friend from Virginia, (Mr. Garland), and every other member of the committee, would do him the justice to say that he (Mr. P.) had in the first instance, treated Whitney with as much courtesy as he would have shown even to chief justice Marshall himself, if he had been alive and there; and for him (Mr. P.) to do so, when the course and conduct of the man to him (Mr. P.) was considered, it required on his part no little exertion of philosophy. He, (Mr. P.) however, had done so.

From the time the witness (R. M. Whitney) first came into the committee room he (Mr. P.) had put about sixty questions in regular succession, and at different times, to all of which he could not get more than ten or twelve answers; the witness threw them off contemptuously, denouncing them as inquisitorial, and this contemptuous course he (Whitney) repeated day after day, and night after night. It was manifest that he (R. M. Whitney) had totally mistaken the feelings which prompted his (Mr. P.) course, and from this indulgence in his insolence he made a miscalculation, and went at length too far; no doubt he imagined that because his card in the Globe had not been noticed by me, therefore, I was to be insulted with impunity. On the night of the occurrence (said Mr. P.) I put to him a question, in order to draw from him the truth of my statement, which he carded me for making; the question related to Mr. Tane's refusal to countenance him, but, as on former occasions, the witness would not answer, affirming that he had a right to demand from me proof of this matter, as I had stated it to be true. Sir, I suffered this conduct to pass unnoticed by me, both because he was a witness, and because I did not wish to enter into personal altercation with one who is as completely shielded from the notice of all honorable men by his *infamy* as a mad dog is by his *hydrophobia*. But, sir, he accompanied that answer with a *scowl*, a *frown*, an *insulting look of defiance*, directed boldly to me personally, which perhaps no one else then saw. I appealed, sir, immediately to the chair, to know if the witness should be permitted to insult me; I walked up to him, and said I would teach him better than

to insult me, that I would let him know that I required no constitutional privilege to chastise him if he dared to insult me; that, if he did, I would put him to death on the spot. Sir, I used language which was harsh, for I was excited, as any man would have been who has a soul within him fit to be saved. The chair called to order, and I took my seat. He says I drew a pistol upon him: it is false. After I sat down, he rose and began again; I walked to him again, and he, at that moment, seemed as if he was about to use a weapon: he had his hand in his pocket, and, when I walked up to him, I put my hand in my bosom, but I drew nothing from it; every one present believed from his attitude he was armed with deadly weapons. My friend from Virginia (Mr. Wise) interposed; the witness was withdrawn, and the committee unanimously passed a resolution censuring his insulting behavior. As soon as I could, sir, I made an apology, which I felt due to the committee for having been transported by such provocation to lose the momentary command of my temper. The witness, on being again brought into the room, apologized for the insult, and was afterwards, as he had been by me before, treated with perfect respect, as due to his position as a witness. I think, sir, this explanation and statement of the facts is due to the committee and to the house; the prompt course adopted by the committee is alone a sufficient refutation of the false statements which have rendered this explanation necessary. I knew what was due to a witness, and I felt what was due to myself. I do not envy, sir, that wretch his calousness and insensibility, who, when assailed by a ruffian, would not, without regard to who he is, resist, if necessary, force by force. Grateful to the house for the indulgence which it has accorded to me, I shall not any longer occupy its time unnecessarily.

Mr. Peyton having concluded, then resumed his seat.

The resolution of the committee of investigation was then read by the clerk of the house.

Mr. Wise then rose and said—

Mr. Speaker: I request the same indulgence that has been granted to my friend from Tennessee, (Mr. Peyton), I request the indulgence not so much on my own account, personally, as in respect to the committee of which I am a member. I wish to show how the proceedings of that committee have been misrepresented and belied by that infamous wretch who has published his card in the Globe. From the first moment he, (R. M. Whitney) came before the committee, I saw, or thought I saw, in what his examination might result before its termination. It may have been imagination, but I anticipated his intentions from the start. He was evidently disposed to try my friend from Tennessee and myself. He had felt his way, for some time before, in the Globe. He tried our patience there by attempting to draw our attention towards him by his insulting cards and paragraphs. We both had failed to take any notice of him; we could not recognise him as a gentleman in any respect. His behaviour and manner, when he came before the committee, was that of a supercilious, self-important, contumacious and contemptuous witness. His answers to interrogatories were given in writing. He would write his answer at the table, and then, with an impudent air of nonchalance, would fold his arms, cock up his legs against the wall, and cast glances, full of defiance and expressive of contempt at me and my friend from Tennessee, as if anxious to insult us by his looks. To all this behaviour, sir, not a remark was applied; no notice of his insolence was taken; we treated him with quiet composure and decent respect, until emboldened by our forbearance, he went further; he behaved worse: he tried the experiment of being personal in his answers. His course, I think, was tentative; he wanted to see how far he might dare to go. The night this occurrence happened, I was sitting, with several of my colleagues of the committee, on a sofa in a corner of the room, on one side of the fireplace, conversing in perfect good humor, in a way certainly very agreeable to myself, telling anecdotes in whispers. The silence which reigned was broken only at intervals by the announcement of an interrogatory, or the reading of an answer. The answer to the question which caused the affray was announced; the attention of all to the reading of it was called. The witness was sitting at a table in the corner, on the opposite side of the fireplace from the sofa; a long table was sitting in front of the fireplace; the chairman and Mr. Peyton were sitting on the side next the fire, the former towards the end next the sofa, and the latter towards the end next the witness. The clerk was sitting on the opposite side of the table. The back of the chairman towards me, and when he read the answer, and Mr. Peyton looked around, it brought his, (Mr. P's) full face towards me. As soon as the answer

was read, I looked at my friend, and saw he was flushed with excitement; his face beamed with indignation; no one could mistake his feelings. He first addressed the chairman, by saying, "Mr. Chairman, I wish you distinctly to inform the witness that he is not to insult me here." He was proceeding, when I arose, and remarked, "Mr. Chairman, the d—d insolence of this witness is insufferable, and has been borne long enough." He had, in fact, Mr. Speaker, declined to answer one question because it was "inquisitorial;" and because another was "inquisitorial," he declined to answer it, and had rung all the changes upon that word till, if reiteration could convince and supply the place of truth, one might have believed, from mere repetition, that the committee was, what it has been denounced to be, worse than a Spanish inquisition! Sir, he had received his cue.

But to proceed: My friend rose as I uttered these words respecting the witness, put me back with his arm, and said, "This is my business, Wise; not yours." And he walked straight up to the witness where he sat, and said to him nearly these words—I will endeavor to give his very words, however harsh: "You talk about my shielding myself behind my constitutional privileges. Now, I tell you that I claim no constitutional privileges to protect me from your insults in my presence; and you d—d thief and robber, if you dare to insult me here or elsewhere, to my face, I will put you to death on the spot!" The chairman had called me to order, and I had sat down; he immediately called my friend back to his seat. For it is but due, Mr. Speaker, to the chairman to say that he has done his duty, in all respects, on that committee. My friend took his seat, when the witness rose, and began to say, "Mr. Chairman, I have been summoned to appear before this committee, and I claim its protection." He did not finish the sentence before my friend rose, and told him to sit down. "Sit down, sir! you have no right to speak here but in writing, and you shall not utter a word; if you speak another word, I will!"

Sir, I do not remember here exactly what he said he would do; he used many harsh epithets, such as "d—d scoundrel." The witness uttered not a word, but he was standing, and immediately advanced his left foot, and put his right hand in his pantaloons' right pocket. I was standing then immediately behind my friend, and, seeing Whitney assume this attitude, I walked quickly around the end of the table, near to Whitney's left side. I expected him to draw a deadly weapon on my friend. I watched the motion of that right arm, the elbow of which could be seen by me; and, had it moved one inch, he had died upon the spot! That was my determination. Let me not be misunderstood or misrepresented. I mean to say that, if he had drawn his deadly weapon on my friend, it should never have done its execution. I considered my friend in imminent danger and stood prepared to arrest it—to prevent his life from being taken by a villain, who wore every appearance, and assumed the very attitude of an insidious assassin. Happily, I had no occasion to interpose, but in a friendly manner, to force my friend away, who had, seeing the position of the witness, put his hand in his bosom. I stepped in between them, took hold of Mr. Peyton, caught him by his waistcoat, and closed it. I told him Whitney's blood was not worth spilling, and was not fit to stain any man—he was not worthy of his notice. My friend sat down, saying, "Yes, he is worth my notice when he comes to my face and insults me. I would notice any d—d dog!" The chairman expostulated with him, and my friend replied, "You have not seen him, sir; he has been looking at me—looking at me, sir, and he shall not look at me again! I submit it to you, sir; whether I have not treated him as if he were a gentleman." The chair remonstrated against further disorder. Whitney had not uttered a word after he was ordered by my friend to be silent, and did not until after he had retired and returned to the committee room. Mr. Hamer had been speaking; the witness was requested to retire. Mr. Hamer offered the resolution you have heard read; it passed unanimously; witness was called in; the chairman returned him his offensive answer, and informed him of the resolution, and he immediately said, "Mr. Chairman, if I have been disrespectful to the committee I regret it, sir, and apologize for it." The clerk took down his words immediately, unknown to most of the members, and the committee, afterwards, when Mr. Hamer was about to move to insert the witness's apology, withdrew his motion, because the committee concurred unanimously, I thought, that the clerk had correctly recorded it already. Thus ended the whole affair.

I went to the chairman, to Mr. Hamer, Mr. Martin, and Mr. Fairfield, all, I think, of the committee, and begged them not to adjourn until my friend's excitement entirely subsided. I suggested that he should be permitted to ask another question or two,

and that the committee should discharge the witness before it adjourned, so that Mr. Peyton might become calm, and not retire at the same time with the witness. This course was adopted, and successfully pursued. Whitney came back into the committee room, after he had retired, entirely humbled, I thought, and answered the next question propounded in the only becoming manner he exhibited at all. Such, sir, is a true statement of the whole transaction, and such was the part in it which I bore. I put it to the members of the committee to say whether what Whitney has published of my conduct on that occasion is correct; whether, with the exception of my first denunciation of his insolence; and of my after expression that he was not worthy of notice, my interposition was not peaceful. Sir, I acted on the occasion the part of pacificator. He says I approached him with my friend to ogle him and frown him down. It is true, I did approach him, and eye him, when I suspected his design to draw a weapon; I stood ready and watchful to protect my friend; but I call upon every gentleman on the committee, of all parties, friend or foe, to say whether I have not stated the facts truly. I say that no part or parcel, jot or title, of the statement of that infamous wretch, Whitney, is true, except the one statement of the question and answer. He states nothing as it occurred, and something that did not occur at all. I call upon the chairman of the committee, who should be the best witness, to say if these are not the facts.

Mr. Garland, of Virginia, said that it was extremely unpleasant to him at any time, and under any circumstances, to make a statement in reference to a personal controversy, but from the various hues in various directions which had been given to the transaction referred to by his colleague, (Mr. Wise), he thought it due to the committee, to the house, and to the country, that a correct statement should be made. Mr. G. said, without expressing any opinion in regard to the "card" referred to, or any other part of the transaction, he would simply say, that the statement of the facts and circumstances related by his colleague was substantially correct, and detailed very much as they happened. Some things stated he did not see; others occurred which were omitted, not affecting the substantial correctness of the narrative. Mr. G. said he did not see the scowl and contemptuous look which the gentleman from Tennessee states Mr. Whitney to have given him; his eyes were turned in another direction at the time it is said to have happened, but he distinctly remembers hearing the gentleman from Tennessee complain of it at the time, and as the principal cause of his excitement. Mr. G. said the occurrence was very sudden, and the gentleman from Tennessee was certainly very much excited. He said that, with a view to restore quiet, he stated to Mr. Whitney that a question would arise as to the disposition of his answer, and that he must retire, which he did. After Mr. Whitney had left the room, Mr. Peyton became more tranquil, apologized to the committee, and stated that he had been very much excited on account of the insult which he regarded as having been given him in the answer of Mr. Whitney, and the scowl and contemptuous look with which it was accompanied. Mr. Whitney was then called in, and the resolution of the committee in reference to his answer read to him; he then apologized to the committee in the terms contained in the copy of the journal of the committee just read.

Mr. Gillett then rose, and, after stating the difficulty of any two, much more, any nine, witnesses stating facts precisely alike, or agreeing in many, it might be, important particulars, said that many things which Whitney had stated were true, but he had been guilty of some omissions; he, however, would not undertake to detail what did occur, and he thought no one should, in this way, before the house, as what was said there might be equally misreported and misrepresented. But, if the house wished to know exactly what did occur on the occasion, it should order the committee to report the facts, and he, therefore, proposed to offer a resolution to that effect.

[This motion, the reception of it being objected to, was not in order at this time.]

Mr. Wise then again rose to conclude his remarks, which he had not finished before Mr. Gillett rose. He said: Sir, in continuation of my statement, I have to remark that my friend from Tennessee is pardonable for much he said and did on that occasion. He spoke many harsh words, but under the strongest excitement. We both looked upon Reuben M. Whitney as a base minion of executive power, who went there with a predetermination to insult us: he came backed, and endorsed, and prompted by the highest authority to brow-beat and taunt us, and to trample upon the power of a committee constitutionally raised by the representatives of the people to detect and expose his villainous connexion with the executive branch of the go-

vernment. My friend regarded the wretch as a mere agent, a miserable tool of others—others the highest in power. It was too much, sir, to suffer his authorised insults. My friend did not treat him as an equal, but he was transported with passion at his insolence and effrontery. He did and said many things which became not himself, but which Whitney richly deserved. As soon as he became calm and cool, he apologized to the committee in the most respectful terms.

The gentleman from New York (Mr. Gillett) says that "many things which Whitney says are true." I repeat, sir, that no part or parcel, jot or tittle of his statement, except the question and answer, is true; it is wholly false in matter and manner; in fact, and coloring, and context—emphatically false—false in *italics*! His statement as to his apology when he returned to the committee, I venture to say no member of the committee will vouch; and that he makes especially a marked statement by words in *italics*. In this he is wilfully and brazenly false; and no member on the committee can endorse his statement. The gentleman from New York (Mr. Gillett) says he will not undertake here to make a statement. Sir, I care not whether he does or not. I have my statement, confirmed by my honorable colleague, (Mr. Garland), and that is all I want. It may be, sir, I don't say it is so—but it may be likely, that some gentleman who was present *so lost his wits* on the occasion that he *could not make a statement if he were to try!* Now it is proposed to couple the name of my friend in a resolution with that of R. M. Whitney. I hope, sir, the house will not so degrade my friend, by the association even of names. What! couple the name of a villain, pensioned for his perjury, with the name of *Balie Peyton* in the same resolution! Sir, if you had been present and witnessed the scene of that night, you would have been struck with the immense difference between the two men. I will tell you what you would have seen: you would have seen the high elevation of an honest, bold, courageous, manly, noble disposition, above a low, base, cowering, cowardly, *dishonest* wretch! That, sir, was the only spectacle you would have seen.—And I say, sir, *let those of the two classes of spirits then present be respectively consorted together, and assimilated to each other!*

Mr. Hamer (a member of the committee) said that he should not detain the house with any remarks of his, were it not for an observation that fell from the gentleman from Tenn. (Mr. Peyton), and had been repeated by the gentleman from Virginia, who last occupied the floor, (Mr. Wise).—They had stated that the gentleman from Va. had notified the members of the committee, that when this subject came before the house, he would call upon them to pronounce Mr. Whitney's card *false* in every part, except so much as related to the proceedings of the committee. If he (Mr. H.) now remained silent, after what had occurred, it might be inferred that he had borne testimony to the falsehood so charged. He did not intend that any such inference should be drawn. He agreed with the gentleman from New York, (Mr. Gillett), that no nine individuals who might be present at an affair of this kind could be found, who would afterwards *state all the details alike*; and at this time he would not go into details. As to Mr. Whitney's "card," he would neither pronounce it true nor false. He had, as he stated in conversation with the gentleman from Virginia the other day, read it but hastily, when it first appeared; and he had not taken the trouble to look at it since. But as he was up, he would say that, without going into particulars, the outlines of the transaction, as given by the gentleman from Tennessee and the gentleman from Virginia, were substantially correct.

He thought it due to himself to state what had been his own course in the matter. When the excitement took place, and the honorable chairman called "order," he (Mr. H.) rose and commenced making a speech, the object of which was to aid the chairman in producing order out of disorder. He had continued upon the floor, occasionally interrupted by other gentlemen, until he closed his remarks by submitting the resolution which was unanimously adopted by the committee. He thought the resolution due to the committee, due to the individual member involved, and due to the witness himself, who had in some measure provoked what followed.

His (Mr. H.'s) opinion was, that a witness called before a committee, having an interrogatory propounded to him, ought either to answer or to decline. If he declined answering a question, *that was enough*. He had no right to proceed further, and make remarks about the committee, or an individual member of it, which were of a personal character, or which reflected upon them in any manner disrespectfully. Such a practice could not

be tolerated, and the committee were unanimously of that opinion.

After this sudden gust of passion, this momentary excitement, the gentleman from Tennessee expressed his regret, and apologized to the committee for what had taken place on his part. The witness was called back, and apologized to the committee for any thing he had done of a disrespectful character. He (Mr. H.) had hoped the whole matter would have remained there; but it seemed that by some means it had got out, and was travelling through the country in the newspapers. False and exaggerated statements, in regard to it, were no doubt circulated in public journals; and although he deprecated all discussions of this sort, yet he thought the gentleman from Tennessee perfectly justifiable in bringing the subject before the house, for the purpose of making a statement in his own defence.

Having said thus much, he would trouble the house no further.

Monday, Feb. 6. Mr. Thomas asked the general consent of the house, at this time, to take up and consider the report from the joint committee of the two houses on the mode and manner in which the votes of president and vice president should be counted.

The speaker said that the report had been sent to the official printer on Saturday, and had not yet been returned; but a messenger had been despatched for it.

Messrs. Peyton and Martin, members of the judiciary committee, and also of the select committee of investigation, of which the hon. J. Garland is chairman, were, on their several motions, released from further attendance on the former committee, with a view to attend on the latter, which has leave to sit during the sessions of the house.

A message was received from the senate, informing the house of its concurrence in the report of the joint committee appointed to consider and report upon the mode of counting out the votes for president and vice president of the United States.

Mr. Thomas moved that the house concur with the senate in the report and resolutions thereto appended, as reported by him to this house on Saturday evening, as follows:

The committee on the part of the house of representatives, "appointed to join such committee as might be appointed on the part of the senate, to ascertain and report a mode of examining the votes for president and vice president of the United States, of notifying the persons elected of their election; and also to inquire into the expediency of ascertaining whether any votes were given at the recent election contrary to the prohibition contained in the second section of the second article of the constitution; and, if any such votes were given, what ought to be done with them; and whether any and what provision ought to be made for securing the faithful observance in future of that section of the constitution,"

REPORT: That the short period at which they were appointed before the day on which the votes for president and vice president of the United States have to be counted, has prevented them from investigating the facts submitted to their examination as fully as might have been done had more time been allowed. The correspondence which has taken place between the chairman of the committee and the heads of the different departments of the executive branch of the government, accompanies this report, from which it appears that Isaac Waldron, who was an elector in New Hampshire, was, at the time of his appointment as elector, president of a deposit bank at Portsmouth, and was appointed and acting as pension agent, without compensation, under the authority of the United States; that, in two cases, persons of the same names with the individuals who were appointed and voted as electors in the state of North Carolina, held the offices of deputy postmasters under the general government. It also appears that in New Hampshire there is one case; in Connecticut there is one case; in North Carolina there is one case, in which, from the report of the postmaster general, it is probable that, at the time of the appointment of electors in these states respectively, the electors or persons of the same names were deputy postmasters. The committee have not ascertained whether the electors are the same individuals who held, or are presumed to have held, the offices of deputy postmasters at the time when the appointment of electors was made; and this is the less to be regretted, as it is confidently believed that no change in the result of the election of either the president or vice president would be effected by the ascertainment of the fact in either way, as five or six votes only would in any event be abstracted from the whole number, for the committee cannot adopt the opinion entertained by some that a single illegal vote would vitiate the whole electoral vote of the college of electors in which it was given, particularly in cases where the

vote of the whole college has been given for the same persons.

The committee are of opinion that the second section of the second article of the constitution, which declares that "no senator, or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector," ought to be carried in its whole spirit into rigid execution, in order to prevent officers of the general government from bringing their official power to influence the elections of president and vice president of the United States. This provision of the constitution, it is believed, excludes and disqualifies deputy postmasters from the appointment of electors; and the disqualification relates to the time of the appointments, and that a resignation of the office of deputy postmaster after his appointment as elector would not entitle him to vote as elector under the constitution.

Should a case occur in which it became necessary to ascertain and determine upon the qualifications of electors of president and vice president of the United States, the important question would be presented—what tribunal would, under the constitution, be competent to decide? Whether the respective colleges of electors in the different states should decide upon the qualifications of their own members, or congress should exercise the power, is a question which the committee are of opinion ought to be settled by a permanent provision upon the subject.

The committee at present, and in part, report the following resolutions:

Resolved, That the two houses shall assemble in the chamber of the house of representatives on Wednesday next at twelve o'clock, and the president of the senate shall be the presiding officer; that one person be appointed a teller on the part of the senate, and two on the part of the house of representatives, to make a list of the votes as they shall be declared; that the result shall be delivered to the president of the senate, who shall announce the state of the vote, and the persons elected, to the two houses assembled as aforesaid, which shall be deemed a declaration of the persons elected president and vice president of the U. States; and, together with a list of votes, be entered on the journals of the two houses.

Resolved, That, in relation to the votes of Michigan, if the counting or omitting to count them shall not essentially change the result of the election, they shall be reported by the president of the senate in the following manner: were the votes of Michigan to be counted, the result would be, for A B for president of the United States, — votes; if not counted, for A B for president of the United States, — votes: but in either event, A B is elected president of the United States. And in the same manner for vice president.

In answer to an inquiry from Mr. Mercer, Mr. Thomas said that the joint committee had ascertained that there were five of the electors, namely, one from the state of New Hampshire, three from North Carolina and one from Connecticut, who bore the same names as individuals who held the offices of deputy postmasters under the general government. The committee had therefore concluded that they were the same persons, and, if so, five persons had voted who held offices under the general government. The committee had also unanimously concluded that, whether these votes be counted or not, the result of the presidential election could not be affected. The committee had not recommended to the house to reject these votes. It would be a delicate power for congress to assume, and the question arose whether the subject did not properly belong to the electoral college. The committee expressed their decided disapprobation of any interference of those officers in the election, and proposed, in a future report, to provide for similar cases hereafter, and to give either to congress or the electoral college power to reject these votes.

Mr. Cambreleng said there was one point to which he wished to call the attention of the house, and that was, that all these individuals had resigned their offices before they gave in their votes.

After some remarks from Mr. Thomas and Mr. Mercer, Mr. Cary called for a division of the question. Mr. C. contended that the votes of Michigan ought to be received in the same way as the votes of any other state in the union; for if it should turn out that there were no election by the electoral college, it must be seen that the vote of Michigan must be taken in this house for president, and in the other house for vice president. He could not conceive that it was the business of the house to decide on the character of these votes.

And, the question being taken, the first resolution was concurred in.

And, the question being taken, the second resolution was concurred in.

The house refused to suspend the rules to enable Mr. O. Allan to offer a resolution that the house will, on Thursday next take up, in committee of the whole, a bill extending the provisions of an act for the relief of certain surviving officers and soldiers of the revolution.

The unfinished business was the petition presented on Monday last from certain citizens of the state of Kentucky, praying liberal pecuniary aid from congress in favor of the objects of the Colonization society.

The said petition had been referred to the committee on foreign affairs: and the question now pending was the motion heretofore submitted by Mr. Adams, to reconsider the vote by which the petition had been referred to the said committee. Considerable discussion now ensued, and finally the motion to reconsider, was, on motion of Mr. Patton, laid on the table. Ayes 121, noes not counted.

A similar petition, presented on Monday last, came up as the unfinished business, on the motion to refer the same to the committee on foreign affairs. On motion of Mr. Jarvis, the whole subject was laid on the table.

Mr. Briggs presented a preamble and resolutions from persons of various employments in the county of Berkshire, state of Massachusetts, assembled in public meeting at Pittsfield, remonstrating against the passage of the bill reported from the committee of ways and means, in relation to the tariff.

On motion of Mr. B. the preamble and resolutions were read, and Mr. B. intimating his intention to submit some remarks to the house, the preamble and resolutions lie over one day under the rule.

Mr. Pierce, of New Hampshire, was, on his motion, discharged from the further attendance on the judiciary committee, of which he is a member, in order to attend on the select committee of investigation, of which he is also a member, and which has leave to sit during the sittings of the house.

Petitions and memorials were called for in the order of states and territories, and were presented by Mr. Jarvis, of Maine, Messrs. Cushman and Bean, of New Hampshire, and Messrs. Phillips, Briggs, Lawrence, Cushing, Reed, Calhoun and Adams of Massachusetts. Mr. Adams having presented certain petitions from other states than that of which he is a representative,

Mr. Robertson raised the question of order, whether one member had a right to present petitions from other citizens than those of his own state.—The speaker said it had been the uniform practice of the house that a member might present petitions from any state in the union, provided those petitions were bona fide sent to him for presentation by the citizens interested in them. If one member were to transfer his petitions to another for presentation, the question would then come up in a different form. Mr. Robertson appealed from the decision, but withdrew the appeal. And Mr. Adams having proceeded to present a petition from certain inhabitants of New Hampshire, Mr. Boon renewed the point of order; and the speaker having repeated his decision, Mr. Boon took an appeal therefrom. The appeal was debated by Messrs. Boon, Hardin, Mercer, Vinton, Lane and Vanderpoel. When to save time, Mr. Boon withdrew the appeal. Mr. Chambers, of Kentucky, renewed it. Mr. Patterson demanded the previous question. Mr. Glascock asked the gentleman from Ohio to withdraw the motion, on a promise to renew it, so as to enable him (Mr. G.) to submit a remark. Mr. Patterson did not withdraw it; and the house seconded the demand for the previous question. Mr. Glascock called for the yeas and nays on ordering the main question, which were refused; and the main question was ordered to be now taken. Mr. Davis called for the yeas and nays on the main question, which were ordered. And the main question "Shall the decision of the chair stand as the judgment of the house?" was taken and decided in the affirmative—yeas 139, nays 29. So the house affirmed the decision of the chair.

Mr. Adams said he wished the house to recollect that more time, thrice told, had been consumed in debating this appeal than he had taken up, or should take up, in presenting all his petitions. He hoped, therefore, the house would not hold him responsible for the consumption of time.

Mr. Adams thereupon presented sundry other petitions.

Mr. A. said he presented the petitions of nine ladies of Fredericksburg, in the state of Virginia. He would not name them, because, from the disposition which at present prevailed in the country, he did not know what might happen to them if he did name them. It was not a petition for the abolition of slavery in the District of Columbia, but it was a petition praying congress to put a stop to the slave trade in the District of Columbia.

This was one of those petitions which had seemed so strange to him when he received it, that he did not feel a perfect security that it was genuine, and to which he had alluded when he first began the presentation of his petitions. It was sent to him, purporting to be the petition of nine ladies, not one of whom should be named by him. Whether it was genuine or not, it was not for him to determine.

The petition was ordered to lie on the table under the resolution.

The remainder of this day was consumed in a series of unpleasant discussions and motions growing out of an announcement by Mr. Adams that he had a petition from twenty-two persons who declared themselves to be slaves. The particulars of all that transpired on this and subsequent days, are promised in the "Intelligencer," and shall be duly laid before our readers. The question pending at the time of adjournment was on a motion for censure of Mr. Adams (moved by Mr. Thompson, of S. C. being a modification of previous motions) for having "trifled with the house."

Tuesday, Feb. 7. The sitting of this day opened with the unfinished business of yesterday, being a proposed vote of censure on the hon. John Quincy Adams, a member of this house, for his course in reference to a certain petition; and the subject, in different shapes, occupied the whole of a very long day's session. No question having been taken, at six o'clock the house adjourned.

[As before stated we will in the next "REGISTER," publish a detailed statement of all that has transpired in relation to the above case.]

Wednesday, Feb. 8. Mr. E. Whittlesey proposed that, as the house, would proceed, at the hour of twelve, to the special order, (being the performance of a constitutional duty,) the question of privilege under consideration at the adjournment of the house on yesterday should be postponed, and that the house should proceed to the usual morning business.

Objections having been made, Mr. Whittlesey moved to suspend the rule, to enable him to submit a motion to the above effect.

And, the question being taken, the rule was suspended.

The question on the motion of Mr. E. Whittlesey, to postpone the further consideration of the question of privilege, was then taken, and decided in the affirmative.

So the house passed to the usual morning business.

The speaker, by general consent, laid before the house a communication from the secretary of war *ad interim*, transmitting, in compliance with one of the requirements of the 13th section of the act of June 30, 1834, organizing the Indian department, a list of persons engaged in that branch of the public service in the year 1836, their compensation, &c. Laid on the table, and ordered to be printed.

Also, a communication from the secretary of war *ad interim*, transmitting abstracts of the general returns of the militia of the United States, and of their arms, accoutrements and ammunition, for the year 1836. Laid on the table, and ordered to be printed.

Also, a communication from the secretary of the treasury, enclosing copies of correspondence with his office, in compliance with a resolution of the house of representatives, dated the 30th ultimo, as to the land office at Fort Wayne.

On motion of Mr. Lincoln, referred to the committee on public lands, and ordered to be printed.

Also, a message from the president of the United States, in compliance with the resolution of the house of representatives of the 3d instant, relative to the exploring expedition: and adding, that "he trusts all facilities will be given to this exploring expedition that congress can bestow, and the honor of the nation demands."

On motion of Mr. Phillips, of Mass. the message and accompanying documents were referred to the committee of the whole on the state of the union, and ordered to be printed.

Also, a message from the president of the United States, relative to the condition of affairs between the United States and Mexico. [The same as presented to the senate yesterday—see page 378.]

The message having been read,

On motion of Mr. Cambreleng, the message and accompanying documents were referred to the committee on foreign affairs, and ordered to be printed.

Also, a communication from the secretary of war *ad interim*, enclosing copies of orders issued by that department respecting calls for "volunteers or militiamen," called for by a resolution of the house of representatives, dated 26th December. Referred to the committee on public lands and ordered to be printed.

Also, a communication from the secretary of war transmitting copies of all such accounts as have been rendered by persons charged with disburse-

ments of money, goods or effects, for the benefit of the Indians, for the year ending on the 30th September; which was referred to the committee on Indian affairs, and ordered to be printed.

Mr. Lincoln from the committee to investigate the condition of the various executive departments, reported the following resolution:

Resolved, That the select committee of the house, appointed under the resolution of the 17th of January last, be authorized to direct the printing of as many copies of the journal of their proceedings as they may think proper, for the use of the members, to be laid on their tables with the report of the committee.

On motion of Mr. C. Johnson, the resolution was so modified as to read "not to exceed 1,030," (this being the usual number). And the resolution, as modified, was agreed to.

Mr. Ashley, from the committee on Indian affairs, reported the following resolution:

Resolved, That the committee on Indian affairs be instructed to inquire into the expediency of providing by law for the payment of such portion of annuities to the Missouri band of the Sac and Fox nation of Indians as may appear due to them, under the several treaties of 1804, 1824 and 1832, and of granting to them such other relief as the circumstances attending their application for payment may appear just and proper.

The said resolution was read and agreed to by the house.

Several bills were read twice and committed, and some other business of minor importance transacted; when, the hour of twelve having arrived, and messages to that effect having been interchanged between the two houses, the senate, in a body, entered the hall preceded by their president and secretary, and were received by the members of the house standing, uncovered.

The president of the senate presided, the speaker of the house sitting on his right hand.

The tellers, Mr. Grundy, of the senate, and Mr. Thomas and Mr. Lincoln, of the house, having taken their seats, the return of electoral votes from each state was opened, read and recorded, the result of the whole number of votes being as follows:

Number of electors for each state.	STATES.	For president.					For vice president.		
		Martin Van Buren.	Daniel Webster.	Wm. H. Harrison.	Hugh L. White.	Willie P. Mangum.	R. M. Johnson.	Francis Granger.	John Tyler.
10	Maine	10					10		
7	N. Hampshire	7					7		
14	Massachusetts	00 14					00 14		
4	Rhode Island	4					4		
8	Connecticut	8					8		
7	Vermont	00 00 7					00 7		
42	New York	42					42		
8	New Jersey	00 00 8					00 8		
30	Pennsylvania	30					30		
3	Delaware	00 00 3					00 3		
10	Maryland	00 00 10					00 00 10		
23	Virginia	23					00 00 23		
15	N. Carolina	15					15		
11	S. Carolina	00 00 00 11					00 00 11		
11	Georgia	00 00 11					00 00 11		
15	Kentucky	00 00 15					00 15		
15	Tennessee	00 00 15					00 00 15		
21	Ohio	00 00 21					00 21		
5	Louisiana	5					5		
4	Mississippi	4					4		
9	Indiana	00 00 9					00 9		
5	Illinois	5					5		
7	Alabama	7					7		
4	Missouri	4					4		
3	Arkansas	3					3		
291	Total	167	14	73	26	11	144	77	47
	Michigan, if counted	3					3		
		170					147		

After the counting of the votes was completed, and the result declared—

The president of the senate proclaimed that MARTIN VAN BUREN was elected president of the United States for four years from the third day of March next; and that for vice president no person voted for had a majority of the whole number of votes, R. M. JOHNSON and FRANCIS GRANGER being the two highest on the list.

The announcement was received with perfect decorum by the house and galleries.

The senate then withdrew to their hall; and the house adjourned.

THURSDAY'S PROCEEDINGS.

In the senate. On motion of Mr. Grundy, from the committee on the election of president and vice president, it was

Ordered, That the secretary of the senate inform the house of representatives, that the senate have elected RICHARD M. JOHNSON, of Kentucky, vice president of the United States, for four years from and after the 4th of March next.

After some other business had been disposed of, Mr. Calhoun offered a bill to cede the public lands to the new states on certain conditions, which bill was, after discussion, laid on the table.

Mr. Calhoun then rose in his place and stated that he had been honored with a communication from the chief magistrate in reference to his course with regard to the bill, which he should take occasion now to bring before the senate. He then sent to the secretary's table the following letter.

[We regret, (says the Intelligencer), that we are not able at present to give a copy of this letter. Referring to a report of his speech in the Globe, Mr. Calhoun is charged with having asserted that the president has been concerned in speculation in public lands; that the removal of the deposits was a preparatory measure, and the land bill its consummation. It contradicts the truth of the assertion, and calls on Mr. Calhoun to retract the charge in the senate; in case of his refusal to do so, the president threatens to publish his letter before leaving the city.]

The letter was accompanied by a certificate of a person present in the gallery during the delivery of the speech, and of Mr. Drake, a reporter for the Globe, that the report in the Globe states correctly what was said by Mr. Calhoun.]

Mr. C. said it was not his intention to comment on the extraordinary contents of this letter. It excited in his bosom no emotions but pity for its author, contempt for its menace, and humiliation that the chief magistrate of the United States should place himself in such an attitude. Nor was it his intention to ask protection there, as the representative of a sovereign state: he was competent to the defence of his own reputation, and so far from being intimidated by such a communication from the discharge of his duty, its only effect was to embolden him the more in denouncing corruption, whether in high or in low places. As to the privileges of that body, he should leave it to the body to defend its own rights. Much less was it his intention to comply with the demand of the president. Demand was a term which belonged to equals. In the public relation he sustained as a member of the senate, he felt himself at least equal to the president of the United States. As a senator, (said Mr. C.) I may judge him, he cannot judge me.

I rise to reiterate here in my place, and to the fullest extent, all I before said, and to afford to the friends of the administration an opportunity to correct the error, if there was one; in which case, I am ready at once, and on the spot, to retract the error. Mr. C. then went into a recapitulation at large of the substance of that part of his speech to which the president's letter had reference.

Mr. Grundy, Mr. Walker, and Mr. Clay successively occupied the floor in speeches which we shall present as soon as published.

The land bill was then read a third time, and the question being on its passage,

Mr. Davis spoke at length in opposition to it; Mr. Tipton, in explanation of the grounds of his vote in its favor; Mr. Ewing and Mr. Clay, in decided opposition to it on constitutional among other considerations;

When, the question being at length obtained, the bill was passed by yeas and nays, as follows:

YEAS—Messrs. Benton, Black, Brown, Buchanan, Cuthbert, Ewing, of Illinois, Fulton, Grundy, Hendricks, Hubbard, King, of Ala. Linn, Lyon, Moore, Mouton, Nicholas, Niles, Norvell, Page, Parker, Rives, Robinson, Strange, Tallmadge, Tipton, Walker, Wright—27.

NAYS—Messrs. Bayard, Calhoun, Clay, Clayton, Crittenden, Davis, Ewing, of Ohio, Kent, King, of Georgia, Knight, McKean, Morris, Prentiss, Robbins, Ruggles, Sevier, Southard, Spence, Swift, Tomlinson, Wall, Webster, White—23.

The title was amended by adding the words, "and for other purposes."

[For a synopsis of the bill see page 369.]

The house of representatives was occupied the whole day in considering Mr. Adams' case, but did not come to any final action. Particulars hereafter.

DOMESTIC CHRONICLE.

To merchants. By a recent decision of the secretary of the treasury, the proof of the damage upon goods must be lodged in the custom house, within ten running, (not ten working) days after their landing, or it will not be allowed.

The Cincinnati Post of the 27th ultimo, says—"There are not less than one hundred thousand barrels of flour in the towns upon the Ohio river, from Pittsburgh to its mouth, waiting a clear river and a good stage of water to be sent to market."

A correspondent of the Boston Daily Advertiser, in an article on the subject of British and American steamboats, estimates the tonnage of the latter, at the present time, at 150,000 tons—being probably three times as many as are in all Great Britain, and twice as many as are in all the world, including Great Britain. The cost of the American boats is estimated to be about thirty-six millions of dollars.

New York banks. According to the bank commissioners' report, there are now in operation in the state of New York, 98 banks and two branches. Ninety of these together with the branches, are subject to their supervision. The resources of these banks on the first January, were \$106,818,952, and their liabilities were \$68,912,849. The banking capital within that state has nearly doubled since 1st January, 1832.

Contested election. The committee in the Virginia house of delegates, appointed to report on the contested election from Powhatan, between Mr. Hopkins and Mr. Scott, presented a report of one hundred pages, in favor of Mr. Hopkins. The sitting of one day disposed of only four pages of the report.

It would seem that all the principal cities on the Hudson, following the example of Poughkeepsie, are to have each daily lines of steamboats plying to New York. Hudson is to have not only a daily but a semi-weekly line to New York, and two daily lines to Albany.

Children in factories. The citizens of Pittsburgh have directed their attention to an amelioration of the condition of children in factories. The Mercury says, "a meeting on this subject was held on Monday evening. The committee reported 1,487 signatures to the memorials to the legislature; and about 40 papers not returned. A committee was appointed to transmit the memorials to the legislature, and one to receive additional signatures."

If there be cruelty practised in factories, to the children employed there, or if their labor is too great or protracted for the immature state of their powers, the evil should be investigated and corrected.

The number of patients treated under the direction of the Philadelphia northern dispensary during the year 1836 was 533, of whom 464 were cured, 16 died, and 22 remain under treatment. The receipts of the institution during the period above mentioned amounted to \$1,186, including a balance from the previous year of \$199; and the expenditures were about \$675, leaving a balance in the treasury of about \$515.

Letters from Valparaiso, via Rio Janeiro, dated 22d October, announce the loss of the ship William Byrnes, capt. Macoduck, during a violent gale in the harbor of Valparaiso. The principal part of the cargo had been landed previous to the gale. The captain, crew and passengers were saved, with the exception of one seaman.

The lower house of the Missouri legislature has passed the mammoth bank bill by a vote of 46 to 25. The mother bank is to be at St. Louis, and branches are to be established in other parts of the state.

The bill to expel all foreign bank agencies from the state, which had passed the house, was also passed by the senate in an amended form, so as to give it effect on the 15th instant in all cases. The amendment, it is supposed, would be concurred in by the house.

Land office frauds. The N. Y. Express says, a correspondent at Kalamazoo, Michigan, has sent us a letter dated Jan. 25th, from which we make the following extract:

"The persons employed in the land office at Gonia, have been detected in defrauding government to a large amount. They entered several hundred of the choicest lots, and employed agents to sell them at the east. The affair has produced a great excitement here, and will probably lead to an investigation of the transactions of this office."

An express mail lost. The express mail that left New York on Tuesday, the 26th ult. was lost overboard, or stolen from the boat between Perth and South Amboy.

An abolition convention assembled at Harrisburgh, Pa. on Tuesday last, about 150 delegates being in attendance. Dr. Le Moynes, of Washington county, was elected president. They formed a state anti-slavery society. Their sittings were held in Alter's tavern; the house of representatives, by a

vote of 66 to 19 having rejected their application to hold their deliberations in the hall of that house.

High price of grain. In the city of New York, within a few days past, 5,000 bushels good white German wheat have been sold at 215 cents a bushel. A cargo of 15,000 bushels, very prime, of the crop of 1836, is held at 250 cents. 5,000 bushels rye on the spot sold at the high price of 170 cents per bushel for distillation.

In the legislature of Pennsylvania, there are farmers, 48; lawyers, 14; merchants, 10; cabinet makers, 4; physicians, 2; gentlemen, 2; carpenters, 2; hatters, 2; millwrights, 2; printers, 2; tanner, 1; miller, 1; grocer, 1; artist, 1; blacksmith, 1; accountant, 1; shoemaker, 1; inn keeper, 1; engineer, 1; surveyor, 1; geological surveyor, 1; silver plater, 1.

Birth places. Pennsylvania 91; Jersey 4; Vermont 1; Rhode Island 1; Ohio 1; Virginia 1; Connecticut 1.

In the legislature of Maryland, there are farmers, 40; lawyers, 12; doctors, 8; merchants, 3; teachers, 3; tanners, 2; inn keepers, 2; manufacturer, 1; blacksmith, 1; tailors, 2; fisherman, 1; clerk, 1; coach maker, 1; miller, 1; collector, 1; printer, 1—80.

The wheat crop. A letter to the editors of the National Intelligencer, dated Amherst county, (Va.) Jan. 25, says: "Never was there so gloomy a prospect for wheat in this section, as there is at present. In looking over our immense wheat fields, even the rich bottoms of James river, scarce a green spot is seen, to relieve the eye from its gaze on the cheerless waste of rocks and clods. Flour is now \$12 a barrel, and unless a rapid improvement in the wheat crop takes place in a short time, it will not, in my opinion, be less than from 15 to \$20. Many consider the crop as beyond recovery, believing that the almost unprecedented frosts of November and December destroyed the vitality of the seed."

Case of Harry White. We neglected to state that Harry White, who was tried as the accessory of Richard H. White in the destruction of the treasury buildings, has been sentenced to ten years imprisonment in the penitentiary of the District of Columbia.

In the legislature of Rhode Island, during its recent session, a member introduced resolutions instructing the representatives of that state in congress to endeavor to procure the passage of an act abolishing slavery in the District of Columbia.—They were rejected by a vote of 46 to 7.

Mortality in Boston. According to the bill of mortality the past year, the whole number of deaths in the city of Boston was 1,770, being less than the number during the preceding year, by 444. The greatest number in any one month was in October, being 201. The least number was in May, being 97. The deaths by lung fever, 82; typhus fever, 47; intemperance 42; accidental, 31; suicide, 13; consumption, 233. The number of deaths under one year, was 872, viz: 189 males and 183 females.

A public meeting was lately held at Mercer, Pennsylvania, of citizens friendly to the construction of a rail road from Beaver to Warren, Pennsylvania, by the way of Mercer and Franklin. This proposed route would intersect the Philadelphia and Erie rail road near Franklin, and would also have a connexion with the rail road constructing through the southern range of counties in the state of New York.

The convention at Rochester, on the subject of the enlargement of the Erie canal, adjourned on the 19th ult. having adopted a memorial to the legislature asking for a law authorising a loan to facilitate the enlargement, and pledging the canal tolls for the payment of the same. Committees of vigilance for the counties interested and a central committee were appointed to superintend the general matters relating to the objects of the convention.

The New York Journal of Commerce complains of the great rise in house rents in that city. It says: "Six or eight hundred dollars is the least for which a house can be obtained within two miles of Wall street, to afford comfortable accommodations for a moderate family, and a large proportion of such houses command ten and twelve hundred dollars.—We do not speak of mansions for the rich: they are two and three thousand dollars. The pressure of rents on the middling classes is severe, though, after all, they are generally in prosperous circumstances."

Distressing Shipwreck. The barque Suzana, belonging to Macao, (China), while on her passage to that place from Bombay, was cast away on the coast of Caulan, lat. 11 55, near the end of June last, in a gale, by which disaster eleven persons lost their lives, including senhor H. A. Leiria, of Macao.—The cargo consisted of 1,383 chests of opium, 200 bales of cotton, &c. and the loss of property is estimated at more than a million of dollars.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED, BY WILLIAM OGDEN NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

GEORGE PEABODY, esq. of Baltimore, has been appointed by the governor and council of Maryland, a commissioner to negotiate the eight million loan, in the place of Samuel Jones, jr. esq. who declined to accept.

RICHARD E. PARKER, at present one of the senators of the United States from the state of Virginia, has been elected by the legislature of the state one of the judges of the court of appeals, vice Dabney Carr, deceased. There were two ballots—on the 1st ballot the joint vote of the two houses was: for J. M. Patton 59—R. E. Parker 56—William Daniel 33—scattering 8. On the 2d the vote stood—R. E. Parker 82—J. M. Patton 69—scattering 3.

FIRE. A slip from the office of the Norfolk Beacon, states that the dwelling house of HENRY A. WISE, esq. of the Eastern Shore of Virginia was destroyed by fire during the past week. Mrs. W. was absent at the time, and on her return found the building in flames. The extent of the loss was not ascertained.

FROM MEXICO. A conducta has arrived at Vera Cruz with \$700,000.

The liberation of Santa Ana caused great rejoicing. The papers are almost exclusively filled with fulsome adulations addressed to him.

The correspondence of ex-minister Gorroztizena with our government serves the Mexican papers for several severe philippics against the United States: these ebullitions are to be expected, and as they cannot change the actual state of affairs, they will fall harmless.

General Bustamante made his entry into the city of Mexico on the evening of the 19th or 20th of December.

By a decree of the Mexican congress, of the 14th of December, all consuls, but more particularly ours, are enjoined to furnish the citizens of the nations they represent with tickets of security, (protection) within the month after their arrival. The tickets are renewable once in each year, in the month of January. In default of complying with this requisition, a fine is to be imposed.

A letter from Vera Cruz dated 22d January, states that the supreme government had sent an order to Vera Cruz, directing that in the event of Santa Ana's arriving at Vera Cruz, the authorities should receive him with all the honors due to him as president of the republic. The writer adds that on his arrival he would be appointed immediately to the presidency. Bustamante now declines a nomination for president.

SOUTH AMERICA. *New Grenada and Great Britain.* The New Orleans *True American* states that in consequence of the incarceration of the British consul by the authorities of *New Grenada*, a British squadron was blockading some of the ports of South America.

The following is an extract of a letter, dated Kingston, Jan. 12th.

"We beg now to advise the blockade by a British squadron, of the coast of New Grenada, and the consul for the United States has received a communication that no American or other vessel, would be sanctioned in leaving this port, ostensibly with a view to trade with New Grenada, even to bring away British property."

PERU AND CHILI. War, says the *New Orleans Bee*, has been declared between Peru and Chili, and two vessels belonging to the latter nation were blockading the port of Guayaquil, where there were four Peruvian vessels and 300 troops under command of gen. Moran. A letter, however, dated Lima, Dec. 2, says that no war up to that period had been declared, but it will soon be done by Chili; that Peru had detained all the Chilean vessels in her ports, and prohibited the introduction of their products and manufactures into Peru. In expectation of war large quantities of wheat and flour were sent from Chili in October, and prices low.

FOREIGN NEWS. The news from England is not important. The report of the bankruptcy of the Northern and Central bank at Manchester

appears to rest pretty much as it did before this arrival, and to have no other foundation than the arrangement with the bank of England for resuming its liabilities.

On the 24th, 25th and 26th December, a severe snow storm prevailed in England, and interrupted all communications from abroad, as well as the mails throughout the country. Where it drifted it was generally from 12 to 16 feet; by Chatham Lines the snow is from 30 to 40 feet deep.—Innumerable accidents occurred, several of the mail coaches were completely buried in the snow, and the disasters to the shipping were numerous, and many lives lost. In the port of Harwich alone 11 vessels were driven ashore. An avalanche of snow and ice fell on the 27th December, from Malting Cliff at Lewis, crushing 7 cottages, and burying the inmates; 11 persons were dug out, 6 of whom were dead.

A new attempt was made on the life of Louis Philippe on the 27th of December, by three assassins, each armed with pistols, while he was on his way to the legislative chambers, for the opening of the session. One only of the assassins fired, and the ball broke the glass of the royal carriage, and passed between the heads of the king's two sons, but the king was not hurt. The assassins were arrested.

The king proceeded to the chamber and opened the session by a speech. He congratulates the chambers on the prosperity of the country, on the pacific assurance which he receives from all foreign princes, and on the security of the peace of the world. He laments the fatal dissensions which prevail in the peninsula, and applauds himself for not having interfered in the internal affairs of those countries. He laments the losses which have been sustained in Africa, and intimates an intention to secure the preponderance of the French arms, as well as security to the French possessions there. He alludes to the renewed attempt on his life, and to the recent futile attempt at insurrection, both which passages of the speech were received with repeated acclamations. He announces that he has given orders for submitting to the deliberation of the chambers a great number of propositions, for the improvement of the navigation of rivers, the establishment of canals, ports and rail roads, and public institutions which will augment the greatness of France.

M. Dupin was elected president of the chamber of deputies, by 198 votes out of 307. M. Humann received 36 votes, and M. Lafitte 24. General Jaquemenot and M. Cunin Gridaine, the ministerial candidates, were chosen vice presidents.

The papers contain the tardy resolution of the cortes, recognized by a decree of the queen, and published in the Madrid Gazette, authorising the government to conclude treaties of peace and amity with the states of Spanish America, on the basis of the acknowledgment of those states, and the renunciation of all territorial rights and sovereignty on the part of the ancient government.

The English and American residents in Paris held a meeting on the 30th, for the purpose of voting a congratulatory address to the king on his providential escape from the attempt on his life. A committee was appointed of six English and six American gentlemen to draw up resolutions and an address, which after an interval of half an hour, were presented and unanimously agreed to.

The affairs in Spain were nearly in statu quo. Bilbao continued to hold out against the Carlists, but had not been relieved.

The road was lined on one side by the national guards, and on the other by troops of the line. On the Quai des Tuileries, a few paces beyond the iron gate leading into the garden, nearly opposite the Pont Royal, a pistol was fired at the carriage, just at the moment when his majesty was saluting the crowd assembled to witness his passage. The assassin, it appears, took advantage of a slight opening in the line of troops by whom the king was surrounded, to approach within a few paces of the royal carriage. The king was not struck. The ball broke the glass, passed between the heads of the dukes of Orleans and Nemours, and lodged in the upper part of the carriage. The pistol was fired by an individual who formed one of a group of three young men, placed immediately behind the national guards. One only fired. At the moment the report was heard, another of the party had his arm ex-

tended, and was on the point of pulling the trigger of a second pistol, when a by-stander struck down his arm. The third had also a pistol in his hand, but had not presented it. The report threw the procession into some disorder. The king's carriage stopped suddenly. His majesty put his head out of the window, spoke to several of the generals who formed his escort, and assured the people that he was not hurt. Some splinters of the glass, however, struck the faces of the dukes of Orleans and Nemours.—The prince royal was cut below the right ear, and the wound bled profusely. The duke de Nemours escaped with a few scratches on his right cheek.—Immediately after the horrible act, general Jaquemenot rode on at full gallop to prevent the queen, who had preceded his majesty to the palais Bourbon, from being alarmed by any erroneous statement that might have circulated immediately after the attempt. The news was soon spread through the chamber, but the statement of general Jaquemenot, who remained amongst his colleagues, soon dissipated all alarm, and opposed an effectual check to the exaggerations, which, but for his presence, would no doubt have created a panic amongst the assembled auditory. The three assassins were immediately arrested, and taken first to the post where the colors of the national guards are deposited, and thence to that of the commandant of the palace, where the prefect of police arrived shortly afterwards and interrogated them. They all assumed great firmness, and declared that they had acted of their own free will. They refused to disclose their names, and had even taken the precaution of obliterating the marks of their linen. It is said that no other avowal could be obtained from the perpetrator of the atrocious attempt except a declaration that he belonged to the *societes des Familles*. The principal and his accomplices were ill-dressed, and each of them appeared to be about 22 or 23 years old. The young man who fired the shot has light brown hair, is much marked with the small pox, and has rather a mean appearance.

The assassin's name is Meunier. He is the son of a carriage maker, residing at La Nilette, a suburb of Paris on the St. Denis road. His motive for attempting to take the life of the king, was, it seems, to rid the world of one of the Orleans branch of the Bourbons, for which he says he had, while still a boy, conceived an implacable hatred.

The pistol which he made use of contained either two balls, of which one was divided into two, or else one ball cut into three. After entering the side window of the carriage a fragment of the ball went through the front window, immediately behind the coachman. Another fragment entered the cushion, and was found there, not two inches from where the duke de Joinville was sitting. The lantern to the left of the coachman was also broken, whether by a third ball or a fragment, or whether by the one that traversed the front window, is not certain.

MR. ADAMS AND THE PETITION FROM SLAVES.

IN HOUSE OF REPRESENTATIVES,

Monday, Feb. 6. Mr. Adams said he held in his hand a paper on which, before it was presented, he desired to have the decision of the speaker.—It was a petition from twenty-two persons, declaring themselves to be slaves. He wished to know whether the speaker considered such a petition as coming within the order of the house?

The speaker said he could not tell until he had the contents of the petition in his possession.

Mr. Adams said that if the paper was sent to the clerk's table it would be in possession of the house, and if sent to the speaker he would see what were its contents. Now, he (Mr. A.) wished to do nothing except in submission to the rules of the house. This paper purported to come from slaves, and it was one of those petitions which had occurred to his mind as not being what it purported to be. It was signed partly by persons who could not write, by making their marks, and partly by persons whose hand writing would manifest that they had received the education of slaves. And the petition declared itself to be from slaves, and he was requested to present it. He would send it to the chair.

Mr. Lawler objected to its going to the chair. The speaker said that the circumstances of the case were so extraordinary, that he would take the sense of the house on the course to be pursued.

Mr. Lawler wished it to appear on the journal that he had objected to the paper going to the chair.

The speaker said the gentleman from Massachusetts had stated that the petition came from slaves; but it had not been sent to the clerk's table. It was the first time, in the recollection of the chair, that persons, not free, had presented a petition to this house. The chair wished to take the sense of the house, which he had a right to do.

Mr. Haynes said he felt astonished at the course which had been pursued by the honorable gentleman from Massachusetts, not only to-day, but every day for some time past, when ever petitions were presented; but his astonishment reached to a height which he felt it impossible to express, when he saw the gentleman rise in his place on this floor, and offer to present such a paper as this had been described to be. Mr. H. could not tell in what manner he would meet a proposition of this kind. It might be giving it more attention than it deserved, if he (Mr. H.) were to object to receiving it. He had risen mainly to express, so far as language could express, his unfeigned surprise that the gentleman from Massachusetts, or any other gentleman, should ever have made a question on a paper of this kind.

Mr. Adams called the gentleman from Georgia to order, on the ground that he was making personal reflections.

Mr. Pinckney said that he was opposed to a protracted discussion on the subject, which could only lead to useless excitement and confusion, the matter before the house being a subject for action, not for debate; and was going on to say that he hoped the house would act promptly and decisively, when the chair interposed, and

Mr. Haynes inquired of the chair if he did not still hold the floor?

The speaker said the gentleman from Georgia held the floor, but it was not in order to make personal allusions.

Mr. Haynes said, the speaker was aware that he was one of the last men to violate the rules adopted for the order and government of the house. It was well known that, from the commencement of these discussions at an early day in the last session of congress up to this moment, his lips had been closed on the subject in every form; because he had thought that the members from his section of the country should be among the last to seek or promote discussion upon it. But he would not trust his feelings to pursue the subject further under its present aspect, extraordinary as it was. The true motion, in his judgment, would be to move that the petition be rejected, subject, however, to its withdrawal, if the house should become further enlightened as to its contents.

Mr. Lewis hoped that no motion of that kind would come from any gentleman from a slaveholding section of the country.

Mr. Haynes said he would cheerfully withdraw his motion.

Mr. Lewis said he was glad the motion was withdrawn. He believed that the house should punish severely such an infraction of its decorum and its rules, and he called on the members from the slaveholding states to come forward now, and demand from the house the punishment of the gentleman from Massachusetts.

Mr. Grantland, of Georgia, would second the motion, and go all lengths in support of it.

Mr. Lewis said that, if the house would inflict no punishment for such flagrant violations of its dignity as this, it would be better for the representatives from the slaveholding states to go home at once.

Mr. Alford inquired if the gentleman from Massachusetts had certainly proposed to introduce this petition?

The speaker said, the member from Massachusetts had risen, and stated that he had a petition coming from slaves, and had inquired of the chair whether it would come under the order adopted by the house in reference to all petitions and papers on the subject of slavery.

The clerk having been directed to read the minutes which he had taken at the time, read as follows:

"Mr. Adams presented the petition of twenty-two persons, declaring themselves to be slaves, and wished to know whether it came within the order of the house."

Mr. Alford said that, if the gentleman from Massachusetts intended to present this petition, he (Mr. Alford) the moment it was presented, should move, as an act of justice to the south, which he in part represented, and which he conceived had been treated with indignity, that it be taken from the house and burnt; and he hoped that every man who was a friend to the constitution would support him.

There must be an end to this constant attempt to raise excitement, or the union could not exist much longer. The moment any man should disgrace the government under which he lived, by presenting a petition from slaves praying for emancipation, he hoped that petition would, by order of the house, be committed to the flames.

Mr. Patton moved to suspend the rule to enable him to submit a motion to take from the table, to be hereafter disposed of as the house may decide, the paper already presented by the gentleman from Massachusetts, and which had been laid on the table under the resolution of the house; he alluded to the paper presented as a petition from nine ladies of Fredericksburg. He (Mr. P.) would state in his place, and on his responsibility, that the name of no lady was attached to that paper. He did not believe there was a single one of them of decent respectability. He believed the signatures to be genuine, and he recognised only one name which he had known before, and that was the name of a free mulatto woman of the worst fame and reputation. He had been raised in Fredericksburg, and believed he was acquainted with all persons of respectability residing there, and he could say there was not one respectable name attached to this paper.

Mr. W. Thompson asked that the petition might be read, so as to render the gentleman from Massachusetts amenable to the resolution which he (Mr. T.) proposed to offer.

The speaker said it was not in order at this time. Mr. Robertson called for the yeas and nays on the motion to suspend; which were ordered, and, being taken, were—yeas 131, nays 50.

So the rule was suspended.

Mr. Patton said he was disposed to pursue as kind and respectful a course to the gentleman from Massachusetts, as the circumstances of the case would admit, so far as related to the particular question before the house.

The gentleman from Massachusetts, before presenting this petition, had stated that he did not know who these individuals were; he did not know their claims to the consideration of this house, or to his own agency in presenting the petition. Mr. P. thought it was to be regretted that the gentleman from Massachusetts had not thought proper, but, on the contrary, had refused to permit him (Mr. P.) coming from the town from which this paper purported to come, on a subject which the gentleman knew the people whom he (Mr. P.) represented, as well as himself, felt a deep and exciting interest, to see the paper before it had been presented. He (Mr. P.) could not permit himself to believe that, after stating to him as he (Mr. P.) would have stated privately, what he had since stated publicly, the gentleman from Massachusetts would have persisted in being the organ through whom such a petition should be presented. He (Mr. P.) would again state on his honor and veracity as a man, that he did not believe that there was the signature of any decently respectable individual in Fredericksburg attached to this paper; that the only name he recognised was that of a mulatto free woman of infamous character; and he believed that the names of others were the names of free negroes, all of whom he believed to be bad. He, therefore, moved that the paper which had been received and laid on the table should be taken from the table and returned to the gentleman from Massachusetts.

Mr. Bouldin said that, as he had just voted against suspending the rules, on the motion of his colleague, (Mr. Patton), and had found himself voting with those who, from their local situation, might be supposed not to feel with him on the very delicate and vital subject now before the house, and as his name had not been recorded with the names of those with whom he knew he did feel and act substantially in every important matter peculiar to the south, and especially in regard to the subject matter now before the house, it became him to give the reasons for his vote. It was this: He wished to dispose of the first branch of the subject, and then he would be willing to suspend the rules for his colleague, and would be willing to go with him in any vote to take from our files the paper he wished withdrawn, and which was well calculated to throw disgrace and contempt on the proceedings of the house. He was willing the resolution and wish of his colleague should prevail, and that the paper should be returned to the venerable gentleman from Massachusetts, to make what mischief he could or he chose from it, in or out of this house.

But the gentleman from Massachusetts had offered in the house the memorial of those who, on the face of it, appeared to be slaves, and had announced to the chair and to the house that such was the paper.

Mr. B. said he did not care a rush whether the paper went to the chair or not. Nothing that that gentleman could say or do in relation to it could

add to, or detract from, the impression that the statement of the proposition to the chair by him had made. He (Mr. B.) wished now, without interruption of any other business, to progress with this matter until he saw and understood what countenance the gentleman from Massachusetts should receive from the house.

Mr. B. said he had at the last session gone farther with and for the north on a matter nearly identical with this, than any other man from the south. He alluded to the admission of Michigan and Arkansas into the union. On that occasion, he had said, and said undoubtedly and from his heart, that there was no serious intention or wish in any considerable number of the members of this house to assail the interests, the rights, or the safety of the south, or to throw any obstacles in the way of Arkansas on account of negro slavery. On the vote he found it so. He believed it then, and believes it now. But the countenance and support that the gentleman from Massachusetts may receive from the house in propounding to the chair his question whether slaves can petition under the rule of the house, or in any way, will either confirm this belief, or weaken or entirely annihilate it.

Upon this issue would depend with him the question of concurrence in the feeling expressed (though not fully, owing to the rules of the house preventing him from proceeding at that time), by the gallant and experienced member from Louisiana, that the time had arrived when it was the business of southern members to go home.

Mr. Bouldin wished not to be kept in suspense upon this point. He wished to know whether he was right in believing that he was surrounded by brokers sitting in consultation upon the interest, the prosperity, happiness and glory of their common family and country, or whether a portion, a considerable portion, were willing to countenance a proposition of this kind—a proposition that could admit of no interpretation milder than that of a direct insult to the feelings of the south. The most natural import, a direct attack upon the interest, the property and the safety of the slaveholding portion of the union.

Mr. W. Thompson said he had risen to move as an amendment to the motion of the honorable gentleman from Virginia (Mr. Patton) the following resolution:

Resolved, That the honorable John Quincy Adams, by the attempt just made by him to introduce a petition purporting on its face to be from slaves, has been guilty of a gross disrespect to this house, and that he be instantly brought to the bar to receive the severe censure of the speaker.

Mr. Thompson, of South Carolina, said he had always forborne, as far as he could control his feelings, from taking any part in the discussions on this subject. He now felt infinite pain in being forced, by an imperious sense of duty, to present the resolution which he had sent to the chair. He was aware of the advantages over him, which the gentleman's age and the stations which he had filled gave him. But, sir, there is a point at which forbearance ceases to be proper. The sanctuary of age is not lightly to be violated; but when that sanctuary is used to throw poisoned arrows, it ceases to be sacred. The gentleman from Massachusetts offered to present a petition from slaves, and so purporting to be on its face, in open and wilful violation of what he knew to be the rules of this house, and insulting to a large portion of its members. Does the gentleman, even in the latitude which he gives to the right of petition, think that it includes slaves? If he does not, he has wilfully violated the rules of the house and the feelings of its members. Does that gentleman know that there are laws in all the slave states, and here, for the punishment of those who excite insurrection? I can tell him that there are such things as grand juries; and if, sir, the juries of this District have, as I doubt not they have, proper intelligence and spirit, he may yet be made amenable to another tribunal, and we may yet see an incendiary brought to condign punishment. Mr. T. said that, when he first took his seat here, and heard daily denunciations of the people whom he represented, and every vile epithet heaped upon them—a people for whom he claimed, to say the very least, the proudest equality—he was excited almost to the point of frenzy. Now he found himself sitting quietly under these things, when he saw his new colleagues, not more excitable than he was, in the same state of feeling, in which he was at the last session. Sir, it is a most instructive commentary upon the gradual wear and tear of feeling, and the cooling of that just indignation which every southern man should feel. Sir, if I desired the breaking up of this government, I should thank the gentleman from Massachusetts for his course on this subject. All we desire, sir, is an issue, a fair and distinct issue. If gentlemen think slavery an abomination, and that they have a right to abolish it,

why not come up to the point, and say so? I will forgive them for all the past if they will do it. We shall then, sir, soon, very soon, settle this question forever.

Mr. Haynes said that, believing the object of the gentleman from South Carolina might be more readily obtained by a resolution in a different form, he would send to the table the following amendment:—Strike out all after "Resolved," and insert—

That John Quincy Adams, a representative from the state of Massachusetts, has rendered himself justly liable to the severest censure of this house, and is censured accordingly, for having attempted to present to the house the petition of slaves.

Mr. Granger said this was a question of extreme delicacy, and one which he hoped would not be closed by the previous question. His honorable friend from Massachusetts (Mr. Adams) knew that no man in this house had more sincerely stood by him on the right of petition than he (Mr. G.) had. But he (Mr. G.) must express his surprise that, with papers in his hand from sources of which he was ignorant, and of the genuineness of which he has expressed a doubt, he (Mr. A.) should have assumed the responsibility he had this day assumed. He (Mr. G.) was surprised that that gentleman, holding the right of petition as one of the most sacred rights granted to this people, should ever have cheapened the value of that right by presenting indiscriminately papers enclosed to him, (Mr. A.) when he was himself ignorant of the names, condition, or characters of those who forwarded them. He was the more surprised that a paper from this immediate vicinity, and purporting to bear the signatures of those who are represented by a gentleman (Mr. Patton) sitting on the left of the gentleman from Massachusetts, and with whom that gentleman was on intimate terms, should have been presented to this house without some inquiry having been made as to the character of those whose names were attached to the petition, or without the gentleman (Mr. A.) being possessed of, or having guarded himself by, the requisite information in relation to the petition he was about to present. It was well known that no man here deprecated more than he (Mr. G.) did the decision of the chair in tying down members of the house under the resolution of the last and the present year. It was due to the gentleman whom he had in his eye, (Mr. W. Thompson) to say that he believed he (Mr. T.) had invariably voted against it.

Mr. Thompson explained that he had voted against the resolution, because he thought that the petitions should not be received, but instantly rejected.

Mr. G. resumed. What was the position in which we are now placed by the adoption of that resolution? It was that all papers, in advance, having reference, immediately or remotely, to the subject of slavery, no matter how offensive in its object, or disreputable in its terms, or how respectful, were carried to the speaker's table. Instead of securing to the people of this country the sacred right of petition, with every paper to be passed upon, if not by the judgment of the person presenting it, at least by the judgment of the house, this stifling resolution had been the vehicle of carrying on to the records of the house documents that should never have been placed there, and of excluding those which were entitled to its consideration. It had probably placed on the table papers which never ought to have been admitted, and it had shut out from the people of this country the full and free right of having their petitions presented here, and of being heard upon them.

Mr. G. said he had regretted as much as the gentleman from South Carolina (Mr. Thompson), or the gentleman from Virginia (Mr. Patton), that this paper should have been presented. As a member of this house, he (Mr. G.) considered the right of petition sacred, but he also considered himself bound, in the exercise of that right, to guaranty to the house that the paper he offered was one, the responsibility of which, so far as presenting it was concerned, rested on his shoulders. It did not follow that he approved or disapproved the object of the petition because he presented it; but it was due to the house, in presenting it, to say that he believed it to be such a paper as a member had a right, and was bound, to present to an American congress; and he could not think that the honorable gentleman from Massachusetts could strengthen the right of petition by presenting a paper in the manner in which this had been offered.

This question, as now presented, was one of deep interest. He felt bound to say that a certain class of the community were too ready to change their ground, and to hide their opinions on the abolition of slavery under the denial of the right of petition. He had in his mind men, not ordinary men, who, feeling that this right has been unjustly abridged, have enlisted themselves in a cause in which they would never otherwise have engaged; men who,

only one year ago, were as much opposed to the abolition of slavery as any man in this house, but who are now found within its ranks. These, he had said, were not ordinary citizens, but those who stood forth to the community in that enviable relief which talent gives to virtue. It was not to be disguised, and he felt bound to declare, that, if the house wished to forward the cause of abolition, they would pass these hasty resolutions. No man in this nation held the right of petition under the constitution more sacred than he did; but it was due to himself to repeat, what he had heretofore stated, that so long as the states of Maryland and Virginia should continue their present policy, he did not believe that congress had any just power to interfere in this question, nor that either philanthropy or patriotism demanded it; that in his opinion, at the time of the session of this District, it was no more contemplated that slavery should be abolished here before it was in the surrounding country, than that this territory should continue in its present position after the adjoining states by which it had been ceded should have changed theirs. But he would say to the gentlemen from South Carolina, (Mr. Thompson), and from Georgia, (Mr. Haynes), that, if this resolution was pushed to a vote of censure, its effect on the community would be most serious.

What was the position of the gentleman from Massachusetts? He (Mr. A.) had requested instructions, had asked the decision of the chair as to his right to present the petition, and whether it came within the resolution of the house to which he had referred. Before the decision of the chair had been announced, and whilst the house remained in ignorance even of the gentleman's own opinions as to the propriety of presenting it, a resolution was introduced, which, in effect, went to censure him for asking the decision of the chair, and which decision had not yet been announced. If these proceedings must be carried on, for pity's sake, at least, let the opinion of the person presenting it be known; let him at least declare in his place that he claimed the right to present the petition. It will then be time enough to act upon these resolutions, and then be matter of sufficient doubt whether they should be passed, or whether any member should be censured for what he considered an honest discharge of his duty.

He could not conclude without expressing his regret at the occurrence of this morning, and his firm conviction that the course of the gentleman from Massachusetts, so far from rendering the right of petition more sacred, was calculated to render it a mere bauble, to be played with; and he objected to having the right of petition, inalienable in his constituents, tried by any such issue as could be made upon the papers which the venerable gentleman from Massachusetts (Mr. Adams) had last presented.

Mr. D. H. Lewis offered the following amendment, which he suggested to his friend from South Carolina (Mr. Thompson) to accept as a modification: Resolved, That John Quincy Adams, a member from the state of Massachusetts, by his attempt to introduce into this house a petition from slaves, for the abolition of slavery in the District of Columbia, committed an outrage on the rights and feelings of a large portion of the people of this union; a flagrant contempt on the dignity of this house; and, by extending to slaves a privilege only belonging to freemen, directly invites the slave population to insurrection; and that the said member be forthwith called to the bar of the house, and be censured by the speaker.

Mr. W. Thompson accepted the modification.

Mr. Lewis said that, as a member from the south, he was not disposed to argue this question here. He wished to see whether there was the power or the will to discountenance such proceedings as these.—If not, the members from the south had better go home and prepare to protect themselves.

Mr. Patton said he thought the house was proceeding rather harshly in this matter. The resolution, in the form in which it now stood, asserted two facts, of which he would desire to be certified before he gave his vote upon it. He knew nothing of the character of the paper, for the gentleman from Massachusetts (Mr. Adams) had preserved towards him the same silence as on the other paper, purporting to come from Fredericksburg.

But the resolution asserted two facts—1st. That the paper was a petition by slaves for the abolition of slavery. Was that the fact? Was any gentleman here authorised to state that this was a paper for the abolition of slavery? It was essentially important, before the house was called on to act, that they should know whether this was the fact or not.

The resolution asserted also another fact—that the gentleman from Massachusetts attempted to offer this petition. He (Mr. P.) understood that this was not the fact. He thought he should be disposed to go as far as those who would go furthest in adopting

any proper course for arresting these attempts to procure the action of the house in relation to the abolition of slavery in the District of Columbia, or any where else. He should be ready to go to the utmost extent of his constitutional powers to arrest that action either by the legislative intervention of the house in its ordinary course, or by refusing to receive the petitions, or by inflicting censure on members transgressing the bounds of their duty to keep up an excitement on the subject. But let us know (said Mr. P.) what we are doing. Suppose that this petition was a quiz, and that, so far from being a petition for the abolition of slavery, it was a petition for a very different thing. Mr. P. would object as much to the one proposition being presented here as the other. But let the house before it involved itself in this solemn proceeding, before it took this decided and hazardous step of bringing to the bar of the house a member of its body as having violated its rights, know on what grounds they were proceeding.

Were the facts as they were stated to be? Had any such petition been presented or offered by a member of the house? He regretted to be involved in this excitement on grounds which might turn out to be more of a farce than a tragedy. He expected it would be found that neither the one fact nor the other, assumed in the resolution, was true.

Mr. Adams then rose and said he did not know under what rule of the house the several resolutions which had been presented in relation to himself had taken the place of the resolution or motion submitted by his friend from Virginia (Mr. Patton), nor how it had happened that this matter had come under the consideration of the house, whilst a question was pending whether a paper previously presented by him (Mr. A.) should be taken from the speaker's table and returned to him. The speaker, he presumed, knew how this had come about.

The speaker explained that this had been effected under the operation of that well-established parliamentary law, which gave precedence to questions of privilege over all other business.

Mr. A. Well, sir, I am satisfied.

In regard to the resolutions now before the house, as they all concur in naming me, and in charging me with high crimes and misdemeanors, and in calling me to the bar of the house to answer for my crimes, I have thought it was my duty to remain silent until it should be the pleasure of the house to act either on one or other of these resolutions. I suppose that if I shall be brought to the bar of the house, I shall not be struck mute by the previous question, before I have an opportunity to say a word or two in my own defence.

But, sir, gentlemen are really consuming the time of the house in such a manner, that I think the obligation rests upon me to ask them to modify their resolution. It may be as severe as they propose; but I ask them to change the matter of fact a little, so that when I come to the bar, I may not, in one single word, put an end to their resolution.

The gentlemen, who have such a laudable zeal for the slaveholding portion of this confederacy, and I do not censure them for that zeal, charge upon me, first, that I attempted to present a petition from slaves; and, secondly, that that petition was for their emancipation from slavery. I did not present the petition, and I appeal to the speaker to say that I did not. I said I had a paper, purporting to be a petition from slaves; I did not say what the prayer of the petition was; I said it was a paper purporting to be a petition from slaves, signed partly by crosses for signatures, and partly by letters, scarcely legible, purporting to be names. I asked the speaker whether he considered such a paper as included within the general order of the house, that all petitions, memorials, resolutions and papers, relating in any way, or to any extent whatever, to the subject of slavery, should be laid on the table. I intended to take the decision of the speaker before I went one step towards presenting, or offering to present, that petition. I stated distinctly to the speaker that I should not send the paper to the table, until the question was decided, whether a paper from persons declaring themselves slaves was included within the order of the house. This is the fact.

Now, as to the fact what the petition was for. I simply state to the gentleman from Alabama, (Mr. Lewis), who has sent to the table a resolution, assuming that this petition was for the abolition of slavery; I state to him that he is mistaken. He must amend his resolution; for, if the house should choose to read this petition, I can state to them they would find it something very much the reverse of that which the resolution states it to be; and if the gentleman from Alabama still shall choose to bring me to the bar of the house, he must amend his resolution in a very important particular; for he probably may have to put into it, that my crime

has been for attempting to introduce the petition of slaves that slavery should not be abolished. This is possible, sir. I say, then, the gentleman must amend his resolution; and I take it for granted that he and the house will be under the necessity of seeing what that petition is, and that they must not take it even from my representation. This representation I am perfectly willing to make, if the house shall think fit that the petition should be received and considered; and I shall be willing to do almost any thing, except to grant the prayer of the petition; for, the gentleman from Alabama may, perchance, find that the object of the petition is precisely that which he desires to accomplish; and that these slaves, who have sent this paper to me, are his auxiliaries, instead of being his opponents. I state these facts for the consideration of the house. I shall not present the petition until the decision of the house has been announced, and I am disposed to be perfectly submissive to that decision, whatever it may be.

Whilst I am up, Mr. Speaker, I feel it necessary to say one word in reply to the observations of a gentleman for whom I entertain a profound respect, and who, on this occasion, has not felt as those gentlemen who have entirely misunderstood the course I was pursuing, and the nature of the paper on which I asked the direction of the speaker. I allude to the gentleman from New York, (Mr. Granger), who has expressed his regret at the course I have this day adopted.

Sir, it is well known to all the members of this house; it is certainly well known to all petitioners for the abolition of slavery in the District of Columbia, that from the day I entered this house down to the present moment, I have invariably here, and invariably elsewhere, declared my opinions to be adverse to the prayer of petitions which call for the abolition of slavery in the District of Columbia.—But, sir, it is equally well known that, from the time I entered this house down to the present day, I have felt it a sacred duty to present any petition, couched in respectful language, from any citizen of the United States, be its object what it may; be the prayer of it that in which I could concur, or that to which I was utterly opposed. It is for the sacredness of the right of petition that I have adopted this course; and when my friend from New York (Mr. Granger) intimated his opinion—not directly expressed, but yet the necessary inference of his remarks—that, before presenting a paper purporting to be a petition from certain ladies of Fredericksburg, I ought to have shown it to my friend and neighbor here, (Mr. Patton), and to have followed the advice which he would have given, I reply to the gentleman (Mr. G.) that such is not my opinion in regard to the right of petition. I did avoid showing my friend the petition, because I had every reason to believe that, if I did, he would exercise his influence over my mind—and that influence is great in every thing in which my duty does not interpose a barrier against its exercise—and that his advice would have been that I should not present the petition. I did not choose to place myself in this position. I adhere to the right of petition; and let me say here that, let the petition be, as the gentleman from Virginia has stated, from free negroes—prostitutes, as he supposes, for he says there is one such on the paper, and he infers that the rest are of the same description—that had not altered my opinion at all.—Where is your law which says that the mean, and the low, and the degraded, shall be deprived of the right of petition, if their moral character is not good? Where, in the land of freemen, was the right of petition ever placed on the exclusive basis of morality and virtue? Petition is supplication—it is entreaty—it is prayer! and where is the degree of vice or immorality which shall deprive the citizen of the right to supplicate for a boon, or to pray for mercy? Where is such a law to be found? It does not belong to the most abject despotism.—There is no absolute monarch on earth, who is not compelled by the constitution of his country to receive the petitions of his people, whosoever they may be. The sultan of Constantinople cannot walk the streets and refuse to receive petitions from the meanest and the vilest in the land. This is the law even of despotism. And what does your law say? Does it say that, before presenting a petition, you shall look into it, and see whether it comes from the virtuous, and the great, and the mighty? No, sir, it says no such thing; the right of petition belongs to all. And, so far from refusing to present a petition because it might come from those low in the estimation of the world, it would be an additional incentive, if such incentive were wanting. This I say to my friend from Virginia, (Mr. Patton).

But I must admit that when color comes into the question, there may be other considerations. It is

possible that this house, which seems to consider it so great a crime to attempt to offer a petition from slaves, may, for aught I know, say that freemen, if not of the carnation, shall be deprived of the right of petition, in the sense of the house. It is possible, sir, that had I known the petition from Fredericksburg to have been from colored people, I might have taken into my consideration the question, not whether I ought to present the petition to the house, but whether, in the temper of this house, it would be prudent for me to present it. Sir, I did not know that these were colored women. The petition was sent without any indication of the color or condition of those who sent it. At all events, it did not purport to come from slaves; and when the paper which I last held in my hand came to me as a petition from persons declaring themselves to be slaves, I did not present it, but I asked the speaker if it came within the general order of the house. I am still waiting for that decision, and if it should be the decision of the speaker that the petition cannot be received, because it comes from slaves, I shall submit to the determination of the house. If the house think proper to receive the petition, I shall present it.

Mr. Mann, of New York, obtained the floor, and said that the future historian, when arriving at the transactions of the twenty-fourth congress, would find it requisite to pause and contemplate the spectacle now before us and the American people. He will be at fault to discover the cause for the scenes now presented; and contemplating the nature of our political institutions, tracing their formation and establishment, he will find nothing which would necessarily produce or justify the course of proceedings which have occurred here for the last and present sitting of congress. Sir, (said Mr. M.) why is it then that we are weekly, and almost daily, drawn into the consideration of abstract, impractical, and Mr. M. said he must be permitted to say, improper, if not reprehensible subjects, by the course adopted by the venerable member from Massachusetts? (Mr. Adams). Is it from any defect in the forms or principles of our proceedings? Is it inherent in the compact upon which rests all that is valuable in our institutions? Is it to be found and justified in the condition and circumstances of our country? Can it be traced to a want of patriotic devotion in any considerable portion of our country to the union? Would it be charitable to attribute it to any disappointment of individual ambition, seeking revenge for such disappointment in attempting to win that which it could not rule?

On no one of these inquiries, Mr. Speaker, (said Mr. M.) can we find a satisfactory solution of the question why we are now presenting to the country the deplorable spectacle, shown off every petition day, by the honorable member from Massachusetts, in presenting the abolition petitions of his infatuated friends and constituents. The house has, with a unanimity almost unparalleled, prescribed a rule for its government in respect to these petitions, with which it is, upon experience, as well (Mr. M. ventured the opinion), as the considerate men of all parties, in every portion of the confederacy, well satisfied. Yet the honorable member has made himself to believe that it was his duty, against the sense of the whole house, (Mr. M. believed with but few exceptions), against the sense of the whole country, including his own political friends, (if any he has), to resist the execution of that rule with a degree of violence paralleled only by revolutionary madness of desperation. Sir, (said Mr. M.) it becomes me, the house, and the country, to remember that the venerable gentleman from Massachusetts has occupied the executive chair, and administered the duties of the highest office of the civilized world. And it becomes us also to respect his gray hairs, his old age, his long public services, and to seek out apologies and excuses in his behalf, if possible, for the obstinacy and ebullitions of temper which on these occasions he so often exhibits, and which is so much opposed to cool deliberation and the dignity of the proceedings of this house. Thus shielded and protected by his age and public character, it has been matter of surprise to those who are not spectators of our proceedings, that a member of his great learning and experience should so far forget his dignity as to presume upon that age and character as a license to him to annoy and trifle with the house and its most solemn and satisfactory regulations.

Sir, (said Mr. M.) while we contemplate the character and respect the age of the honorable member, charity claims that we should also remember the frailty of our nature, and that man is mortal.—It would be unjust to believe that, in the prime and vigor of manhood, the honorable member would have adopted the course of action which, at this late period of his life, seems to control him. The high noon-tide of that life has long since passed with

him, and its wane is no doubt upon him, before he is either aware or sensible of it; for it cannot be believed that, in the days of his more acute perceptions, he could have yielded to influences which now seem to have the mastery.

In this, (Mr. M. said), by the aid of liberal charity, he found both the cause and apology for the course of proceedings adopted by the member, and for the consequent disorders and delays which occur in our proceedings. Sir, let me not be misunderstood, for although the honorable member is far advanced into the autumn of his career, yet (Mr. M. said) he entertained a veneration for his learning and experience which he should always cherish with pride.

But, Mr. Speaker, (said Mr. M.) the proceedings of this day should admonish us of the danger of being thrown into unusual excitements, and acting hastily under such influences. Mr. M. said he was aware of the nature of the petition which the honorable member had offered before he had, by innuendoes, explained it; but some gentlemen had supposed that it affected the constitutional rights of their states—their rights to their slave property; and, supposing this, it was very natural for them to be suddenly alarmed.

It now, however, appears probable, that some mischievous persons have trifled with the honorable member from Massachusetts, and he, in turn, seeks to trifle with the house and country, by treating with seriousness that which was probably, in its origin, levity. The resolution to censure the honorable member is not, it seems, framed upon the real facts of the case, and assumes too much; and, as it now stands, cannot be maintained. It should describe truly the matters to justify its adoption. Mr. M. would have no hesitation, when the honorable member shall be guilty of a violation of the rules and rights of the house, and that violation shall be apparent, to vote any censure merited by the offence; and this, too, notwithstanding his age and character, because he is not elevated above law by any age or any character.

Mr. M. said he had always viewed this question of abolition and its progress with the deepest solicitude, as affecting the political integrity of the confederacy. In the formation of this union it was, as we well know, one of the greatest obstacles to be overcome, and was only surmounted by a spirit of concession and compromise, which it is feared does not exist now. In that compromise, we of the free states agreed to the doctrine of non-interference in the domestic institutions and concerns of the others. Some few of our people, however, pretending to a holy zeal, worthy of a better and more lawful cause, influenced by what they claim to be paramount considerations to the obligations of the constitution, and the integrity of the republic, regardless of consequences, insidiously violate the spirit of the compact by interfering with the subject in this District. And we are now again called upon by our southern brethren to know whether we will live up to the agreement we have made; whether we will keep the faith and perform our bargain. This is the true question propounded to us in all these proceedings. And, Mr. Speaker (said Mr. M.) as for me and my household, my constituents and friends, I say, without reservation, we will. Is there a patriotic heart in this hall, in this nation; is there a friend to the welfare of the republic, who can answer that he will not? Mr. M. did not believe there was one; and he therefore asked that honorable members from the south should give themselves no uneasiness on account of these ill-advised proceedings. Mr. M. relied upon the patriotism and good faith of the people of the north to abide by the compact they have made. He knew that this reliance would not fail.

Mr. Thompson said he was sorry to see the air of levity which it is attempted to throw over this matter. He felt very differently. What, sir, is it a mere trifle to hoax, to trifle with the members from the south in this way, and on this subject? Is it a light thing, for the amusement of others, to irritate, almost to madness, the whole delegation from the slave states? Sir, it is an aggravation. It is intimated that the petition does not pray for the abolition of slavery, but a very different object. It makes not the slightest difference; it is the attempt to introduce a petition from slaves for any object; as insolent if it be for one purpose as for another. It is the naked fact of the presentation of a petition from slaves. But, sir, there is another view of this matter, which, in my judgment, makes the thing worse. The gentleman from Massachusetts had been presenting abolition petitions all the morning. It is his daily labor of love, and I appeal to every member on the floor if the conduct of the member was not such as to induce every one to believe that it was an abolition petition. He allowed resolutions to be

presented on that supposition, and speeches to be made, without undeceiving the house. This trifling was an additional contempt of the house; how much befitting the age and standing of the gentleman, it is not for me to say.

Mr. T. then further modified his resolution by substituting the three following resolutions:

1. *Resolved*, That the hon. John Q. Adams, by an effort to present a petition from slaves, has committed a gross contempt of this house.

2. *Resolved*, That the member from Massachusetts above named, by creating the impression, and showing the house, under that impression, that the said petition was for the abolition of slavery when he knew that it was not, has trifled with the house.

3. *Resolved*, That the hon. John Q. Adams receive the censure of the house for his conduct referred to in the preceding resolutions.

The debate was further continued by Messrs. Pickens, Cambreleng, D. H. Lewis, Glascock, Pinckney, Lawler and Jenifer.

When, without taking the question, the house adjourned.

Tuesday, Feb. 7. The journal having been read, Mr. Adams expressed his apprehension that there was an omission in it. He thought there were other members than those from South Carolina (Mr. W. Thompson) and Georgia (Mr. Haynes) who had moved resolutions of censure upon him.—Mr. A. thought that a resolution of that character had been offered by the gentleman from Alabama (Mr. Lewis).

The speaker said the entry on the journal was, that the gentleman from South Carolina, on the suggestion of the gentleman from Alabama, (Mr. Lewis), modified his resolution, &c.

Mr. Adams said he understood that the gentleman from Alabama had presented his amendment as a distinct proposition.

The speaker said the resolution had been accepted as a modification by the gentleman from South Carolina.

Mr. Adams said he wished that every member who had offered a proposition to pass a resolution of censure on him should appear on the journal as submitting the proposition.

After some desultory conversation, Mr. Adams moved so to amend the journal as that it should appear thereon that the gentleman from Alabama (Mr. Lewis) further moved to amend the resolution, and that the gentleman from South Carolina (Mr. W. Thompson) accepted the amendment as a modification.

The amendment was agreed to.

The house resumed the consideration of the question of privilege, under consideration at the adjournment of the house last evening; the pending question being on the amendment of Mr. Haynes to the three resolutions offered by Mr. W. Thompson, as a substitute for his original resolution, and which substitute reads as follows:

1. *Resolved*, That the hon. John Q. Adams, by an effort to present a petition from slaves, has committed a gross contempt of this house.

2. *Resolved*, That the member from Massachusetts, above named, by creating the impression, and leaving the house under the impression, that the said petition was for the abolition of slavery, when he knew that it was not, has trifled with the house.

3. *Resolved*, That the hon. John Q. Adams receive the censure of this house for his conduct referred to in the preceding resolutions.

The amendment of Mr. Haynes is in the following words:

Strike out all after the word "*Resolved*," and insert—

"That John Quincy Adams, a representative from the state of Massachusetts, has rendered himself justly liable to the severest censure of this house, and is censured accordingly, for having attempted to present to the house the petition of slaves."

And the pending question was on this amendment.

The debate was resumed, and the house was addressed at very great length by Messrs. Jenifer, Adams and Dromgoole.

Mr. Dromgoole suggested to the gentleman from South Carolina (Mr. Thompson) to accept the following as a substitute for his three resolutions:

Resolved, That the hon. John Q. Adams, a member of the house, by stating in his place that he had in his possession a paper, purporting to be a petition from slaves, and inquiring if it was within the meaning of a resolution heretofore adopted, (as preliminary to its presentation), has given color to the idea that slaves have the right to petition, and of his readiness to be their organ; and that, for the same, he deserves the censure of this house.

Resolved, That the aforesaid J. Q. Adams receive a censure from the speaker, in the presence of the house of representatives.

Mr. W. Thompson accepted the modification.

And the question recurring on the amendment of Mr. Haynes—

Mr. H. with a view to aid in bringing the subject to speedier action, withdrew his amendment.

And the question recurring on the modified resolution of Mr. W. Thompson—

The debate was continued by Messrs. Elmore, Pickens, Cambreleng, (in explanation); Lawler, Graves, Robertson, Granger, (in explanation); Alford, Holsey, Lincoln and Bynum.

Mr. Bynum moved to amend the modified resolution by substituting the following:

Strike out all after the word "*Resolved*," and insert:

That any attempt to present any petition or memorial from any slave or slaves, negro or free negroes, from any part of the union, is a contempt of the house, calculated to embroil it in strife and confusion, incompatible with the dignity of the body; and any member guilty of the same justly subjects himself to the censure of the house.

Resolved, further, That a committee be appointed to inquire into the fact whether any such attempt has been made by any member of the house, and report the same as soon as practicable.

The debate was continued by Mr. Graves, in opposition to the resolution.

Mr. Phillips inquired what was the question before the house?

The chair said the amendment proposed by the gentleman from North Carolina, (Mr. Bynum).

Mr. P. then raised the point of order, that that amendment was not in order; that the question, if this amendment were allowed, would cease to be a question of privilege, inasmuch as the two resolutions changed the nature of the inquiry, and, therefore, he contended they were not in order.

The speaker expressed his decided opinion that the resolutions were in order; and, after some desultory conversation, the point of order was withdrawn.

Mr. Patton moved the amendment by striking out all after the word "*Resolved*," and inserting as follows:

That the right of petition does not belong to the slaves of this union, and that no petition from them can be presented to this house without derogating from the rights of the slaveholding states, and endangering the integrity of the union.

Resolved, That any member who shall hereafter present any such petition to the house ought to be considered as regardless of the feelings of the house, the rights of the south, and an enemy to the union.

Resolved, That the hon. J. Q. Adams having solemnly disclaimed all design of doing any thing disrespectful to the house, in the inquiry he made of the speaker as to the petition purporting to be from slaves, and having avowed his intention not to offer to present the petition if the house was of opinion that it ought not to be presented; therefore all further proceedings in regard to his conduct now cease.

The debate was continued by Messrs. W. Thompson, Adams, (in explanation); Calhoun, of Kentucky, and Cushing.

Mr. French obtained the floor and intimated his desire to address the house; but not feeling himself capable, at this late hour, of submitting his remarks, he would, he said, be glad if the house would indulge him with an adjournment; and he made that motion.

Mr. Cambreleng called for the yeas and nays, which were refused.

And, the question being taken, the motion to adjourn was decided in the affirmative—ayes 101, noes 34.

So, at 6 o'clock, the house adjourned.

Wednesday, Feb. 8. [As before stated, the further consideration of the subject was postponed until to-morrow.]

Thursday, Feb. 9. The unfinished business was the question of privilege under consideration at the hour of adjournment on Tuesday last.

The question before the house was on the following modified resolution of Mr. W. Thompson:

Resolved, That the hon. John Q. Adams, a member of the house, by stating in his place that he had in his possession a paper, purporting to be a petition from slaves, and inquiring if it was within the meaning of a resolution heretofore adopted, (as preliminary to its presentation), has given color to the idea that slaves have the right to petition, and of his readiness to be their organ; and that, for the same, he deserves the censure of this house.

Resolved, That the aforesaid J. Q. Adams receive a censure from the speaker, in the presence of the house of representatives.

To which the following amendment was heretofore offered by Mr. Bynum:

Strike out all after the word "*Resolved*," and insert:

That any attempt to present any petition or memorial from any slave or slaves, negro or free negroes, from any part of the union, is a contempt of the house, calculated to embroil it in strife and confusion, incompatible with the dignity of the body; and any member guilty of the same justly subjects himself to the censure of the house.

Resolved, further, That a committee be appointed to inquire into the fact whether any such attempt has been made by any member of the house, and report the same as soon as practicable.

To which amendment Mr. Patton heretofore offered the following amendment:

That the right of petition does not belong to the slaves of this union, and that no petition from them can be presented to this house without derogating from the rights of the slaveholding states, and endangering the integrity of the union.

Resolved, That any member who shall hereafter present any such petition to the house ought to be considered as regardless of the feelings of the house, the rights of the south, and an enemy to the union.

Resolved, That the hon. J. Q. Adams having solemnly disclaimed all design of doing any thing disrespectful to the house, in the inquiry he made of the speaker as to the petition purporting to be from slaves, and having avowed his intention not to offer to present the petition if the house was of opinion that it ought not to be presented, therefore all further proceedings in regard to his conduct now cease.

And the question immediately pending was on the amendment to the amendment last given.

Mr. French, who was entitled to the floor, addressed the house at length, in support of the resolution.

Mr. Milligan, after some prefatory remarks in opposition to all the propositions which had been submitted in relation to the gentleman from Massachusetts, and after expressing his conviction that no practical good could result from the discussion, moved to lay the whole subject on the table.

Mr. Gholson called for the yeas and nays on that motion.

Mr. Adams asked the house to consider the situation in which he stood. He stood here in a double capacity; first as a member of the house, and, secondly, as a culprit at the bar.

Mr. Milligan said that, if the gentleman from Massachusetts felt aggrieved at the motion, he (Mr. M.) would cheerfully withdraw it.

Mr. Adams said, under the permission of the house, he would state that nothing could aggrieve him more than that such a motion should prevail.—He demanded justice at the hands of the house; he demanded to be heard.

Mr. Milligan withdrew his motion.

Mr. Adams said he did not wish to throw any obstacle in the way of the proceedings of the house.—All he asked was, that before the vote was taken whether censure should be cast on him, he should be heard in his own defence. If the vote of censure did not pass, he should then ask the house to consider the question under consideration.

Mr. Evans proceeded to address the house in opposition to the resolutions in every form in which they had been offered, on the ground that all of them were either false in their facts or wanting in definition. Mr. E. argued at great length, and proceeded to rebut the charge which had been brought, that the petitioners for the abolition of slavery had used disrespectful language towards the institutions of the south, for which they ought to be held responsible, by showing that the same doctrines had been advocated, and the same language used by the south itself. In support of this position Mr. E. was about to quote certain passages from the debates in the convention of Virginia which adopted the federal constitution; when

Mr. Patton rose to a point of order. He submitted that the debate would be interminable, if matter as irrelevant as this were to be admitted. He must therefore call on the speaker to enforce the rules of the house.

The speaker said he was aware the debate had taken an extremely wide range, and he had felt great delicacy in interfering. He hoped that, without any formal interposition, the gentleman from Maine would confine himself to the question immediately before the house.

Mr. Evans addressed the house in opposition to the resolution in any form.

A considerable space of time was consumed in debating questions of order.

Mr. Patton offered the following as a substitute for his amendment.

Resolved, That any member who shall hereafter present to the house any petition from the slaves of this union, ought to be considered as regardless of the feelings of the house, the right of the southern states, and unfriendly to the union.

Resolved, That the hon. John Q. Adams having solemnly disclaimed all design of doing any thing

disrespectful to the house in the inquiry he made of the speaker as to the petition purporting to be from slaves, and having avowed his intention not to offer to present the petition if the house was of opinion that it ought not to be presented; therefore, all further proceedings in regard to his conduct do now cease.

Mr. *W. Thompson* accepted this as a modification of his resolution; and

Mr. *Bynum* withdrew his amendment.

Mr. *Vanderpoel* then moved the previous question, which the house refused to second.

Mr. *Adams* addressed the house in his own defence.

After which, Mr. *Hannegan* moved the previous question, but withdrew the call on the promise of Mr. *W. Thompson* to renew it.

Mr. *T.* then made some explanations in reply to Mr. *Adams*, and, according to promise, renewed the demand for the previous question.

And the house seconded the call. Ayes 93, noes not counted.

Mr. *Reed* called for the yeas and nays on ordering the main question.

Mr. *Williams*, of North Carolina, moved to lay the whole subject on the table.

Mr. *Gholson* asked for the yeas and nays; which were ordered.

Mr. *Underwood* moved an adjournment. Rejected.

And the question being taken, the motion to lay the whole subject on the table was decided in the negative—yeas 56, nays 135.

So the motion to lay on the table was decided in the negative.

The previous question was then put, viz: "Shall the main question be now put?" and decided in the affirmative.

The main question was then divided.

And on the question that the house do agree to the first resolution, which is as follows:

1. *Resolved*, That any member who shall hereafter present any petition from the slaves of this union ought to be considered as regardless of the feelings of the house, the rights of the southern states, and unfriendly to the union:

It was decided in the negative, as follows:

YEAS—Messrs. Alford, Beale, Bell, Bouldin, Boyd, Bynum, John Calhoun, Gambreleng, Campbell, Carter, John Chambers, Chapman, Nath. H. Claiborne, John F. H. Claiborne, Cleveland, Coles, Connor, Craig, Cramer, Cushman, Dawson, Deberry, Dromgoole, Dunlap, Elmore, Forester, French, James Garland, Rice Garland, Gholson, Glascock, Graham, Grantland, Graves, Grayson, Griffin, Joseph Hall, Hamer, Hannegan, Hardin, A. G. Harrison, Hawkins, Haynes, Holsey, Holt, Hopkins, Howard, Huntsman, Jenifer, Joseph Johnson, Cave Johnson, John W. Jones, Lawler, Lewis, Loyall, Lucas, Lyon, Abijah Mann, Martin, Moses Mason, Maury, McKay, McLene, Mercer, Miller, Montgomery, Morgan, Owens, Patton, Peyton, Pickens, Pinckney, Rencher, Joseph Reynolds, Richardson, Robertson, Rogers, William B. Shepard, Augustine H. Sheppard, Shields, Standefer, Taliaferro, Thomas, Waddy Thompson, Turner, Vanderpoel, Ward, White, Lewis Williams, Sherrod Williams, Wise, Yell—92.

NAYS—Messrs. Adams, Chilton Allan, H. Allen, Anthony, Ashley, Bailey, Barton, Beaumont, Black, Bockee, Bond, Borden, Briggs, Brown, Buchanan, Burns, William B. Calhoun, Casey, George Chambers, Chaney, Chapin, Chetwood, Childs, Clark, Corwin, Crane, Cushing, Darling, Denny, Evans, Everett, Fowler, Fry, Fuller, Galbraith, Gillett, Granger, Grennell, Haley, Hilland Hall, Hard, Harper, S. S. Harrison, Hazeltine, Henderson, Herod, Hoar, Howell, Hubley, Hunt, Huntington, Ingersoll, Ingham, W. Jackson, James, Jarvis, B. Jones, Kenyon, Kilgore, Klingensmith, Lane, Laporte, Lawrence, Lay, T. Lee, Leonard, Lincoln, Logan, Love, Job Mann, Sampson Mason, McCarty, McKennan, Milligan, Morris, Muhlenberg, Page, Parker, Patterson, D. J. Pearce, Pearson, Phelps, Phillips, Potts, Reed, John Reynolds, Russell, Schenck, Seymour, Shinn, Sickles, Slade, Sloane, Spangler, Sprague, Storer, Sutherland, John Thomson, Underwood, Wagener, Wardwell, Webster, Weeks, Elisha Whittlesey, Thomas T. Whittlesey—105.

The question was then put that the house do agree to the second resolution, which is as follows:

2. *Resolved*, That the hon. John Q. Adams having solemnly disclaimed all design of doing any thing disrespectful to the house in the inquiry he made of the speaker as to the petition purporting to be from slaves, and having avowed his intention not to offer to present the petition if the house was of opinion that it ought not to be presented; therefore, all further proceedings in regard to his conduct do now cease:

And passed in the negative, as follows:

YEAS—Messrs. Bell, Black, John Calhoun, Carter, N. H. Claiborne, John F. H. Claiborne, Craig, Deberry, Dunlap, Gholson, Huntsman, Jenifer, Lawler, A. Mann, Maury, Peyton, Robertson, Shields, Standefer, Wagener, S. Williams—21.

NAYS—Messrs. Alford, C. Allan, H. Allen, Anthony, Bailey, Barton, Beaumont, Bockee, Bond, Borden, Bouldin, Boyd, Briggs, Brown, Buchanan, Burns, W. B. Calhoun, Cambreleng, Campbell, Carr, Casey, George Chambers, John Chambers, Chaney, Chapman, Chapin, Chetwood, Childs, Clark, Cleveland, Corwin, Crane, Cushing, Cushman, Darling, Denny, Doubleday, Evans, Everett, Fowler, French, Fry, Fuller, Galbraith, Granger, Graves, Grayson, Grennell, Haley, Joseph Hall, Hilland Hall, Hamer, Hard, Hardin, Harper, Samuel S. Harrison, Hawkins, Haynes, Hazeltine, Henderson, Herod, Hoar, Holt, Hopkins, Howard, Howell, Hubley, Hunt, Huntington, Ingersoll, Ingham, W. Jackson, James, Jarvis, Joseph Johnson, C. Johnson, B. Jones, Kennon, Kilgore, Klingensmith, Lane, Laporte, Lawrence, Lay, Thomas Lee, Lincoln, Logan, Love, Lucas, J. Mann, M. Mason, S. Mason, McCarty, McKay, McKennan, Miller, Milligan, Montgomery, Morgan, Morris, Muhlenberg, Page, Parker, Patterson, D. J. Pearce, Pearson, Phelps, Phillips, Pinckney, Potts, Reed, John Reynolds, Richardson, Russell, Schenck, Seymour, A. H. Sheppard, Shinn, Slade, Sloane, Spangler, Sprague, Storer, Sutherland, Thomas, J. Thomson, Turner, Underwood, Vanderpoel, Wardwell, Webster, Weeks, White, E. Whittlesey, Thomas T. Whittlesey, Lewis Williams, Wise—137.

John Quincy Adams, excused.

For subsequent proceedings on this question, see page 396.

TWENTY-FOURTH CONGRESS,

SECOND SESSION—SENATE.

February 9. Mr. *Grundy* having, as stated in our last, offered a resolution directing the secretary of the senate to inform the house of representatives that the senate have elected *Richard M. Johnson*, of Ky. vice president of the United States for four years from the 4th of March next, &c.

Mr. *Swift* presented the petition of inhabitants of the town of Georgia, in the state of Vermont, praying the abolition of slavery and the slave trade in the District of Columbia.

Mr. *Swift* moved to refer that part of the petition which relates to the slave trade, to the committee for the District of Columbia, remarking that he believed the question on this subject had not been distinctly tried.

Mr. *Brown* moved to lay this motion on the table; which was accordingly ordered by yeas and nays; on the call of Mr. *Swift*, as follows:

YEAS—Messrs. Bayard, Brown, Buchanan, Calhoun, Cuthbert, Dana, Ewing, of Illinois, Fulton, Grundy, Hubbard, Kent, King, of Ala. King, of Georgia, Lyon, Moore, Nicholas, Norvell, Preston, Robinson, Ruggles, Strange, Tallmadge, Walker, White, Wright—25.

NAYS—Messrs. Clayton, Hendricks, Knight, McKean, Niles, Prentiss, Robbins, Southard, Swift, Tipton, Wall, Webster—12.

On motion of Mr. *Davis*, the committee on commerce was discharged from the further consideration of the resolution of the legislature of Delaware, in relation to hospital money.

Also, from the further consideration of the petition of inhabitants of Beaufort, N. C. for a marine hospital: both these subjects having already been brought before the senate.

Mr. *Davis*, from the same committee, reported the house bill referred to them, to change the name of the Dayton collection district, in Massachusetts, to that of Fall River. Considered, and ordered to a third reading.

On motion of Mr. *Prentiss*, the committee on pensions was discharged from the further consideration of the petition of Jonathan Nicholas, praying for arrears of pension.

Mr. *Ruggles*, on leave, introduced a bill granting a patent to James Smith; which was read twice, and referred.

Mr. *Calhoun*, on leave, introduced a bill to cede the public lands to the new states on certain conditions therein named. The bill was read twice by unanimous consent.

Mr. *Walker* moved to commit the bill to a select committee.

After a few remarks from Messrs. *Brown*, *Walker* and *Niles*, approving the bill,

Mr. *Webster* having remarked on the great importance of the subject, and the inexpediency of exciting undue expectations respecting it, moved to reconsider the vote on the second reading of the bill, and called for the yeas and nays on the question.

The chair decided that this was not a kind of motion which, according to the rules of the senate, could be received. Mr. *Robinson* withdrew his motion to commit the bill; and Mr. *Webster* then again made his motion to reconsider. A debate arose on this bill, in which Messrs. *Webster*, *Calhoun*, *Brown*, *Clay*, *Benton* and *Hubbard* participated.

The yeas and nays were ordered on Mr. *Webster's* motion to reconsider, and it was decided in the affirmative, as follows:

YEAS—Messrs. Bayard, Brown, Buchanan, Clay, Clayton, Crittenden, Cuthbert, Dana, Davis, Ewing, of Ohio, Hubbard, Kent, King, of Georgia, Knight, Niles, Page, Parker, Prentiss, Rives, Robbins, Ruggles, Southard, Strange, Swift, Tallmadge, Tomlinson, Wall, Webster, Wright—29.

NAYS—Messrs. Benton, Black, Calhoun, Ewing, of Illinois, Fulton, Grundy, Hendricks, King, of Alabama, Linn, Lyon, McKean, Moore, Morris, Mouton, Nicholas, Norvell, Preston, Robinson, Sevier, Tipton, Walker, White—22.

The bill being thus reinstated on its first reading, and requiring the unanimous consent of the senate to be read a second time to-day, it of course lies on the table till to-morrow.

Mr. *Calhoun* then arose and said—I have received, within the last forty-eight hours, a communication from the chief magistrate, connected with the bill now before the senate, of such a nature that duty to myself, as well as to this body, renders it necessary that I should lay it before the senate.

[Here Mr. C. sent to the secretary the letter which was read as follows:]

Washington, February 7th, 1837.

SIR: In the Globe of the 6th inst. I find the report of a speech made by you on the 4th upon the land bill, which contains the following passages, viz:

"Was it not notorious that the president of the U. States himself had been connected with the purchase of the public lands? Yes, the 'experiment' (Mr. Calhoun delighted in the word), was the cause of speculation in public lands, and if this bill should not be passed, speculations could not go on, and the price of the public lands must consequently be reduced. He contended that every man could not but see that it would be utter ruin to those who had borrowed money to speculate in lands, if the system was not to go on." In a former part of your speech, as reported, you say: "The speculation which a particular state of things has given rise to, had been produced by those in power. They had profited by that state of things; and should this bill be passed, it would only consummate their wishes," &c. &c.

Knowing the liabilities of reporters to err in taking down and writing out the speeches of members of congress, I have made inquiry in relation to the accuracy of this report, and have been furnished with certificates of gentlemen who heard you, affirming that it is substantially correct.

You cannot but be aware, sir, that the imputations which your language convey are calculated, if believed, to destroy my character as a man, and that the charge is one which, if true, ought to produce my impeachment and punishment as a public officer. If I caused the removal of the deposites for the base purpose of enriching myself or my friends by any of the results which might grow out of that measure, there is no term of reproach which I do not deserve, and no punishment known to the laws which ought not to be inflicted upon me. On the contrary, if the whole imputation, both as to motive and fact, be a fabrication and a calumny, the punishment which belongs to me, if guilty, is too mild for him who wilfully makes it.

I am aware, sir, of the constitutional privilege under which this imputation is cast forth, and the immunity which it secures. That privilege it is in no degree my purpose to violate, however gross and wicked may have been the use of it. But I exercise only the common right of every citizen, when I inform you, that the imputations you have cast upon me are false in every particular, not having for the last ten years purchased any public land, or had any interest in such purchase. The whole charge, unless explained, must be considered the offspring of a morbid imagination, or of sleepless malice.

I ask you, sir, as an act due to justice, honor and truth, to retract this charge on the floor of the senate, in as public a manner as it has been uttered—it being the most appropriate mode by which you can repair the injury which might otherwise flow from it.

But in the event that you fail to do so, I then demand that you place your charge before the house of representatives, that they may institute the necessary proceeding to ascertain the truth or false-

hood of your imputation, with a view to such further measures as justice may require.

If you will neither do justice to yourself, nor place the matter in a position where justice may be done me by the representatives of the people, I shall be compelled to resort to the only remedy left me, and before I leave the city, give publicity to this letter, by which you will stand stigmatized as one who, protected by his constitutional privilege, is ready to stab the reputation of others, without the magnanimity to do them justice, or the honor to place them in a situation to receive it from others.

Yours, &c.

ANDREW JACKSON.

The hon. J. C. Calhoun, U. S. senate.

P. S. I herewith enclose you the copies of two notes, verifying the correctness of the report of your speech in the Globe of the 6th instant.

February 7, 1837.

A. J.

(No. 1.)

Washington city, February 6, 1837.

At the request of the president of the United States, I hereby certify that I was present in the gallery of the senate of the U. States on Saturday, the 4th instant, during a discussion upon the land bill, and heard some of the remarks of Mr. Calhoun upon that subject, in which the president was charged with being a speculator in public lands.

On coming out of the capitol the subject was mentioned to me by a friend of the president. And my recollection of the words used accorded with what he understood had been said, and which in substantially the same as reported in the Globe of the 6th instant.

Signed ARTHUR CAMPBELL.

(No. 2.)

Washington city, February 7th, 1837.

SIR: In answer to your inquiry of me whether Mr. Calhoun, in his remarks on the land bill, on Saturday last, used the words attributed to him by me in the report, which appeared in "the Globe" of yesterday, viz:

"Was it not notorious that the president of the United States himself had been connected with the purchase of public lands?" I would state that I have referred to my short hand notes, and find that such was the language he used according to the best of my knowledge and belief. Yours, very respectfully,

Signed W. E. DRAKE.

I certify that No. 1 and No. 2 are true copies of the originals. Test: A. JACKSON, jr.

I do not intend, (said Mr. Calhoun) in what I propose to say, to comment on the character or the language of this extraordinary letter. It has excited in my bosom but one feeling—that of pity for the weakness of the author, contempt for his meanness, and humiliation that one occupying the office which he does, should place himself in a situation so unworthy of his exalted station. Nor do I intend to invoke the interposition of the senate to protect the privilege attached to a senator from one of the sovereign states of this confederacy, which has been outraged in my person. I seek no aid to defend my own privileges, and, so far from being intimidated, I shall be emboldened to express myself with greater freedom, if possible to denounce the corruption of the administration, or the violation of the laws and of the constitution in consequence of this attempt to restrain the free exercise of the right of expressing my opinion upon all subjects concerning the public interests, secured to me by the constitution. I leave to the senate to determine what measures the preservation of their own privileges demands.

Much less do I intend to comply with the request, or demand made of me; demand has no place between equals, and I hold myself within my constitutional privilege at least equal to the chief magistrate himself. I, as a legislator, have a right to investigate and pronounce upon his conduct, and to condemn his acts freely, whenever I consider them to be in violation of the laws and of the constitution. I, as a senator may judge him; he can never judge me.

My object is to avail myself of the occasion to reiterate what I said, as broadly and fully as I uttered them on a former occasion, here in my place, where alone I am responsible, and where the friends of the president will have an opportunity to correct my statement, if erroneous, or to refute my conclusions, if not fairly drawn. I spoke without notes, and it may be that I may omit something which I said on the former occasion that may be deemed material, or to express myself less full and strongly than I then did. If so I will thank any senator to remind me, so that my statement now may be as strong and full as then.

If my memory serves me, I opened my remarks, when I spoke formerly, by stating that so many

and so subtle were the devices by which those who were in power could, in these times, fleece the people, without their knowing it, that it was almost enough to make a lover of his country despair of its liberty. I then stated that I knew of no measure which could better illustrate the truth of this remark, than the one now before us. Its professed object is to restrict the sales of public land, in order, as is avowed, to prevent speculation; and, by consequence, the accumulation of a surplus revenue in the treasury. The measure is understood to be an administration measure. I then stated that, so far from preventing speculation, it would, in fact, but consummate the greatest speculation, which this country has ever witnessed—a speculation originating in a state of things of which those in power were the authors; by which they had profited; and which this measure, should it become a law, would but complete. I then asked what had caused such an extraordinary demand for public land, that the sales should have more than quintupled within the last three years—and said that, to answer this question, we must look to the state of the currency. That it was owing to the extraordinary increase of bank paper, which had filled to repletion all the channels of circulation. The secretary had estimated this increase, within that period, from six dollars and fifty cents per individual, to ten dollars. I believe the increase to be much greater—the effects of which have been to double the price of every article, which has not been kept down by some particular cause. In the mean time the price of public land has remained unaltered, at one dollar and twenty-five cents the acre; and the natural consequence was, that this excessive currency overflowed upon the public land, and has caused those extraordinary speculations which it is the professed object of this bill to prevent.

I then asked what had caused this inundation of paper? The answer was, the experiment. (I love to remind the gentlemen of the word), which had removed the only restrictions that had existed against the issue of bank paper. The consequence was predicted at the time—it was foretold that banks would multiply without number, and pour forth their issue without restriction or limitation. These predictions were at the time unheeded; their truth now begins to be realized.

The experiment commenced by a transfer of the public funds from where they were placed by law, and where they were under its safeguard and protection, to banks which were under the sole and unlimited control of the executive. The effect was a vast increase of executive patronage, and the opening of a field of speculation, in describing which, in anticipation, I pronounced it to be so ample, that Rothschild himself might envy the opportunity which it afforded. Such it has proved to be.

The administration has profited by this vast patronage, and the prejudice which it has excited against the bank as the means of sustaining themselves in power. It is unnecessary to repeat the remarks, in illustration of this. The truth of the statement is known to all the senators, who have daily witnessed the party topics which have been drawn from this fruitful source. I then remarked, that if rumor were to be trusted, it was not only in a political point of view that those in power had profited by the experiment—they had profited in a pecuniary, as well as in a political point of view. It has been frequently stated, and not contradicted, that many in high places, are among the speculators in public lands; and that even an individual connected with the president himself, one of his nephews, was an extensive adventurer in this field of speculation. I did not name him, but I now feel myself called upon to do so. I mean Mr. McLemore.

Having established these points, I next undertook to show that this bill would consummate those speculations, and establish the political ascendancy which the experiment had given to the administration. In proof of the former, I availed myself of the declaration of the chairman of the committee on public lands, who had stated that the speculators had already purchased and held a vast amount of public lands, not less, as I understood him, than twenty-five or thirty millions of acres, and that if this bill did not pass, the scenes of the last two years would be repeated in this and the coming year. I then undertook to show, from the showing of the chairman himself, that these speculations would prove ruinous without the aid of this bill. He had stated that the annual demand for public land, resulting from our increased population, could not exceed five millions of acres.

Now, assuming that the quantity on hand is thirty millions of acres, there would be six years' supply in the hands of speculators, even if the land offices of the United States be closed; and that if the bill

did not pass, according to his showing, it would take double or treble the time to dispose of the lands, which, in that case, will be in the hands of speculators. All must see the certain ruin, in that event, of those who have borrowed money to speculate in the land; particularly, if the sales of public land should be free and open to every one, as it now is, to purchase to the extent of his means. I next showed that the contest was between the government, as a dealer in public land, and the speculators; that they held in market at least an equal quantity in value to that which the government now has offered for sale, and that every restriction imposed upon the sales of government land, must of necessity increase the advantages of its rival dealers.

I then showed that very onerous and oppressive restrictions, of an odious character, upon the sale of the public lands, would be imposed, if the bill should pass. No one thereafter could purchase land of the government without license—a license, in my opinion, as offensive and odious as would be a license on the press. To obtain this license, the oath of the applicant was required; and then it could only be obtained on payment of one dollar and twenty-five cents per acre, for which the citizen may now receive a grant in fee simple. After he had made his purchase, under authority of his license, the purchaser has to comply with the condition of settlement and cultivation, and must within the period of five years, prove to the satisfaction of the register and receiver, who are made high judicial officers, a compliance with these conditions, before he can receive his title: and if he failed to comply, by accident or otherwise, he forfeits both his money and the land. I stated that this was a virtual increase of the price of the public lands to the actual settlers; so much so, that any sober minded man would prefer to give the speculators two dollars per acre for land of the same quality, to giving the government one dollar and twenty-five cents for a license, with these oppressive conditions.

Having established this point, I then undertook to show that it would increase vastly the power of the government in the new states, if they chose to exercise this patronage for political purposes. That they would so use it, we have ample proof in the past conduct of the administration, and in the principles which have been openly avowed by its friends. A former senator from New York, high in the confidence of the party, and now chief magistrate of that state, had openly avowed, in his place on this floor, that to the victor belongs the spoils, for which he was reprimanded, at the time, by the senator from Massachusetts, (Mr. Webster), in a manner worthy of his distinguished talents. Assuming, then, that the power would be exercised with a view to political influence, I showed that it would place a vast number of the citizens of the new states, probably not less than one hundred thousand, in a condition of complete dependence on the receivers, and of vassalage to the government.

These are the sentiments which I delivered on a former occasion and which I now reiterate to the full extent—omitting nothing that is material, as far as connected with the letter of the president; and for the delivery of which, my privileges as a senator, and those of this body have been grossly outraged.

Mr. Grundy and Mr. Walker rose and stated that they had been attentive listeners during the debate alluded to in the president's letter, and corroborated the correctness of Mr. Calhoun's statement of what he said on that occasion.

Mr. Clay also addressed the senate in a speech of deep interest, which shall have a place hereafter.

Mr. Calhoun then said that he was gratified at what had been said, and that all might now see, from their statement and the acquiescence of others, what little cause the president had for the outrage, upon his privilege, and that of the senate, and for applying language to him which is never used in intercourse between gentlemen, and better suited to the purview of Billingsgate than to the mansion of the chief magistrate.

[The land bill was then taken up, read a third time and passed—for particulars, yeas and nays, &c. see page 384.]

February 10. Mr. Grundy, from the committee appointed to inform Mr. VAN BUREN of his election as president of the United States, reported that they had performed that duty, and had received the expression of his grateful sense of the distinguished honor conferred on him by his fellow citizens, and his assurance to the two houses of congress that they might rely on his efforts to fulfil the responsible trust in a manner most conducive to the public interest.

After some minor business had been disposed of, Mr. Swift said that either the journal of yesterday's proceedings, as read by the secretary, was incorrect, or several senators had voted under a misapp-

prehension of the question on the petition presented by him yesterday in relation to slavery and the slave trade in the District.

Mr. Clayton stated that he had understood the question to be on the motion of Mr. Swift to refer that portion of the petition which related to the regulation of the slave trade in the District (over which subject he thought congress had power) to the committee for the District; and he had therefore voted in the affirmative, because he regarded that trade as an infamous and inhuman traffic, which ought to be abolished.

The chair said the journal was correct, and that objection having been made to the petition, the question was simply and exclusively on its reception. Mr. Clayton's vote, by unanimous consent, was then altered from the affirmative to the negative.

The following resolution was offered by Mr. Clay, and, by consent, adopted:

Resolved, That the secretary of the treasury be directed to transmit to the senate a copy of a communication addressed to the commissioner of the general land office by John Pope, late governor of the territory of Arkansas, respecting the ten sections of land granted to the said territory for the erection of a public building at Little Rock.

On motion of Mr. Wright, the bill making appropriations for the support of the army for the year 1837, was considered as in committee of the whole, and ordered to a third reading.

On motion of Mr. Davis, the bill authorising the appointment of a commission of three persons to make experiments on inventions to prevent the explosion of steam boilers, was considered; the blanks filled by appropriating \$6,000 for the expense of the experiments, and \$300 each for the pay of the commissioners. Amended on motion of Mr. Hendricks, by appropriating \$5,000 additional for the trial of the "double self-acting safety valve," on the western waters; and, together with the amendments, ordered to a third reading.

On motion of Mr. Webster, the vote laying on the table the bill anticipating the payment to claimants of the French indemnities was reconsidered, and the bill was recommitted to the committee on finance.

On motion of Mr. Black the senate proceeded to the consideration of the bill to designate and limit the kinds of funds receivable for the public revenue.

Mr. Hubbard moved an amendment to the bill requiring the registers and receivers to receive the same scrip in payment for the public lands as heretofore.

Mr. Clay remarked that the bill in its present form left the treasury order unrescinded, the subject of that order being still wholly in the discretion of the secretary of the treasury. He had an amendment therefore to offer, which, if accepted by Mr. Hubbard as a part of his, and adopted by the senate, would reconcile him to the bill. This amendment declared that it was not lawful for the secretary of the treasury to make any discrimination in the funds so receivable as public revenue.

Mr. Hubbard accepted this addition to his amendment, which amendment so amended was adopted by unanimous consent.

Mr. Ewing called for the yeas and nays on the passage of the bill, which were ordered.

Mr. Benton gave extracts from a letter which he had lately received from Missouri, stating that all parties there were now in favor of the treasury order, which he accompanied with some remarks; and afterwards spoke for some time in favor of specie and against paper money and the bank of the United States.

Mr. Black said that in Mississippi all parties were now united in condemnation of the treasury order; and he had just learned, by a respectable gazette, that resolutions condemning that order had just been introduced into the legislature of Mississippi, and had received the unanimous vote of the house of representatives in their favor.

Mr. Ewing remarked that the bill, as now amended, was nearly all he desired. He would therefore now give it his hearty concurrence.

Messrs. Niles, Benton and Walker participated for a while in a general financial discussion, having an especial reference to banks, paper money, and the treasury order.

Mr. Calhoun said he had been very anxious to express his opinions somewhat at large on this subject. He put no faith in this measure to arrest the downward course of the country. He believed the state of the currency was almost incurably bad, so that it was very doubtful whether the highest skill and wisdom could restore it to soundness; and it was destined, at no distant time, to undergo an entire revolution. An explosion he considered inevitable, and so much the greater the longer it should

be delayed. Mr. C. would have been glad to go over the whole subject; but as he was now unprepared to assign his reasons for the vote which he might give, he was unwilling to vote at all.

The bill was then passed by the following vote: YEAS—Messrs. Black, Brown, Buchanan, Clay, Clayton, Crittenden, Cuthbert, Dana, Davis, Ewing, of Illinois, Ewing, of Ohio, Fulton, Grundy, Hendricks, Hubbard, Kent, King, of Alabama, King, of Georgia, Knight, McKean, Moore, Nicholas, Niles, Norvell, Page, Parker, Prentiss, Preston, Rives, Robbins, Robinson, Sevier, Southard, Swift, Tallmadge, Tipton, Tomlinson, Walker, Wall, Webster, White—41.

NAYS—Messrs. Benton, Linn, Morris, Ruggles, Wright—5.

On motion of Mr. White, the senate held an executive session.

When the doors were opened—

The chair presented a message from the president of the United States with a copy of the treaty of commerce between the United States and the empire of Morocco. Laid on the table.

The senate proceeded to the consideration of the bill to amend the judiciary system of the United States. An amendment reported from the committee altering the order of the several circuits was adopted.

Mr. Grundy offered several amendments, one of which made the districts of Ohio, Indiana, Illinois and Michigan the seventh circuit, and others made the number of terms in the new states and territories one instead of two in a year.

At the request of Mr. Grundy, who wished for further time to incorporate his amendments with the bill, having failed in a motion to reconsider the vote on the committee's amendment, with which his were designed to be connected, the action on the bill was suspended by unanimous consent.

The bill making appropriations for fortifications, &c. for the year 1837, coming up in its order, Mr. Calhoun moved to lay it on the table. Mr. Benton called for the yeas and nays on this motion; which were ordered, and the motion negatived—Yeas 8, noes 20. Mr. Benton remarked that the bill was precisely the same which had passed the senate at the last session. Mr. Southard remarked on the great importance of the bill, and wished that action upon it might not be hasty. Mr. Calhoun, also remarking on the impropriety of haste on such a measure, moved to lay the bill on the table till tomorrow.

Mr. Ewing, of Ohio, moved an adjournment; which was negatived by yeas 12, nays 21. Mr. Calhoun said that this bill was so unexpected, and the hour so late, that he should decline making the observations which he intended to make, unless further time should be allowed. He modified his motion so as simply to lay the bill on the table; which motion was negatived by yeas and nays, on the call of Mr. Benton, as follows:

YEAS—Messrs. Black, Calhoun, Clay, Clayton, Crittenden, Ewing, of Ohio, King, of Georgia, Moore, Prentiss, Robinson, Southard, Swift, White—13.

NAYS—Messrs. Bayard, Benton, Buchanan, Dana, Davis, Ewing, of Illinois, Fulton, Grundy, Hubbard, Kent, King, of Alabama, Linn, Nicholas, Niles, Norvell, Page, Parker, Sevier, Tallmadge, Tipton, Walker, Wall, Wright—23.

The bill was then reported to the senate, and ordered to a third reading, without a division.

The senate then adjourned.

February 11. The chair presented a communication from the war department, in obedience to a senate resolution of the 7th instant, with a report and other documents from the commissioner on Indian affairs. Ordered to be printed.

After several memorials and petitions had been presented and several reports received from committees, Mr. Grundy from the committee appointed to inform RICHARD M. JOHNSON of his election as vice president of the United States, presented a communication from him, accepting the office; which was read and laid on the table.

Among the bills reported was one by Mr. Davis, from the committee on commerce, authorising the president of the United States to employ public vessels as relief vessels in winter, when not otherwise employed. Mr. D. gave notice that he should call it up at an early day. Read and ordered to a second reading.

Mr. Tomlinson, from the committee on pensions, reported a bill for the relief of David Gilmore; which was read and ordered to a second reading.

On motion of Mr. Tomlinson, the petition of the General Hospital society of Connecticut, on the files of the senate, was referred to the committee on commerce.

The bill (Mr. Calhoun's) to cede the public lands on certain conditions to the new states, came up in

its order for a second reading. Mr. Hubbard, observing that Mr. Webster, who objected to the bill, was not now in his seat, expressed the hope that the senate would not now proceed to act upon it. Mr. Calhoun expressed the hope that the bill would take its due course. The discussion upon it he believed would continue four or five days, which would give Mr. Webster an opportunity of expressing his views on the subject. He desired that it might be referred to a select committee, and that Mr. Webster should be a member of that committee. Mr. Norvell made a few remarks in favor of the bill and of immediate action upon it. Mr. Hubbard, still advocating delay, said he regarded the long debate which was likely to arise on the bill as a sufficient reason why it should not be acted upon at all at this session. He also regarded the bill as likely to result in evil to the new states themselves. Mr. Webster, having come into the chamber, rose, and spoke at considerable length in opposition to the bill, and against acting upon it at all at the present time. Messrs. Sevier and Walker replied to Mr. Webster, and advocated the bill. Mr. Niles briefly opposed taking up the bill at this session, and Mr. Robinson spoke briefly in favor of it, and of immediate action upon it. Mr. Southard spoke at large in opposition to the bill, and Mr. Calhoun followed in general defence of the bill, and in reply to the gentlemen who had opposed it.

The debate was further continued by Mr. Hubbard against the bill, by Messrs. Tipton and Benton in its favor and by Mr. Buchanan in opposition to it.

Mr. Hubbard then moved to lay the motion for the second reading of the bill on the table, and demanded the yeas and nays; which, being taken, were as follows:

YEAS—Messrs. Bayard, Brown, Buchanan, Clayton, Crittenden, Dana, Ewing, of Ohio, Hubbard, Kent, Knight, Niles, Page, Parker, Prentiss, Rives, Robbins, Ruggles, Southard, Spence, Strange, Swift, Tallmadge, Tomlinson, Wall, Webster, Wright—26.

NAYS—Messrs. Benton, Black, Calhoun, Ewing, of Illinois, Fulton, Grundy, Hendricks, King, of Alabama, Linn, Lyon, Moore, Mouton, Nicholas, Norvell, Preston, Robinson, Sevier, Tipton, Walker, White—20.

So the bill was laid on the table; but, on motion of Mr. Sevier, it was ordered to be printed.

The senate then proceeded to take up a bill making provision for the collection of materials and the purchase of sites for certain fortifications therein designated. [It appropriates about a million and a half of dollars to these objects.]

Mr. Crittenden demanded further information in reference to the necessity of these works, the estimates upon which the appropriations were founded and the total expense of completing the work for which this bill appropriating a million and a half of dollars proposed only to make preparation.

Mr. Benton, chairman of the military committee, who had reported the bill, stated in reply that it was identically the same bill which had passed the senate at the last session. The senator was, therefore, in possession of full information in regard to it.

Mr. Southard opposed the bill in most of its features. It was a carrying out of the plan which had been laid down by general Bernard. And though the scheme of defence by fortifications proposed by that celebrated engineer might have been wisely adapted to the state of the country at that period, its condition had since been so greatly changed, by the increase of its population, and the augmentation of its power, that many of the features of the plan were no longer necessary, and might advantageously be dispensed with. The improvements which had been made in the means for transportation of the munitions of war rendered it now a comparatively easy thing to concentrate large bodies of the militia at any point that might be threatened by a foe. And thus the necessity of many forts otherwise requisite was superseded. And forts, if not judiciously located, were not only of no valuable service, but owing to the train of consequences they drew after them, were a positive evil.

Mr. S. had carefully examined the report of the secretary of war on this subject, made to congress at a preceding session, and he had then become satisfied that many of the proposed works were of this description. He wished to have further time to examine the bill; and therefore moved to lay it upon the table till Monday, but withdrew the motion at the request of

Mr. Benton, who briefly replied; stating that the estimates upon which the bill was founded had all been submitted and explained at the last session; after which the bill had passed the senate. He admitted the facility with which large bodies of troops might be thrown into any city or town that was

threatened by an enemy. But when they were there, though there should be half a million of them, of what avail would they be against a bombardment? A bomb charged with bushels of powder and balls could be discharged at the distance of 4,000 yards, and if it exploded in the midst of a squadron of horse or a column of troops, it would scatter or destroy them. A man-of-war would desire no better amusement, while its crew would remain in perfect safety from the force on shore.—Forts were also necessary for the protection of merchant vessels, and even of our ships of war when pursued by a greatly unequal force.

Mr. Southard now renewed his motion to lay the bill on the table. Mr. Buchanan demanded the yeas and nays, which being taken, were—yeas 12, nays 28. So the senate refused to lay the bill on the table.

The bill being at its third reading, and the question being on its passage,

Mr. Benton demanded the yeas and nays; which were taken and stood as follows:

YEAS—Messrs. Benton, Buchanan, Dana, Fulton, Grundy, Hubbard, Kent, King, of Alabama, Knight, Linn, Lyon, Mouton, Nicholas, Niles, Norvell, Page, Robbins, Ruggles, Sevier, Strange, Tallmadge, Tipton, Tomlinson, Walker, Wall, Wright—28.

NAYS—Messrs. Black, Calhoun, Clay, Crittenden, Moore, Prentiss, Robinson, Southard, Spence, Swift, Webster, White—12.

So the bill was passed.

Some time was occupied in considering the military appropriation bill, to which Mr. White proposed an appropriation to the Tennessee volunteers, who were ordered into service and discharged. As the bill was at its third reading, this motion could only be made by unanimous consent.

Mr. Southard said that he felt favorably disposed toward the amendment, but, wishing a little farther time to look at it, suggested that the bill be laid on the table until Monday. To which Mr. Wright assenting, the bill was laid on the table accordingly.

The chair presented a communication from the treasury department, in reply to senate resolutions of the 1st instant, with a report in relation to frauds on the public lands. Referred and ordered to be printed.

The senate then adjourned.

February 13. Mr. Parker presented a memorial from the District of Columbia, praying the immediate recognition of the independence of Texas, which was laid on the table and ordered to be printed.

Mr. Davis reported a bill to establish a collection district and port of entry at Jersey City in the state of New Jersey; read and ordered to a second reading.

Mr. Davis also reported a bill authorizing Charles Dana and David R. Butts, of Georgia, to import two iron steamboats for river navigation, free of duty; read and ordered to a second reading.

Mr. Norvell moved resolutions inquiring into the expediency of granting to the state of Michigan five hundred thousand acres of land, for the purpose of improving the navigation of the rivers in that state; and as to the expediency of establishing a port of entry at the town of St. Joseph, on Lake Michigan, which were adopted.

On motion of Mr. Grundy the bill supplementary to the act to amend the judiciary system of the United States was considered, amended and ordered to be engrossed for a third reading.

On motion of Mr. Ruggles, the senate proceeded to consider the bill supplementary to the act for the improvement of the useful arts, (the patent office bill), amended and ordered to be engrossed for a third reading.

The chair presented a communication from the state department relative to the claim of R. W. Meade, which was laid on the table and ordered to be printed.

Mr. Walker moved to take up the resolution offered by him some time since, recognizing the independence of Texas.

Mr. Wright urged the taking up of the army appropriation bill.

Mr. Benton claimed as a right that the unfinished business should first be taken up. He had a bill for the increase of the army, which would regularly come up as the unfinished business. The vote to take it up now would, if rejected be decisive of its fate. It had been early reported but deferred to take up other bills, and he now claimed that it should now be considered.

Mr. Walker contended that the honor of the country demanded that the Texas resolution should now be taken up.

Mr. Benton objected, with warmth, to senators jumping up in this manner and interrupting the regular business of the senate, as reported from

standing committees, by interposing the consideration of resolutions of their own. The army bills were of great importance, and if this resolution should be taken up before them, the prolonged debate to which it would lead, must effectually defeat all hope of having them considered in time for the action of the other house.

Mr. Preston admitted the importance of the army bills, and should not object to their being considered; but this resolution on the subject of Texas had been offered a month ago, and if longer delayed might be lost.

The question on considering Mr. Walker's resolution, was then taken and decided by yeas and nays, as follows:

YEAS—Messrs. Black, Calhoun, Clay, Fulton, Hendricks, King, of Georgia, Moore, Mouton, Parker, Preston, Walker, White—12.

NAYS—Messrs. Bayard, Benton, Brown, Buchanan, Clayton, Cuthbert, Dana, Davis, Ewing, of Illinois, Grundy, Hubbard, Kent, King, of Ala. Knight, Linn, Lyon, Morris, Nicholas, Niles, Norvell, Page, Prentiss, Robbins, Robinson, Ruggles, Strange, Swift, Tallmadge, Tipton, Tomlinson, Wall, Wright—32.

The senate then proceeded to the consideration of the "bill to increase the present military establishment of the United States, and for other purposes."

Mr. Benton explained the objects of the bill by sections, and no opposition being made to it, it was ordered to a third reading.

The army appropriation bill was then read a third time and passed.

The senate took up the bill to establish a foundry, an armory in the west and southwest, arsenals in the states in which none have yet been established and depots for arms in certain states and territories.

Mr. Benton briefly explained its designs.

Mr. Crittenden doubted the propriety of establishing arsenals in all the states, though he admitted the propriety of establishing them in some. He reprobated such unnecessary expenditures of the public money, and spoke against the extension of federal power to which a measure of this kind must necessarily lead.

Mr. Benton maintained that it was a part of the theory of our government that the nation should be armed, and in order to this end, it was necessary both that the manufacture of arms should be extended and that depots should be established for keeping them in all the states.

Mr. Calhoun had looked at the provisions of the bill, and that nothing in this world could be more useless than the expenditures it proposed. The country already had on hand 800,000 stand of arms—an amount almost equal to that provided by Great Britain for her immense military establishment.—The mere interest upon such an investment was a heavy charge upon the treasury; besides which, there was a liability to have the whole superseded by the invention of a better species of arms. The government had already two large armories capable of furnishing arms much faster than they were needed; and there was a necessity rather for retrenching than extending the means of supply. The money was to be expended on something, and, perhaps it might as well be on this as on any things else. The government must get clear of it in some way: it must not go back to the states, and ways and means must be devised to expend it. The bill had no other object on the face of the earth. Mr. C. appealed to the senate and exhorted them to economise the public expenditure. He reminded them of the denunciations that had been heaped on a former administration on account of its extravagance, and that it was on the plea and promise of economy that the present party had come into power. Yet no sooner had they got control of the treasury, than they went on to expend beyond all previous example. The moral effect of this state of things had been most pernicious. It had led the nation to believe that the professions of no party could be believed.

Mr. Benton in reply read from the returns of the treasury department the sums paid for the manufacture of arms at private establishments, amounting to nearly a quarter of a million of dollars, and argued from the fact of government being compelled to purchase of private establishments, the necessity for another public armory. These private establishments existed from the District of Columbia to the north and east, while on the frontier, there was not a single factory. As to our having a full supply, it was what he could not understand. There was a continual consumption, and a continual increase of population, and therefore a necessity for constant manufacture. If the United States had to-day all they needed, and could keep every gun without rust or decay, twenty-five years hence we should have only half a supply for the population then increased

to that proportion. Instead of keeping all the guns' one-half of them would be gone.

It would not do to quote the example of Great Britain—they only wanted arms to put in the hands of their standing army to shoot down her unarmed population the moment they resisted any measure of government.

He said that in behalf of Missouri, that the most acceptable form in which they could bestow on that state her portion of these accursed frogs which came up as from the river of Egypt, and spread themselves every where and over every thing, from the nuptial couch to the kneading trough, (he referred to the surplus balances in the treasury), was to establish amongst them an ample depot of arms.

Mr. Calhoun was very happy to hear so frank an avowal from the senator from Missouri of the truth of what he had observed when last up, that the object of the bill was to get rid of a part of the surplus revenue in the treasury. As to the argument derived from the fact that the government obtained a portion of its supply from private factories, all that was easily explained. These factories were old establishments, which had been gotten up by their proprietors expressly on the faith of the government, and they were in practice as really public establishments as the armories of the government. The government had been obliged to take enough from these individuals to keep their establishments from ruin, and that was the sole reason for the item quoted by the senator from the returns. The two armories we already possessed were capable of turning out 20,000 stand of arms a year; and now it was proposed to erect a third, while the actual consumption was but between one and two thousand stands annually.—There was one source of consumption which could not be avoided; but, instead of being an argument for the manufacturer, it was a strong argument against the unnecessary multiplication of arms, and that was, their decay while lying in boxes. The larger was the amount on hand, the greater was this source of decay. The country had already between 700,000 and 800,000, which had cost it ten millions of dollars, besides a large amount of capital invested in magazines; so that the total annual interest was little, if any thing, short of a million of dollars. As to the arming of our people, this bill did not propose to put a single gun into the hands of a single man. But for what purpose was so large an amount needed? It must be either to arm the government against the people, or to fight some foreign enemy. He trusted our people did not want them to cut each other's throats. He repeated that the expenditure was useless; that it was to produce an accumulation of what was already accumulated, and was merely a contrivance to keep the money from the states.

The debate was further continued by Messrs. Benton and Calhoun, each of them insisting on the ground already taken, and endeavoring further to strengthen their respective positions.

Mr. Knight then addressed the senate as follows: I shall vote against the bill; perhaps it may be necessary to suggest some of the reasons that govern me. I know the bill contains a proposition to build an arsenal in the state from whence I come, and so far as that goes I have no objection to that part of the bill, for the money it will cost would be very acceptable to have expended there. But the question is, are the arsenals and armories contained in the bill necessary? If more arms are needed, is it necessary to build more armories? We can readily contract for their manufacture without incurring the expense of all the outlays necessary for carrying on the making of arms; the private manufacturers will make them cheaper than the United States can. We get them, now, it is believed, at a less price by contract from the private armories than they cost at our armories, without taking into consideration the immense outlays of the establishments, and the interest and cost of keeping them in repair. Sir, who are we to arm? The militia of the states, your own citizens. Then let the arms be within their reach and under their own care.—The practice now is to deliver to the several states the arms when made, and the states take care of them without further cost or trouble on the part of the United States, and whenever needed they are at the command of the governor and legislature of the state, to be used at their discretion. But if we build arsenals we must have officers to take charge and care of them; and when the arms are required by any exigencies of the state, the governor or commander must go to your corporal or sergeant, who may have charge of your arsenal, and beg him to loan those arms for the purposes needed. Now, sir, I am opposed to that; I will not place the states in such a predicament; I will give the states the arms, and if they will not take care of them, why then I would not give them any more: therefore I am for letting things remain as they now are without farther legislation.

The question being at length taken on the engrossment of the bill, it was decided by yeas and nays as follows:

YEAS—Messrs. Benton, Black, Brown, Buchanan, Ewing, of Illinois, Fulton, Grundy, Hubbard, King, of Alabama, Linn, Lyon, Morris, Mouton, Nicholas, Niles, Norvell, Page, Robbins, Robinson, Ruggles, Sevier, Strange, Tipton, Walker, Wall, White, Wright—26.

NAYS—Messrs. Calhoun, Clay, Clayton, Crittenden, Cuthbert, King, of Georgia, Knight, Moore, Parker, Prentiss, Swift—11.

So the bill was ordered to be engrossed for a third reading.

The bill respecting the duties on Belgian vessels and cargoes was then considered, and ordered to its third reading.

The senate then, on motion of Mr. Grundy, took up the bill to alter and amend the act for the punishment of certain crimes against the U. States, [This bill provides for the punishment of death against those found guilty of burning public buildings.]

Several amendments to change the nature of the punishment being rejected,

The bill was reported to the senate; and the question being on its engrossment,

Mr. Clayton objected to the insertion of any limitation of time in reference to a crime of this magnitude. As murder, and treason, and arson, were exempted from the operation of the statute of limitations, the burning of public buildings of the United States ought to take the same course. He moved to amend the bill by inserting a clause to that effect, but it was rejected; as was also a motion of Mr. Ruggles to strike out the second section, containing the limitation clauses; and the bill was ordered to be engrossed, as follows:

YEAS—Messrs. Benton, Black, Clayton, Fulton, Grundy, Hubbard, King, of Ala. King, of Ga. Linn, Nicholas, Page, Ruggles, Sevier, Strange, Tallmadge, Tipton, White, Wright—18.

NAYS—Messrs. Brown, Buchanan, Crittenden, Moore, Niles, Parker, Prentiss, Robinson, Southard, Walker—10.

The senate then adjourned.

February 14. Mr. Robinson reported a bill authorizing the conveyance in the mail of certain documents free of postage and for other purposes— which was read and ordered to a second reading.

A message was received from the president of the United States.

On motion of Mr. Hendricks, the senate proceeded to the consideration of the bill for the continuation of the Cumberland road in Ohio, Indiana and Illinois.

Mr. Norvell moved to amend the bill by annexing a provision for the construction of certain roads in Michigan, which after debate was negatived; yeas 9, nays 27.

Mr. Clay, after a few remarks in favor of only grading the road, and against hastening its progress by the appointment of an extra number of agents and officers, moved to strike out the second and third sections of the bill which provide for such appointments. After debate by Messrs. Hendricks, Clay and Tipton, Mr. Tipton moved to amend the second section by requiring that the appointment of agents and officers by the president should be made by and with the consent of the senate; which amendment prevailed.

Mr. Ewing, of Ohio, moved to amend the second section by allowing each superintendent only two assistants, at a fixed compensation of three dollars per day for their services, instead of a salary in the discretion of the president or the department. The amendments were adopted.

The question recurring on striking out the second and third sections of the bill, it was discussed by Messrs. Preston, Hendricks and Clay, and carried in the affirmative, by yeas and nays, as follows:

YEAS—Messrs. Bayard, Black, Brown, Calhoun, Clay, Clayton, Cuthbert, Kent, King, of Ala. King, of Georgia, Knight, Lyon, McKean, Moore, Norvell, Parker, Prentiss, Preston, Rives, Southard, Spence, Strange, Swift, Tomlinson, Walker, White—26.

NAYS—Messrs. Benton, Ewing, of Illinois, Ewing, of Ohio, Fulton, Hendricks, Hubbard, Linn, Morris, Nicholas, Niles, Robbins, Robinson, Sevier, Tallmadge, Tipton, Wall, Wright—17.

Mr. Clay moved to amend the bill by requiring that the road in Illinois should not be stoned or gravelled, unless at a cost not exceeding the average expense of doing it in Ohio and Indiana; which amendment, after debate by Messrs. Ewing, of Illinois, and Clay, was adopted.

Mr. Preston moved to amend the first section of the bill by reducing the appropriation for Indiana

from \$100,000 to \$50,000, on the ground that \$80,000 remained unexpended.

After debate by Messrs. Hendricks, Preston, Tipton, Benton, Walker and Clay,

Mr. Norvell moved to lay the bill on the table, which motion was negatived: yeas 16, nays 25.

The question occurring on Mr. Preston's amendment, was decided in the affirmative: yeas 22, nays 17.

Mr. Preston then moved further to amend the bill, by reducing the appropriation for Ohio from \$280 to \$90, the balance in hand being \$100,000, which motion after debate prevailed, yeas 26, nays 19.

Mr. Preston also moved to amend the bill by reducing the appropriation for Illinois, so that the whole amount to be expended would be \$130,000; which motion prevailed, as follows:

YEAS—Messrs. Bayard, Black, Brown, Calhoun, Clay, Clayton, Crittenden, Kent, King, of Alabama, King, of Georgia, Lyon, Moore, Niles, Norvell, Parker, Prentiss, Preston, Rives, Ruggles, Southard, Spence, Strange, Swift, Walker, Wall, White—26.

NAYS—Messrs. Benton, Cuthbert, Ewing, of Illinois, Ewing, of Ohio, Fulton, Hendricks, Hubbard, Knight, Linn, Morris, Mouton, Nicholas, Robbins, Robinson, Sevier, Tallmadge, Tipton, Wright—18.

Mr. Walker moved to amend the bill by adding as a proviso to the first section, that no part of the money appropriated by the bill should be paid out of the treasury of the United States, but out of the fund heretofore granted to Ohio, Indiana and Illinois, for the purpose of the bill.

After debate the amendment was lost by the following vote: yeas 16, nays 27.

Mr. Norvell moved to amend the bill by striking out that portion of it which required the money to be repaid into the treasury of the United States from the fund granted to Ohio, Indiana and Illinois by the United States.

After a few remarks from Mr. Clay, disapproving the provision proposed to be stricken out as deceptive, the motion to strike out was carried in the affirmative as follows:

YEAS—Messrs. Bayard, Black, Brown, Calhoun, Clay, Clayton, Crittenden, Cuthbert, King, of Alabama, King, of Georgia, Lyon, Moore, Mouton, Norvell, Parker, Preston, Rives, Ruggles, Southard, Strange, Walker, White—22.

NAYS—Messrs. Benton, Ewing, of Illinois, Ewing, of Ohio, Fulton, Grundy, Hendricks, Linn, Morris, Nicholas, Niles, Robinson, Sevier, Swift, Tallmadge, Wright—15.

On motion of Mr. Hendricks, the provision in a former act requiring a continuous construction of the road was by this bill repealed.

The bill, with the amendments, was reported to the senate.

Mr. Ewing moved to amend the bill so as to appropriate \$150,000 for Ohio, \$125,000 for Indiana, and \$100,000 for Illinois.

On motion of Mr. Calhoun, and by consent, the message of the president received to-day, in relation to the seizure of slaves by the authorities of Bermuda, was, with the documents, ordered to be printed.

After a few remarks on Mr. Ewing's amendment by Messrs. Bayard and Preston, on motion of Mr. Hendricks, the senate adjourned.

February 15. Petitions praying the abolition of slavery in the District of Columbia, were presented by Mr. Swift of Vermont; Mr. Morris, of Ohio, and Mr. Tomlinson of Connecticut, which on motion of Mr. Grundy were laid on the table.

Mr. Preston reported a bill additional to the act regulating the pay of officers of the army, which was read and ordered to a second reading.

Mr. Rives reported a substitute for the bill referred to the committee on naval affairs, regulating the pay of the marine corps—which was read.

Mr. Kent reported a bill to extend the time for completing the Washington city canal, and for other purposes—read and referred.

Mr. King, of Georgia, introduced a bill to compensate commodore James Barron for the use of his invention for ventilating ships—read and referred.

The following bills were read a third time and passed.

The bill supplementary to the "act to amend the judiciary system of the United States."

The bill in addition to the "act to promote the progress of science and the useful arts."

"The bill to establish a foundry and armory in the west and south west, and depots for arms in those states in which they are now wanting."

The bill to amend the act of 1790, for the punishment of crimes against the United States, was then taken up,

Mr. Prentiss opposed it on account of the severity of its principles: he thought it of too sanguinary a character, so much behind the spirit of the age, that he felt constrained to resist it, and record his name against it in every stage of its progress. The bill not only inflicts the punishment of death upon any person who shall maliciously burn, or procure, command, counsel, or advise any one to burn, any public building, but it contains no limitation upon the prosecution of the offence; so that a person may be arraigned and tried at any distance of time, however remote, when he may be wholly unable, by lapse of time, to avail himself of the testimony necessary for his defence. It was to be further observed that the bill was not confined to the burning of the public offices, containing the public records, but extended to the burning of any public building, such as an engine house, a wood house, or even a watch house.

The punishment, under the existing laws, was confinement to hard labor, and but one instance of the commission of the offence had occurred in half a century. We were now about to change the law, and substitute the punishment of death for confinement at hard labor; and we were doing this at a time when England and many other governments in Europe were engaged in reforming and ameliorating their criminal code. The bill put the offence on the same grade with murder and treason, the highest crimes known to the law.

The object of punishment was the prevention of crime; and all experience showed that the certainty of punishment was much more effectual than the severity of punishment in the prevention of crime. The burning of a public building was undoubtedly a very high offence, but it was well known that the difficulty of conviction was always increased in proportion as the punishment was aggravated. If there was absolute certainty in human testimony, the objection to the bill might not be so strong; but the reverse was true, for the history of criminal trials showed that many innocent persons had been convicted and executed. Mr. P. was opposed to the bill on the great principles of justice and humanity; he was opposed to it as destroying all just distinctions between crimes, as inflicting a punishment vastly disproportionate to the offence, and altogether inconsistent with the general spirit of our criminal code; and he felt compelled to ask for the yeas and nays.

The bill was then passed by the following vote:

YEAS—Messrs. Bayard, Benton, Black, Clay, Clayton, Cuthbert, Dana, Ewing, of Ohio, Fulton, Grundy, Hubbard, King, of Alabama, King, of Georgia, Linn, Lyon, Morris, Mouton, Nicholas, Norvell, Page, Preston, Robbins, Ruggles, Sevier, Strange, Tallmadge, Tipton, White, Wright—29.

NAYS—Messrs. Buchanan, Davis, Ewing, of Illinois, Hendricks, Kent, McKean, Moore, Niles, Parker, Prentiss, Rives, Robinson, Southard, Swift, Walker, Wall, Webster—17.

The bill respecting the discriminating duties on Dutch and Belgian vessels was then considered, and after a short debate, passed.

The senate then proceeded to the further consideration of the bill to continue the Cumberland road, in the states of Ohio, Indiana and Illinois.

On motion of Mr. Clay, the appropriations were so amended as to allow Ohio \$190,000, in addition to the unexpended balance; Indiana \$100,000; and Illinois \$100,000; making an aggregate of \$390,000, besides unexpended balances.

The remaining amendments, made as in committee of the whole, were severally considered, and, after a renewal of the former discussions, were adopted in senate.

On motion of Mr. Clay, the bill was further amended by adding a proviso to the end of the first section, requiring that the construction of the road should be let out, in suitable sections, after due notice, to the lowest bidders.

Mr. Walker moved to amend the third section of the bill by inserting a disclaimer of the faith of government being pledged by this bill to do any thing further in the construction or repair of the Cumberland road.

After debate, the amendment was lost by the following vote:

YEAS—Messrs. Black, Brown, Calhoun, Hubbard, King, of Alabama, King, of Georgia, Lyon, Moore, Norvell, Page, Parker, Preston, Rives, Strange, Walker, Wall, White—17.

NAYS—Messrs. Benton, Buchanan, Clay, Clayton, Crittenden, Cuthbert, Ewing, of Illinois, Ewing, of Ohio, Fulton, Hendricks, Kent, Knight, Linn, Morris, Robbins, Robinson, Sevier, Southard, Swift, Tallmadge, Tipton, Tomlinson, Wright—23.

The bill was then ordered to be engrossed for a third reading by yeas and nays, on the call of Mr. Norvell, as follows:

YEAS—Messrs. Benton, Buchanan, Clay, Crittenden, Cuthbert, Ewing, of Illinois, Ewing, of Ohio, Fulton, Hendricks, Kent, Knight, Linn, Morris, Nicholas, Niles, Page, Robbins, Ruggles, Sevier, Southard, Spence, Swift, Tallmadge, Tip-ton, Wright—25.

NAYS—Messrs. Black, Brown, Calhoun, Clayton, Hubbard, King, of Alabama, King, of Georgia, Lyon, Moore, Norvell, Parker, Prentiss, Preston, Rives, Strange, Walker, Wall, White—18.

On motion of Mr. Crittenden, the senate proceeded to consider the bill to make compensation to the Kentucky and Tennessee volunteers, who were discharged without being called into service.

Mr. Benton moved to amend the bill by allowing the above volunteers one month's pay.

Mr. White moved to amend this amendment by striking out one month, and inserting three months.

After debate, by Messrs. Preston, Crittenden, Grundy, White and Wright, Mr. White's amendment was tried and lost.

The amendment of Mr. Benton, allowing one month's pay, was then carried without a division.

On motions of Messrs. Moore and Walker, the names of Alabama and Mississippi were annexed to those of Kentucky and Tennessee in the bill.

Mr. Crittenden moved further to amend the bill by confining the compensation to those volunteers whose services were accepted. Carried: yeas 18, noes 10.

The bill, with the amendments, was then ordered to be engrossed for a third reading.

The bill for the relief of the executrix of Richard W. Meade being under consideration, on motion of Mr. Clay, the senate adjourned.

HOUSE OF REPRESENTATIVES.

Thursday, Feb. 9. The case of privilege (Mr. Adams and the petition from slaves) having been disposed of, for the particulars of which, see page 385, a motion was made by Mr. Lane that the house do adjourn; which was decided in the negative—yeas 72, nays 84.

A motion was made by Mr. McCarty that the vote of the house of yesterday be reconsidered, referring to the committee on public lands the letter from the secretary of the treasury, transmitting the papers called for by the house on the 30th of January, in relation to transactions at the land office at Fort Wayne, in the state of Indiana.

Mr. Wise, from the committee appointed on the 17th of January last, on so much of the message of the president of the U. States as relates to the "condition of the various executive departments, the ability and integrity with which they have been conducted, the vigilant and faithful discharge of the public business in all of them, and the causes of complaint from any quarter at the manner in which they have fulfilled the objects of their creation," be referred to a select committee, to consist of nine members, with power to send for persons and papers, and with instructions to inquire into the condition of the various executive departments, the ability and integrity with which they have been conducted, into the manner in which the public business has been discharged in all of them, and into all causes of complaint, from any quarter, at the manner in which said departments, or their bureaus or offices, or any of their officers or agents, of every description whatever, directly or indirectly connected with them in any manner, officially or unofficially, in duties pertaining to the public interest, have fulfilled or failed to accomplish the objects of their creation, or have violated their duties, or have injured and impaired the public service and interest; and that said committee, in its inquiries, may refer to such periods of time as to them may seem expedient and proper, made a report in pursuance of the following proceeding of the select committee, which he handed in at the clerk's table:

"Reuben M. Whitney, who has been summoned as a witness before this committee, having, by letter, informed this committee of his peremptory refusal to attend, it becomes the duty of the committee to make the house acquainted with the fact; therefore,

Resolved, That the chairman be directed to report the letter of Reuben M. Whitney to the house, that such order may be taken as the dignity and character of the house may require."

And then the house adjourned.

Friday, Feb. 10. The unfinished business was the report made last evening, from Mr. Wise, chairman of the select committee appointed to inquire into the administration of the executive departments, stating that Reuben M. Whitney had refused to appear before the said committee.

Mr. Wise asked that the communication of R. M. Whitney be now read, that the house might see what was its character, and take such steps as, in its judgment, might be necessary to defend its own dignity.

The letter and memorial having been read,

The speaker said it was proper he should state that, on Monday last, after the meeting of the house, a memorial of a similar character was laid on his table. It was not in order on that day for him to present it, nor had it been in order since. Mr. Lincoln inquired whether the memorial laid on the speaker's table was the same as that referred to in Mr. Whitney's letter to the committee.

The speaker said he had glanced his eye cursorily over it, and he was not prepared to say whether it was precisely the same, but, from its tenor, it appeared to be so. Mr. Lincoln said that, if it should be the pleasure of the house that the memorial should be now presented, he would give way. Mr. Williams, of N. Carolina, objected to the presentation of the memorial at this time, on the ground that it had reference to a collateral matter not now before the house. Some desultory conversation ensued, and the memorial finally was not presented. Mr. Lincoln then stated that, in the few remarks which he had to submit, he should make no reference to any proceedings which might have occurred in reference to the same individual before another select committee of this house.

He would offer the following series of resolutions for the consideration of the house:

Resolved, That Reuben M. Whitney, in refusing to appear as a witness before a select committee of this house, acting by the authority of the house, under a resolution of the 17th January last, after being duly summoned thereto, has been guilty of a contempt of the committee and of the house.

Resolved, That the letter addressed by the said Reuben M. Whitney to the committee, and by the committee referred to the notice of this house, declaring his determination peremptorily to decline to appear before any committee constituted in such manner and of such persons as the pleasure and judgment of the house shall designate, until the house, as a condition precedent, shall have redressed his supposed wrongs, both in the manner and style of communication, is contumacious, arrogant and offensive; alike disrespectful to the house, and utterly subversive of its rightful authority.

Resolved, That the speaker of the house issue his warrant, directing the sergeant-at-arms to take into custody the person of the said Reuben M. Whitney, that he may be brought to the bar of the house, to answer for the contempt aforesaid.

Mr. Lincoln said he had offered these resolutions on his own responsibility. Although the resolution which was appended to the report of the committee had been adopted unanimously, with the exception of the chairman, (Mr. Wise), who, from motives of delicacy, had not voted upon it, yet they had not thought it proper for them to indicate any course of action for the house to pursue. But, as the report itself presupposed the necessity of some action, he had thought right, as an individual member of the committee and of the house, to prepare these resolutions.

It was his intention to allude to Mr. Whitney only as a contumacious witness. In relation to other charges which had been brought against Mr. W. elsewhere, whether he was corrupt or whether he was oppressed, he (Mr. L.) had not a word to say. It seemed to him that, in the present stage of the business, the house had nothing to do with the memorial, at least until it was properly before the house.

The only question now was, whether he had been guilty of contempt in refusing to appear before the committee, and the question towards Mr. W. was precisely the same as it would be towards any other individual. The first inquiry which presented itself was, had the committee the authority to issue this summons? Mr. L. proceeded to argue that the power of the committee, as the representative of the house, under the resolution which authorized the said committee to call for persons and papers, was undeniable; that Mr. Whitney had been guilty of a legal, technical, constructive contempt, for which he was responsible; and that if he was not made responsible, it would be useless to attempt to investigate any subject by the intervention of witnesses.

Mr. Briggs suggested to the gentleman from Mass. (Mr. Lincoln), that the two first resolutions would belong more properly to a later stage of the business; and referred to the cases of Anderson and Houston, on the journal, when the proceeding simply was to call the individuals to the bar of the house, to give them an opportunity to be heard on the question of contempt.

Mr. Lincoln said he did not offer these resolutions without due reflection. The gentleman would find that there was a reason given in the resolutions for bringing the individual to the bar of the house. This was only a different mode of effecting the

same object; more formal, more full, and as Mr. L. believed, more satisfactory. The two first resolutions were mere introductions to the third.

Mr. Briggs said the house was called on by these resolutions to say that this individual had been guilty of a contempt. That was a question in which the individual was deeply interested, and in which he ought to answer. The proper course would be to bring him here, and not to pronounce on his innocence or guilt, before he had had an opportunity of being heard.

Mr. Lincoln could not understand what justification there could be for bringing Mr. Whitney to the bar, unless some offence had been stated. He instanced the case of Mr. Adams, under consideration during the present week, where the offence was distinctly alleged. The two first resolutions assumed the fact of the offence as the basis of the third; but it did not follow that the individual must be condemned. The house must allege some cause as the foundation for its intervention.

Mr. Briggs alluded to the case of Anderson, where the letter in which the offence was alleged, and which was its evidence, had been made the basis of a resolution directing the speaker to issue his warrant for the arrest of the party. In the present case the authority on which the resolution directing the speaker to issue his warrant would be founded, was the report of the select committee setting forth the fact of the refusal of Mr. Whitney to attend. The next step was to bring him to the bar of the house, and not to pronounce a verdict against him, as the first resolution did, before he had been heard. The same course had been pursued in the case of Houston. The letter of the individual who stated himself to have been knocked down on the avenue, was made the basis for the issue of the speaker's warrant to bring the offending party to the bar.

He would therefore move to amend, by striking out the two first resolutions; and to amend the third resolution by striking out the words "said" and "aforesaid" and inserting before the word "contempt" the words "an alleged."

After a few remarks from Messrs. Lincoln, Parks and Mercer, Mr. Briggs modified his motion to amend as follows:

Whereas, a committee of this house have reported that Reuben M. Whitney, of the city of Washington, has peremptorily refused to appear before the said committee to give evidence in obedience to a summons issued by said committee: Therefore resolved, &c. [being the same as the third resolution heretofore offered by Mr. Lincoln.]

Strike out the two first resolutions, and insert the following preamble, &c. Mr. Gholson called for the reading of the report of the committee; which was read. Mr. D. J. Pearce contended that the house, in determining on this attachment, must enter into an explanation of the causes of the refusal; whether those causes were true or false; and whether, if true, they were sufficient to justify his refusal. Something, he thought, was necessary to be shown beyond the naked fact of refusal. Mr. Hardin contended that, inasmuch as the refusal of Mr. Whitney to attend before the committee had been unconditional and absolute, the house ought to direct the speaker to issue his warrant that the individual might be brought to the bar, and give his reasons here why he did not testify.

Mr. Lane suggested that the resolution should be so modified "as to give the sense of the house that Mr. Whitney ought to appear before the committee;" and if such should be declared to be the sense of the house, Mr. L. undertook to say that Mr. Whitney would appear and answer questions as he ought to answer them.

Mr. Parks moved to amend the resolution by striking out the words "alleged contempt," and inserting "to answer for his conduct in so refusing to appear before the said committee."

Mr. Lincoln here modified his amendment to read as follows:

Resolved, That whereas the select committee of this house, acting by the authority of the house under a resolution of the 17th of January last, has reported that R. M. Whitney peremptorily refused to give evidence in obedience to a summons duly issued by said committee, and has addressed to the committee the letter reported by said committee to the house. Therefore,

Resolved, That the speaker of this house issue his warrant, directed to the sergeant-at-arms to take into custody the body of Reuben M. Whitney, that he may be brought to the bar of the house to answer for an alleged contempt of this house.

The subject was further debated by Messrs. Parks, Wise, D. J. Pearce, Robertson, Mercer, Lincoln and A. Mann.

Mr. Boon moved the previous question; but there was no second.

The question was then taken on the amendment proposed by Mr. Parks; which amendment was rejected.

And the question recurring on the adoption of the modified resolution.

Mr. Thomson, of Ohio, moved to strike out all that portion of the resolution which directs "the speaker of the house to issue his warrant directing the sergeant-at-arms to take into custody the person of Reuben M. Whitney, that he may be brought to the bar of the house," and to insert "summons directly the sergeant-at-arms to summon the said Reuben M. Whitney to appear before this house, to answer," &c.; which amendment was rejected.

The debate was continued by Messrs. Graves, Lincoln, Chambers, of Penn. and Claiborne, of Mississippi.

Mr. Claiborne moved to amend the resolution, by adding at the end thereof "and that he be allowed counsel on that occasion, should he desire it."

Mr. Lincoln accepted this modification.

Mr. Boon said he did not rise to debate this question. The end of the session was fast approaching, and there was a mass of important business requiring the action of the house. What if this resolution were adopted, and a warrant should be issued to bring Mr. Whitney to answer at the bar of the house for his refusal? The house could not deny him the right to be heard either by himself or his counsel; a protracted discussion would grow out of it, and it would end like a similar farce on the arrest of general Houston had ended. He (Mr. B.) was one of the immortal friendly twenty who voted against that arrest; and the house went on with its proceeding until it became alarmed at finding they had no power of punishment. He (general Houston) was turned loose, just as surely as Reuben M. Whitney would be, if brought up. He (Mr. B.) knew nothing of Mr. Whitney, but he must confess that, if Mr. W. had defended himself as he (Mr. B.) would have done, he (Mr. B.) would have entertained more favorable opinions towards him. If, however, that individual's character were what it had been stated to be on this floor, he (Mr. B.) did not know what his testimony was worth any where, nor why it should be taken at all.

Mr. Thomson, of Ohio, called for the yeas and nays on the adoption of the resolution; which were ordered.

The house was further addressed by Messrs. Thomson, of Ohio, Garland, of Louisiana, Gholson, Hardin, Wise, Peyton, Ashley, Jenifer, McKeon, and Glascock.

Mr. Glascock moved to amend the resolution by striking out all after the word "Resolved," and inserting:

Resolved, That R. M. Whitney be required to show cause, on to-morrow morning, why an attachment should not issue against him for an alleged contempt in refusing to appear, under a legal summons, before the committee of investigation constituted by this house; and that a copy of this resolution be served on the said R. M. Whitney by the sergeant-at-arms.

The debate was continued by Mr. Calhoun, of Kentucky.

And the question being taken, the amendment of Mr. Glascock was rejected. Mr. Jarvis offered the following amendment:

Strike out all after "*Resolved*" and insert:

That the select committee appointed on the 3d of January to inquire whether any person had been employed by the deposit banks as their agent to transact their business with the treasury department, be instructed to report to this house the circumstances which occurred in the committee room on the 25th day of January last during the examination of Reuben M. Whitney.

After some remarks from Mr. Bell, urging the necessity of asserting the authority of the house on this occasion, the question on the amendment of Mr. Jarvis was taken, and the same was rejected.

Mr. Patton moved to lay the whole subject on the table. On that motion Mr. Lincoln called for the yeas and nays; which were ordered. On the name of Mr. Adams being called, Mr. A. rose and asked to be excused from voting, for reasons which he sent in writing to the chair, and which he requested might be entered on the journal. The speaker said this could only be done by the unanimous consent of the house. The reading of the resolutions having been called for—Mr. Mercer, said he could, under no circumstances, assent to the proposition of Mr. A. The speaker said the application could not then be entertained at this time. Mr. Adams submitted that, under the rules of the house, a member asking to be excused was entitled to give his reasons in writing. The chair said that, by a decision of the last session of congress, an application to be excused from voting could not be entertained pending the call of the yeas and nays, but must be made after-

wards; an appeal had been taken, and the house had affirmed the decision of the chair.

And the question on the motion to lay the whole subject on the table was taken, and decided in the negative—yeas 88, nays 97. So the subject was not laid on the table.

Mr. Graham offered the following amendment:

Strike out all after "*Resolved*" and insert—

That the speaker of this house forthwith issue his official summons to the sergeant-at-arms, commanding him to summon R. M. Whitney to appear in this hall on to-morrow morning, at 11 o'clock, to show cause why an attachment should not issue against him for a contempt of the authority of the house, in refusing to attend the select committee appointed by this house on the 17th day of January, according to a summons duly served on him. The amendment was rejected.

Mr. Adams then asked to be excused from voting, for the following reasons, which were sent in writing to the chair.

Mr. Adams requested to be excused from voting upon this and every other question of privilege affecting Reuben M. Whitney—the personal relations between him and that individual having long been such as to make it the duty of Mr. Adams to decline acting as his judge upon any question affecting his personal rights.

Mr. Adams asked that this statement might be entered on the journal; to which the speaker replied that it would, as a matter of course, be entered on the journal.

And the question was then taken on the adoption of the modified resolution of Mr. Lincoln, and decided in the affirmative—yeas 100, nays 85.

So the preamble and resolution were adopted.

Mr. Lane moved to reconsider the vote by which the first of the two resolutions in the case of Mr. Adams had been rejected on yesterday.

Mr. Boon moved to postpone the further consideration of the motion until to-morrow; which motion prevailed—ayes 91, noes not counted.

And, on motion of Mr. Rencher, the house adjourned.

Saturday, Feb. 11. On motion of Mr. Mercer, so much of the journal was stricken out as contained the reasons assigned by Mr. Adams yesterday for asking to be excused from voting on any resolution involving the personal rights of Mr. Reuben M. Whitney, and which reasons had been entered on the journal.

Mr. Thomas, from the joint committee appointed to wait on MARTIN VAN BUREN, of New York, and inform him that he has been duly elected president of the United States for four years, commencing with the 4th of March, 1837, reported: That the committee, in conformity with the directions of the house, had, on yesterday, waited on the president elect, and informed him that the votes for president of the United States had been counted by the two houses of congress in the manner prescribed by the constitution; that he had received a majority of all the votes given, and was duly elected president of the United States for four years, commencing on the 4th day of March, 1837.

Mr. VAN BUREN expressed, in reply, his grateful sense of the distinguished honor which his fellow citizens had conferred upon him, and requested us to assure our respective houses that they might rely on his unceasing efforts to execute the responsible trust about to devolve upon him, in a manner the most conducive to the public interest.

On motion of Mr. T. the report was laid on the table and ordered to be printed.

Mr. Taylor, of New York, asked the unanimous consent of the house to offer, at this time, the following preamble and resolution:

Whereas, the vote of this house, taken the 9th day of February, 1837, on the following resolution: "*Resolved*, That any member who shall hereafter present any petition from the slaves of this union, ought to be considered as regardless of the feelings of the house, the rights of the southern states, and unfriendly to the union," may be construed into an expression of opinion upon the abstract question of the right of slaves to petition congress: therefore,

Resolved, That slaves do not possess the right of petition secured to the citizens of the United States by the constitution.

Mr. Ingersoll said that if the resolution was entertained, he proposed to offer the following amendment; and he asked that it might be read for the information of the house. In its practical effect, the resolution was the same as that of the gentleman from New York (Mr. Taylor). The resolution is as follows:

The hon. John Q. Adams having inquired of the speaker whether it would be in order for him to present a petition purporting to be from certain slaves, and the speaker having appealed to the house for instructions,

Resolved, That the house cannot receive the said petition without disregarding its own dignity, the rights of a large class of citizens of the south and west, and the constitution of the United States.

Mr. Taylor said he could not accept the amendment as a modification of his own resolution. Objections having been made to the reception of the resolution at this time—Mr. Cambreleng moved a suspension of the rule. Mr. A. Mann called for the yeas and nays on the motion. Mr. Chambers, of Kentucky, raised the point of order whether, since this resolution had direct reference to the resolution in relation to which a motion to reconsider was pending, the motion of the gentleman from New York could be entertained at this time.

The speaker said it would be competent for the house to suspend the rule.

Mr. Lewis hoped that the question on the reconsideration of that resolution would be brought immediately before the house.

And thereupon, Mr. Taylor moved to suspend the rule [which suspension would postpone the privileged question in the case of Mr. Whitney] to take up the motion submitted on yesterday by Mr. Lane, to reconsider the vote by which the following resolution had been rejected:

1. *Resolved*, That any member who shall hereafter present any petition from the slaves of this union ought to be considered as regardless of the feelings of the house, the rights of the southern states, and unfriendly to the union.

Mr. Lane asked the yeas and nays on the motion to suspend; which were ordered.

After some remarks from Messrs. Ashley, Underwood and Mercer,

Mr. Gideon Lee said that, as it was his opinion that every member perfectly understood the simple question immediately before the house, and as he believed that this discussion could not enlighten a single mind; and as, if more discussion were necessary, it might follow on the propositions which had yet to follow, he begged leave respectfully to move the previous question; in which demand he hoped the house would sustain him.

Mr. Adams said he was desirous to present a few thoughts to the house, and he hoped the call for the previous question would not be pressed. The motion for reconsideration did not, it was true, extend to that resolution, which had been most ingeniously prepared for the purpose of—

The speaker said that the gentleman from Massachusetts could not proceed unless the demand for the previous question should be withdrawn.

Mr. G. Lee said he had made the motion under a conscientious sense of duty, and he must insist upon it.

And the house seconded the demand for the previous question—ayes 108, noes not counted.

So there was a second.

And the house determined that the main question should be now taken.

And the main question, "will the house reconsider the vote by which the resolution was rejected?" was then taken and decided in the affirmative, as follows:

YEAS—Messrs. Alford, C. Allan, Anthony Ash, Barton, Bean, Bell, Black, Bockee, Boon, Boul-din, Bovee, Boyd, Burns, Bynum, John Calhoun, Cambreleng, Campbell, Carr, Carter, Casey, John Chambers, Chaney, Chapman, Chapin, Nathaniel H. Claiborne, John F. H. Claiborne, Cleveland, Coles, Connor, Cramer, Crane, Crary, Cushman, Dawson, Deberry, Droubleday, Dromgoole, Efner, Fairfield, Farlin, Forester, Fowler, French, Fry, Galbraith, James Garland, Rice Garland, Gholson, Gillett, Glascock, Graham, Grantland, Graves, Griffin, Haley, Joseph Hall, Hamer, Harlan, Samuel S. Harrison, Albert G. Harrison, Hawkins, Haynes, Holsey, Holt, Hopkins, Howard, Howell, Hubley, Hunt, Huntington, Huntsman, Ingham, Jarvis, Jenifer, Joseph Johnson, Cave Johnson, Henry Johnson, John W. Jones, Kennon, Kilgore, Klengensmith, Lane, Lansing, Laporte, Lawler, Gideon Lee, Joshua Lee, Thomas Lee, Luke Lea, Lewis, Logan, Loyall, Lucas, Lyon, Abijah Mann, Martin, William Mason, Moses Mason, Sampson Mason, Maury, McComas, McKay, McKeon, McKim, McLene, Mercer, Miller, Montgomery, Moore, Morgan, Muhlenberg, Owens, Page, Parks, Patterson, Patton, Franklin Pierce, D. J. Pearce, James A. Pearce, Pearson, Pettigrew, Peyton, Phelps, Pinckney, John Reynolds, Joseph Reynolds, Richardson, Robertson, Rogers, Schenck, Seymour, Wm. B. Shepard, Augustine H. Shepperd, Shields, Shinn, Spangler, Standefer, Steele, Storer, Taliaferro, Taylor, John Thomson, Waddy Thompson, Toucey, Turritt, Underwood, Vanderpool, Wagoner, Ward, Webster, Weeks, White, Thomas T. Whittlesey, Lewis Williams, Sherrod Williams, Wise, Yell—159.

NAYS—Messrs. Adams, Heman Allen, Bailey, Beaumont, Bond, Borden, Briggs, Buchanan, William B. Calhoun, George Chambers, Clark, Cushing, Darlington, Denny, Evans, Everett, Granger, Grennell, Hiland Hall, Hard, Harper, Hazeltine, Henderson, Hoar, Ingersoll, Wm. Jackson, James, Lawrence, Lay, Lincoln, Love, Job Mann, McCarty, McKennan, Milligan, Parker, Phillips, Potts, Reed, Russell, Slade, Sloane, Vinton, Elisha Whittlesey, Young—45.

So the house determined that the vote should be reconsidered.

Mr. Taylor then moved to amend the resolution by striking out all after the word "Resolved," and inserting:

"That slaves do not possess the right of petition secured to the people of the United States by the constitution."

After some remarks from Mr. Pickens,

Mr. Ingersoll moved to amend the amendment by striking out all after the word "that," and inserting:

The hon. John Quincy Adams having inquired of the speaker whether it would be in order for him to present a petition purporting to be from slaves; and the speaker having appealed to the house for instructions,

Resolved, That this house cannot receive the said petition without disregarding its own dignity, the rights of a large class of citizens of the south and west, and the constitution of the United States.

Mr. Ingersoll warmly advocated his amendment which was opposed with a view of insuring tranquillity and peace. Mr. Vanderpoel hoped his colleague (Mr. Taylor) would accept the modification and addressed the house at some length in favor of it. Mr. Johnson of Lou. proposed the following amendment to the resolution; add to the end the words "and endangering the union."

The amendment not being in order at this time, (an amendment to an amendment being pending), Mr. J. asked Mr. Ingersoll to accept this modification, but he declined doing so.

Mr. Ingersoll modified his resolution as follows: "An inquiry having been made by an honorable gentleman from Massachusetts whether a paper which he held in his hand, purporting to be a petition from certain slaves, and declaring themselves to be slaves, came within the order of the house of the 18th January, and the said paper not having been received by the speaker, he stated that, in a case so extraordinary and novel he would take the advice and counsel of the house."

The subject was debated by Messrs. Patton, Sutherland, Bynum, Bouldin, and W. Thompson.

[Mr. Howard here gave notice (being entitled so to do, the question to which the notice referred being one of privilege), that he should move to reconsider the vote by which the resolution of the gentleman from Massachusetts (Mr. Lincoln), directing Mr. R. M. Whitney to be brought to the bar of the house, had been adopted.]

The subject under discussion was further debated by Messrs. Lane, Wise, Harrison, Underwood, and Craig; and after some remarks from Mr. Anthony, appealing to the house to meet the question without further discussion, Mr. Taylor indicated his acceptance of Mr. Ingersoll's, modified resolution as a modification of his own.

Mr. Adams then moved to amend the resolution, first by inserting after the words "order of the 18th of January," the words "which order is in the following words."

Resolved, That all petitions, memorials, resolutions, propositions or papers, relating in any way, or to any extent whatever, to the subject of slavery, or the abolition of slavery, shall, without being either printed or referred, be laid upon the table, and that no further action whatever shall be had thereon."

Mr. A. said, probably the gentleman from Pennsylvania would accept of this as a modification.—Mr. Ingersoll said he certainly could not do so; and, if the gentlemen wished, he would assign his reasons. Mr. Adams said he should be perfectly willing to hear the gentleman's reasons hereafter, but he could not now yield the floor. Mr. A. then stated his second amendment, which was to strike out all after the word "resolved," and insert "that the said paper, as stated by the member from Massachusetts, is not within the said order of the house." Mr. A. then addressed the house at great length, in relation to the causes, progress and effects of the discussion of the past week.

Mr. Taylor modified his resolution by adding **Resolved**, That slaves do not possess the right of petition secured to the citizens of the United States by the constitution."

After some further remarks from Messrs. Granger, Alford, Taliaferro, Adams, and W. Thompson. Mr. W. Thompson accepted the whole modified resolution as a substitute for his original proposition.

Mr. C. Johnson demanded the previous question. And there was a second.

And the house determined that the main question should be now taken.

Mr. Vanderpoel called for the yeas and nays on the main question; which were ordered. A division of the question was then called for; which was ordered. And the question was then taken on the first branch of the main question, which is in the following words:

"An inquiry having been made by an honorable gentleman from Massachusetts whether a paper which he held in his hand, purporting to be a petition from certain slaves, and declaring themselves to be slaves, came within the order of the house of the 18th of January, and the said paper not having been received by the speaker, he stated that, in a case, so extraordinary and novel, he would take the advice and counsel of the house."

Resolved, That this house cannot receive said petition without disregarding its own dignity, the rights of a large class of citizens of the south and west, and the constitution of the United States.

And the question was decided in the affirmative, as follows:

YEAS—Messrs. Alford, Chilton Allan, Anthony, Ash, Ashley, Bean, Bell, Black, Bockee, Boon, Bouldin, Bovee, Boyd, Bunch, Bynum, John Calhoun, Cambreleng, Campbell, Carter, Casey, John Chambers, Chaney, Chapman, Chapin, N. H. Claiborne, John F. H. Claiborne, Cleveland, Coles, Connor, Corwin, Craig, Cramer, Crary, Cushman, Dawson, Deberry, Dromgoole, Dunlap, Elmore, Fairfield, Farlin, Fowler, French, Fry, Galbraith, James Garland, Rice Garland, Gholson, Gillet, Glascock, Graham, Grantland, Graves, Haley, Joseph Hall, Hamer, Hannegan, Hardin, Harlan, Harper, Albert G. Harrison, Hawkins, Haynes, Holsey, Holt, Hopkins, Howard, Howell, Hubley, Hunt, Huntington, Huntsman, Ingersoll, Ingham, Jarvis, Jenifer, Jos. Johnson, Richard M. Johnson, Cave Johnson, Henry Johnson, John W. Jones, Kennon, Kilgore, Klingensmith, Lane, Lansing, Laporte, Lawler, Lay, Gideon Lee, Joshua Lee, Thomas Lee, Luke Lea, Leonard, Lewis, Logan, Loyall, Lucas, Lyon, Abijah Mann, Job Mann, Martin, William Mason, Moses Mason, S. Mason, Maury, McComas, McKay, McKeon, McLene, Mercer, Miller, Montgomery, Moore, Morgan, Muhlenberg, Owens, Page, Parks, Patterson, Patton, Franklin Pierce, J. A. Pearce, Pearson, Peyton, Phelps, Pinckney, Rencher, John Reynolds, Joseph Reynolds, Richardson, Robertson, Rogers, Schenck, Seymour, Augustine H. Shepperd, Shields, Shinn, Sickles, Standerfer, Sutherland, Taliaferro, Taylor, Thomas, John Thomson, Waddy Thompson, Turrill, Underwood, Vanderpoel, Wagener, Ward, Webster, Weeks, White, T. T. Whittlesey, Lewis Williams, Sherrod Williams, Wise, Yell, Young—160.

NAYS—Messrs. Adams, Heman Allen, Beaumont, Bond, Borden, William B. Calhoun, Carr, George Chambers, Childs, Clark, Crane, Cushing, Darlington, Denny, Evans, Samuel S. Harrison, Hazeltine, Henderson, Herod, William Jackson, James, Lincoln, Love, McKennan, Morris, Parker, D. J. Pearce, Phillips, Potts, Russell, Slade, Sloane, Spangler, Sprague, Elisha Whittlesey—35.

So the first resolution was adopted.

And the question was then taken on the second branch of the main question, which is in the following words:

Resolved, That slaves do not possess the right of petition secured to the citizens of the United States by the constitution.

Mr. Haley moved to lay the whole subject on the table; which motion was rejected.

And the question on the second branch of the main question was then taken, and decided in the affirmative, as follows:

YEAS—Messrs. Alford, C. Allan, Ash, Ashley, Bean, Bell, Black, Bockee, Bond, Boon, Bouldin, Bovee, Boyd, Bunch, Burns, Bynum, John Calhoun, Cambreleng, Campbell, Carr, Carter, Casey, George Chambers, J. Chambers, Chaney, Chapman, Chapin, Childs, Nath. H. Claiborne, J. F. H. Claiborne, Cleveland, Coles, Connor, Corwin, Craig, Cramer, Crary, Cashing, Cushman, Dawson, Deberry, Doubleday, Dromgoole, Dunlap, Elmore, Fairfield, Farlin, Fowler, French, Fry, Galbraith, James Garland, Rice Garland, Gholson, Gillett, Glascock, Graham, Grantland, Graves, Joseph Hall, Hamer, Hannegan, Hardin, Harlan, Harper, Albert G. Harrison, Hawkins, Haynes, Herod, Holsey, Holt, Hopkins, Howard, Howell, Hubley, Huntington, Huntsman, Jarvis, Jenifer, Joseph Johnson, Richard M. Johnson, C. Johnson, Henry Johnson, John W. Jones, Kennon, Kilgore, Klingensmith, Lane, Lansing, Lawler, Lay, Gideon Lee, Joshua Lee, Thomas Lee, Luke Lea, Lewis, Lincoln, Logan, Loyall, Lucas, Lyon, A. Mann, Job Mann, Martin, Wm. Mason,

Moses Mason, Sampson Mason, Maury, McComas, McKay, McKeon, McLene, Mercer, Miller, Montgomery, Moore, Morgan, Muhlenberg, Owens, Page, Parks, Patterson, Patton, Franklin Pierce, J. A. Pearce, Pearson, Pettigrew, Peyton, Phelps, Pinckney, Rencher, Jos. Reynolds, Richardson, Robertson, Rogers, Schenck, Wm. B. Shepard, Augustine H. Shepperd, Shields, Shinn, Sickles, Spangler, Standerfer, Taliaferro, Taylor, Thomas, J. Thompson, W. Thompson, Turrill, Underwood, Vanderpoel, Wagener, Ward, Webster, Weeks, White, Elisha Whittlesey, T. T. Whittlesey, Lewis Williams, Sherrod Williams, Yell, Young—162.

NAYS—Messrs. Adams, Heman Allen, Beaumont, Borden, Darlington, Denny, Haley, Hazeltine, Ingersoll, William Jackson, James, Love, Parker, Phillips, Potts, Russell, Slade, Slone—18.

Henry A. Wise, excused.

So the resolution was adopted.

The speaker announced that the warrant issued for the arrest of R. M. Whitney had been served, and that that individual was now in the custody of the sergeant-at-arms, waiting the further pleasure of the house.

Mr. Howard, withdrew his motion to reconsider the vote by which the resolution directing R. M. Whitney to be brought to the bar of the house had been adopted.

Mr. Calhoun, of Kentucky, offered the following resolution; which was agreed to.

Resolved, That Reuben M. Whitney, now in the custody of the sergeant-at-arms, be brought to the bar of this house to answer for an alleged contempt of the house, in peremptorily refusing to appear, and give evidence as a witness on a summons duly issued by a select committee, acting by the authority of this house under a resolution of the 17th of January last, and in the matter of a letter, expressing said refusal, addressed by the said Reuben M. Whitney to the committee, and by the committee referred to the house; and that he be forthwith furnished with a copy of the report of said committee, and of the letter aforesaid.

On motion of Mr. Hannegan, the house adjourned.

Monday, Feb. 13. The speaker announced that Reuben M. Whitney, now in custody for an alleged contempt of the authority of the house, was without the bar waiting the further pleasure of the house.

The chair also stated that the accused had been furnished with copies of the papers referred to in the resolution adopted on Saturday last.

Mr. Patton moved that the sergeant-at-arms be directed to bring the prisoner to the bar of the house: which motion prevailed.

The accused having been placed at the bar, the speaker addressed him as follows:

"Reuben M. Whitney: You have been brought before the house by its order to answer the charge of an alleged contempt of this house, in having peremptorily refused to give evidence in obedience to a summons duly issued by a committee of this house, which committee had, by an order of the house, power to send for persons and papers.

"Before you are called upon to answer in any manner to the subject matter of this charge, it is my duty as the presiding officer of this house to inform you that, by an order of the house, you will be allowed counsel, should you desire it. If you have any request to make in relation to this subject, your request will now be received and considered by the house. If, however, you are now ready to proceed, in the investigation of the charge, you will state it, and the house will take order accordingly."

To which the accused replied, that he held in his hand a paper in relation to the charge; which he respectfully requested might be received and read.

The following paper was then read:

The undersigned answers that his refusal to attend the committee upon the summons of its chairman, was not intended or believed by him to be disrespectful to the honorable the house of representatives, nor does he now believe that he thereby committed a contempt of the house.

His reasons for refusing to attend the committee are truly stated in his letter to that committee.

He did not consider himself bound to obey a summons issued by the chairman of the committee.

He had attended in obedience to such a summons before another committee, voluntarily, and without objections to the validity of the process; and would have attended in the same way before the present committee, but for the belief that he might thereby be exposed to insult and violence.

He denies, therefore, that he has committed a contempt of the house, because,

1st. The process upon him was illegal, and he was not bound to obey it. And secondly,

Because he could not attend without exposing himself thereby to outrage and violence.

If the house shall decide in favor of the authority of the process, and that the respondent is bound to

obey it, then he respectfully asks in such case, that, in consideration of the peculiar circumstances in which he is placed, as known to the house, the committee may be instructed to receive his testimony upon interrogatories to be answered on oath before a magistrate, as has been done in other instances in relation to other witnesses. Or that the committee be instructed to prohibit the use or introduction of secret and deadly weapons in the committee room during the examination of the witnesses.

And in case he shall think it necessary, he prays to be heard by counsel, and to be allowed to offer testimony on the matters herein submitted.

Mr. Gholson offered the following resolution:

Resolved, That Reuben M. Whitney be now permitted to examine witnesses before this house in relation to his alleged contempt.

Mr. Haynes said he understood that the prisoner denied the power of the house; and that it seemed proper to dispose of this preliminary question first.

Mr. Patton said the proper course would be for the accused to withdraw whilst the house deliberated as to the course it would pursue. He merely made the suggestion. He did not make the motion, because he did not wish to place himself in the position of having any thing to do with this trial.

Mr. Bouldin said he wished only to make one suggestion. One proposition of the gentleman brought before the house was, that he was willing to go before the committee, if that committee would go into the committee room unarmed. He (Mr. B.) was sure the committee did not wish to go into the room armed. He wished to suggest to the committee and to the house that this would avoid all other trouble about the matter.

Mr. Lincoln said the committee towards which this contempt had been committed had satisfied themselves with reporting the fact of the contempt to the house, but that it was manifest that the report looked to some action on the part of the house; and that, if it did not—if witnesses could refuse to answer questions, and that refusal was passed over in silence, committees could no longer proceed in the discharge of the duties imposed on them. For the purpose of indicating the course which he thought the house should pursue, he would offer the following as an amendment to the resolution of the gentleman from Mississippi:

Strike out all after the word "*Resolved*" and insert,

"That a committee of privileges, consisting of — members, be appointed, and instructed to report a mode of proceeding in the case of R. M. Whitney, who is now in custody by virtue of an order of this house; and that said committee have leave to execute the duty assigned to them immediately."

Mr. Mercer hoped the house would adhere to what had been the invariable course in these cases, and that the resolution of the gentleman from Massachusetts would not prevail.

Mr. Patton again suggested that the accused should retire.

And, such being the sense of the house, the speaker directed the sergeant-at-arms to conduct Reuben M. Whitney from the bar of the house.

After some remarks by Messrs. McKay, Bouldin, Hoar, Huntsman, Cambreleng, A. Mann, Vanderpoel, Lane, Calhoun, of Kentucky, Gholson, Hardin, Lincoln and Bell,

Mr. A. Mann moved to amend the resolution of the gentleman from Virginia by adding to the end thereof the following:

"And that a committee of five be appointed by the speaker to examine such witnesses on the part of the house."

Mr. Gholson accepted the modification.

Mr. Ash asked for the yeas and nays on Mr. Lincoln's amendment; which were refused.

And the question on the amendment of Mr. L. was then taken, and decided in the negative.

So the amendment was rejected.

The question recurring on the modified resolution of Mr. Gholson,

Mr. Boon moved to amend the resolution by striking out all after the word "*Resolved*," and inserting—

"That Reuben M. Whitney, now at the bar of the house, be forthwith discharged from the custody of the sergeant-at-arms."

After some remarks from Messrs. Boon and Anthony,

Mr. Chapin moved to amend the modified resolution of Mr. Gholson, by adding to the end thereof the following:

"That the questions put shall be reduced to writing before proposed to the witness, and that the answers be also reduced to writing. Every question put by any other member of the committee shall be reduced to writing by such member, and be propounded to the witness by the speaker, if not ob-

jected to; but if any question shall be objected to, or any testimony offered shall be objected to, by any member, the member so objecting, and the accused or his counsel, shall be withdrawn, after which the question shall be decided without further debate. If parol evidence is offered, the witnesses shall be sworn by the speaker, and be examined at the bar, unless they are members of the house, in which case they may be examined in their places."

Mr. Gholson accepted the modification.

Mr. Parks said he was one of those who had opposed the resolution directing this individual to be brought to the bar of the house; but, since he had been brought, he (Mr. P.) was of opinion that it was due to the individual, to the committee, to the house and to the nation, that the whole facts of the case should be ascertained, and laid before the nation.

For the purpose of coming as early as possible to the business of the house, he moved the previous question.

And the house decided the demand—ayes 97, noes not counted.

And the house determined that the main question should now be taken.

And the main question, being on the adoption of the modified resolution of Mr. Gholson, was taken, and decided in the affirmative.

So the resolution was adopted.

The accused having again been placed at the bar of the house,

The speaker announced that he had appointed the committee directed by the resolution, to consist of the following named gentlemen: Messrs. Gholson, of Mississippi; Lincoln, of Massachusetts; Thomas, of Maryland; Hardin, of Kentucky; and Owens, of Georgia.

The resolution, just adopted, having been read for the information of the accused,

The speaker inquired whether he was now ready to proceed with his case?

The accused said he was not ready; and he asked that time might be allowed him until Wednesday next for the purpose of preparation; and, also, that the individuals whose names appeared on a paper which he sent to the chair might be summoned to appear at that time.

And the house granted the request of the accused for time.

The individuals whose names appeared on the paper sent to the chair were, Mr. Martin, Mr. Fairfield, Mr. Gillett and Mr. Hamer, of the house of representatives; Mr. W. D. Lewis, of Philadelphia, now in the city of Washington; and Mr. J. T. Sullivan, of the city of Washington.

Mr. Calhoun, of Kentucky, suggested that, as the members of the house were regularly in attendance, their names should be struck out.

A division of the question was ordered; and the question having been taken, subpoenas were ordered to be issued to W. D. Lewis and J. T. Sullivan.

Mr. Underwood rose to protest against the whole proceeding in this case from beginning to end. His idea was, that the only proper course would be this: The prisoner had refused to appear before the committee. He ought to be required to state on oath, orally or in writing, why he had refused. After that had been done, the house could decide whether the reasons he assigned were sufficient or not. If the house should determine they were sufficient, they would discharge the accused; if not sufficient, the correct course would be to keep him in custody, and require him to attend before the committee until he answered, and when all the questions which might be put to him should have been answered, he should be discharged. This would despatch the matter directly, and the house might proceed to the consideration of the public business.

Mr. Harrison, of Missouri, moved to reconsider the vote by which the resolution in the case of Reuben M. Whitney had been adopted.

On that motion Mr. Williams, of North Carolina, called for the yeas and nays, which were ordered.

Mr. Hopkins demanded the previous question on the motion to reconsider.

And the house seconded the call—ayes 89, noes not counted.

And the house determined that the main question should now be taken.

And the main question "Will the house reconsider the vote?" was taken, and decided in the negative—ayes 92, nays 95.

So the house would not reconsider the vote.

And the question was then taken on the motion that summonses be issued to the members of the house before named.

The motion prevailed—ayes 100, noes 32. So the summonses were directed to be issued.

The accused then asked to be furnished with a copy of the resolution which had been adopted; and it was so ordered.

The accused was then removed from the bar.

On motion of Mr. Mercer, the house suspended the rule, for the purpose of calling for petitions in the reverse order of territories and states;

When several petitions were accordingly presented. Amongst these were one by the speaker from Jacob Grear, stating that he had in his possession a fifty dollar note, money of the continental congress, which amount he prayed might be paid him in gold and silver, which was referred to the committee on revolutionary claims.

The speaker also presented the petition of Reuben M. Whitney, stating that he had been summoned before a committee of the house, complaining of certain proceedings, and asking the house to grant him redress, which was laid on the table, and ordered to be printed.

Mr. W. Thompson said he had the honor to present the memorial of sundry citizens of the District of Columbia, praying the recognition of the independence of Texas. And he proposed the following resolution:

Resolved, That the memorial be referred to the committee of the whole on the state of the union, and that it be made the special order of the day for Tuesday week.

Mr. T. said, if in order, he would submit a few remarks.

The speaker said the memorial, if it gave rise to debate, must lie over by the rule.

Mr. Howard moved the reference of the memorial to the committee on foreign affairs.

And the memorial was ordered to lie over.

Mr. Garland, of Virginia, presented a similar memorial from the citizens of the District; and moved its reference to the committee on foreign affairs.

Mr. D. H. Lewis wished to inquire from the chairman of the committee on foreign affairs, (Mr. Howard), whether that gentleman expected shortly to bring this subject before the house.

Mr. Howard, (under leave of the house), in reply, said he would remind the gentleman from Alabama, (Mr. Lewis), and the house, that about a month ago the committee on foreign affairs had instructed him, (Mr. H.) to report a resolution calling on the president of the United States for information on the condition of our relations with Mexico. The information then called for was considered by the committee to have an important bearing on the aspect of our affairs with Texas. It was their opinion that that information was material to the investigation of this subject, and they desired to have it in their possession before they made up their opinion as to the recognition of the independence of Texas.

When these documents came before the house, a motion was made that they be referred to the committee on foreign affairs; and an honorable member from Kentucky, (Mr. Boyd), at the same time, offered a resolution sending instructions to the committee to report a resolution acknowledging the independence of Texas. From that moment to the present, the committee had never had it in their power to enter upon the consideration of these documents, the matter being tied up by the pending motion of reference; and, as they could not get access to these papers, it remained for the house to dispose of them. After that the committee could take some steps.

Mr. Robertson asked consent to submit the following resolution in reference to this subject.

Resolved, That the president of the United States be requested to communicate to this house all correspondence and communications, (if any), which have passed between the executive of the United States and general Santa Ana during his recent visit to Washington, or since his capture by the Texian army, not heretofore communicated, in what character, whether as the recognized representative of the Mexican government or otherwise; such correspondence or communications as have been carried on with him; also, whether either of the vessels equipped or destined for the exploring expedition for the Pacific ocean and South sea, or any other public vessel has been put in requisition for his conveyance to Mexico or elsewhere, and, if so, the reasons which, in the opinion of the president, rendered such requisition necessary or proper, with all orders relative thereto; also, all communications and correspondence, if any, between the executive of the United States and general Samuel Houston, or other persons claiming to exercise the powers of government in Texas, relating to the civil war now or recently prevailing therein, or relating to any proposed interference or negotiation on the part of the United States, on behalf of Texas.

Objections having been made,

Mr. Robertson moved to suspend the rule to enable him to offer the same, and asked for the yeas

and nays; which were ordered, and, being taken, were, yeas 65, nays 87.

So the rule was not suspended.

Mr. *Ingersoll* presented a petition praying aid to the Colonization society, which, he moved be referred to the committee on foreign affairs.

Mr. *Adams* objected, and contended that the memorial should be laid on the table, under the order of the 18th January.

The speaker said the memorial would not come under the resolution. Similar memorials had been presented, which, in some instances, had been referred, and in others, had been laid on the table.—In the latter instance, the disposition was the effect of a motion made for such purpose.

Mr. *Adams* called for the reading of the memorial.

[And the memorial giving rise to debate, was then ordered to lie over.]

Mr. *Beaumont*, by consent, offered the following resolution:

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of bringing in a bill defining the offence of a contempt of this house, and to provide for the punishment thereof.

After some remarks from Messrs. *Beaumont* and *Adams*,

Mr. *Cambreleng* moved the previous question, and the house seconded the call.

And the main question was ordered to be now taken.

And the main question being on the adoption of the resolution, was taken, and decided in the negative.

Mr. *Cambreleng* presented the memorial of various authors of Great Britain, praying congress to pass a copy-right law, which was referred to the committee on the judiciary.

The speaker laid before the house a letter from the first comptroller of the treasury, transmitting a list of the balances standing on the books of the treasury against the receivers of public moneys.

A message was received from the president of the United States communicating a treaty made with the empire of Morocco.

Mr. *Pinckney* presented a resolution, which was referred to the committee on foreign affairs, calling upon the president to instruct the minister of the United States at Denmark to open a negotiation with that court for the purpose of obtaining indemnification for three prizes sent by John Paul Jones into the ports of that kingdom during the revolutionary war, and which were delivered up by the government thereof to Great Britain.

On motion of Mr. *Denny*, the committee of commerce was directed to inquire into the expediency of making appropriations for erecting a national hospital at Pittsburgh, Pa.

On motion of Mr. *Leonard*, the committee of commerce was directed to inquire into the expediency of making a survey of the valley of the Susquehanna river, from the northern termination of the North Branch canal, of Pennsylvania, to the southern termination of the Chenango canal, in the state of New York; and, also, from the northern termination of the first mentioned canal to the southern termination of the Chenango canal, in New York aforesaid.

On motion of Mr. *Storer*, inquiry was authorised as to the expediency of providing for the library of congress, a full length statue in marble of chief justice Marshall.

A vast number of petitions on the subject of the abolition of slavery was presented,—and

On motion of Mr. *C. Johnson*, the house adjourned.

Tuesday, Feb. 14. On motion of Mr. *Jarvis*, the committee on naval affairs, were discharged from the further consideration of the memorial of the Boston chamber of commerce, for vessels stationed on the Atlantic coast, and that the same be referred to the secretary of the navy.

Mr. *Hard* reported a bill to provide for the construction of the Niagara ship canal.

Mr. *Cambreleng* reported a bill making appropriations for the suppression of Indian hostilities for the year 1837.

Mr. *Garland* reported a bill supplementary to the acts entitled "an act for the reorganization of the department of Indian affairs," and "an act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontier," both approved June 30, 1834, and for other purposes.

Mr. *McKim* reported a bill for the relief of the president and directors of the Baltimore and Susquehanna rail road company, and against the petition of Richard Clay and James Lowell.

Mr. *Connor* reported a bill providing for additional clerks in the post office department and the auditor's office connected with it.

Mr. *Ward* reported a bill making appropriations for the public buildings, &c.

The speaker laid before the house a message from the president of the United States, transmitting a letter from the governor of New Hampshire, communicating several resolutions of the legislature of that state, and claiming the reimbursement of certain expenses incurred by that state in maintaining jurisdiction over that portion of its territory north of the 45th degree of north latitude, known by the name of Indian Stream.

Also, a message from the president of the United States, transmitting a copy of the instructions prepared, under his direction, by the war department, for the commissioners appointed in pursuance of the request contained in the resolution adopted by the house of representatives on the 1st of July last, to investigate the causes of the hostilities then existing with the Creek Indians.

On motion of Mr. *Cambreleng*, the house suspended the rule, and went into committee of the whole on the state of the union, (Mr. *Patton* in the chair), on certain appropriation bills.

On motion of Mr. *Cambreleng*, the committee took up the bill making appropriations for the support of the army for the year 1837, which had been returned from the senate with certain amendments.

The amendment providing for the payment of the Tennessee volunteers, called out under the requisition of gen. Gaines and gov. Cannon, excited some discussion, in which Messrs. *Carter*, *E. Whitteley*, *Cambreleng*, *Underwood* and *Graves* participated.

Mr. *Graves* moved to amend the amendment of the senate by adding thereto a section appropriating seventy-five thousand dollars for pay, equipment and clothing of the Kentucky volunteers called into service under the requisition of gen. Gaines; [embracing only such as after they were accepted equipped themselves at their own expense].

Various other amendments were moved by gentlemen from the several states whose militia have been called into service during the present Indian wars, to cover their respective claims, which amendments were ordered to be printed, and the bill laid aside.

The naval appropriation bill was then taken up.

The pending question was on the motion of Mr. *Jarvis* to amend the following paragraph.

"For pay of commissioned, warrant and petty officers, and of seamen, two million four hundred and thirty-four thousand eight hundred and eighty-six dollars, [and which item includes the appropriation for the exploring expedition], by reducing the amount to two million two hundred and eighty-four thousand dollars."

Mr. *J.* now moved to modify his pending motion for reduction, by reducing the original amount only \$51,118, [this being the difference in the amount required for fitting out a frigate].

As a further modification of his amendment, Mr. *J.* moved to add the following proviso, to be inserted at the end of the 8th line:

"Provided that nothing in this or any other appropriation bill shall be considered as authorising or approving of any increase of the surveying or exploring expedition, authorised by the act of June, 1836."

After some remarks from Mr. *Jarvis*, to show that a frigate was not the proper class of vessel to be sent on this expedition, and in vindication of his course on this subject, Mr. *D. J. Pearce* said, as there was no quorum present, he would move the committee rise. Mr. *P.* withdrew the motion, and Mr. *Cambreleng* appealed to the committee not to waste further time in debating this subject, as there were only a few days remaining of the session. Mr. *P.* then renewed his motion. The committee rose and reported progress.

Mr. *Vanderpoel* moved that the house adjourn.

Mr. *Cambreleng* called for the yeas and nays on that motion.

Mr. *Mercer* hoped the motion to adjourn would be so amended as to state the hour at which it was made. [It being then fifteen minutes before five o'clock].

Mr. *Granger* asked the gentleman from New York (Mr. *Vanderpoel*) to withdraw his motion to adjourn, to enable him (Mr. *G.*) to submit a motion to reconsider a vote taken on yesterday. Mr. *V.* declined to do so.

The yeas and nays on the motion to adjourn were then ordered, and, being taken, were—yeas 33, nays 68—[no quorum voting].

So the majority of the members present refused to adjourn.

Mr. *Granger* then rose to submit his motion.

Mr. *Cambreleng* objected, on the ground that no quorum was present. He moved an adjournment.

The speaker decided that the motion of the gentleman from New York (Mr. *Granger*) could not be entertained in the absence of a quorum.

And, at ten minutes past five, the house adjourned.

Wednesday, Feb. 15. By general consent, Mr. *Howard* submitted a motion that the honorable Mr. *Jackson*, a representative from Georgia, and a member of the committee on foreign affairs, who is detained from his official duties by indisposition, be excused from further service on said committee, and that another member be appointed in his place. Agreed to.

On motion of Mr. *Gholson*, Reuben M. Whitney was brought to the bar of the house.

The accused was accordingly brought to the bar of the house, in custody of the sergeant-at-arms, accompanied by his counsel, F. S. Key and Walter Jones, esqs.

The speaker addressed the accused as follows:

"Reuben M. Whitney: You stand charged before this house with an alleged contempt of this house, in having peremptorily refused to give evidence in obedience to a summons duly issued by a committee of this house, which committee had, by an order of the house, power to send for persons and papers.

"You will say whether you are ready to proceed to trial in the mode prescribed by the order of the house, of which you have been informed; or whether you have any request to make of the house before you are put upon your trial. If you have, it will now be received and considered by the house."

In reply to which, Mr. Whitney said he was now ready to proceed.

The following is the manner of proceeding in this case, agreed upon by the adoption of the modified resolution of Mr. *Gholson*, and which is in the following terms:

Resolved, That Reuben M. Whitney be now permitted to examine witnesses before this house in relation to his alleged contempt; and that a committee of five be appointed by the speaker to examine such witnesses on the part of the house.—That the questions put shall be reduced to writing before proposed to the witness, and that the answers be also reduced to writing. Every question put by any other than a member of the committee shall be reduced to writing by such member, and be propounded to the witness by the speaker, if not objected to; but if any question shall be objected to, or any testimony offered shall be objected to, by any member, the member so objecting, and the accused or his counsel, shall be heard, after which the question shall be decided without further debate. If parol evidence is offered, the witness shall be sworn by the speaker, and be examined at the bar, unless they are members of the house, in which case they may be examined in their places."

Mr. *Briggs* then raised the preliminary question that the accused had not been guilty of the alleged contempt, because the process by which he had been summoned to appear before the said committee was informal; inasmuch as it had been signed by the chairman of the select committee only, and not by the speaker of the house, certified by the clerk, as required by the 11th rule of the house; and which is as follows:

"11. All acts, addresses and joint resolutions, shall be signed by the speaker; and all writs, warrants and subpoenas, issued by order of the house, shall be under his hand and seal, attested by the clerk."

After a few remarks in support of his objection, Mr. *B.* offered the following preamble and resolutions:

"Whereas, by the 11th rule of this house, all acts, addresses and joint resolutions, shall be signed by the speaker, and all writs, warrants and subpoenas, issued by order of the house, shall be under his hand and seal, attested by the clerk:

"And whereas the subpoena, by virtue of which Reuben M. Whitney is now in the custody of the sergeant-at-arms of the house, by order of the house, for an alleged contempt for refusing to appear and give testimony before one of the select committees of the house, was not under the hand and seal of the speaker, and attested by the clerk, but signed by the chairman of the select committee: therefore,

Resolved, That the refusal of said Whitney to appear and testify before said committee was not a contempt of this house.

Resolved, That said Whitney be forthwith discharged from the custody of this house."

Mr. *Gholson* raised the point of order, whether it was competent to go into this objection.

The speaker said the whole case was before the house as a judicial tribunal, and it was competent for the house to quash all proceedings, if they should think proper.

Mr. Claiborne, of Mississippi, was understood to say that the accused would waive all considerations of this kind.

The speaker said the accused was now at the bar of the house by its own order, but that order would not preclude the house from taking any other order which the majority might determine. The chair did not know, however, of any rule by which he was authorized to refuse to receive the motion of the member from Massachusetts.

Mr. Briggs said it was due in justice to himself to say that he had raised this question without consultation with any other member. He had merely submitted this as a preliminary question, for the house to take such action upon it as they pleased.

Mr. Yell said that he hoped the proposition of the gentleman from Massachusetts (Mr. Briggs) would not be adopted, after the action of this house on a preceding day. By bringing the accused before the house, it was made imperious or proper that this house should afford him that investigation which its importance demanded. The object of the resolution now under consideration was to prescribe the particular mode by which the accused should be tried, and deprive him of the benefit of the usual mode in like cases. Mr. Whitney had, in his memorial to this house, denied its jurisdiction to bring him before the committee or the house, and that, if they had the power, he was justified in refusing to go before the committee for the reasons set forth in his memorial. If the resolution was adopted, the accused would be discharged without further investigation as to the facts of the contempt. He hoped, therefore, the accused would be permitted to select his own course whether he would plead to the jurisdiction first, or be tried upon the facts. If Mr. Whitney was justified from the facts, then it would supersede the necessity of investigating the power of jurisdiction. If, however, he should fail in satisfying this house, from the facts and circumstances of the case, then he would be entitled to the benefit of the question of jurisdiction in purging himself from the alleged contempt. Mr. Y. hoped that, under all the circumstances, the accused might be permitted to proceed in such order as he might choose, under the rules adopted in this and similar cases, and concluded by hoping that the resolution would be rejected.

Mr. A. Mann contended that the objection could not be sustained, inasmuch as the uniform construction of the rule, so far as his observation went, as a member of committees, (and it was extensive), had been that, under a power to send for persons and papers, the process signed in this way was regular and formal. But even if it were not so, it lay with the accused to take exception to the legality of the proceeding.

Mr. Vanderpoel concurred in the opinion of the member from New York, (Mr. Mann), that there was no validity in the objection, and that, if there were, it was the place of the accused to make the objection. He therefore moved to lay the preamble and resolutions on the table.

On which motion Mr. V. called for the yeas and nays and they were ordered.

Mr. Patton inquired whether this motion to lay on the table, if it prevailed, would not carry the whole subject there.

The speaker said, not so. The matter if laid on the table, might be taken up again at any stage of the proceedings.

And the question was then taken, and decided in the affirmative—yeas 157, nays 35.

So the preamble and resolutions were laid on the table.

Mr. Hardin then submitted a motion that the accused be sworn to answer certain questions which he, (Mr. H.) indicated. The point of order was raised whether, under the resolution adopted for the government of these proceedings, these questions could be put.

Some conversation ensued, and the resolution having, on motion of Mr. Vanderpoel, being read,

The speaker finally decided that, under the phraseology of this resolution, the course proposed by the member from Kentucky, (Mr. Hardin) would not be regular.

The house thereupon proceeded to the execution of its order.

The speaker announced to the accused that the individuals whose names had been handed in to the chair had been summoned, and that the accused might now proceed to their examination.

Mr. F. S. Key, of counsel for the accused, asked that the witnesses be now sworn, which having been done,

The hon. Mr. Fairfield, of the house, was first called to answer in his place.

[Here began the examination of witnesses, &c. which occupied the house to a late hour.]

THURSDAY'S PROCEEDINGS.

In the senate. The chair presented a report from the secretary of state, of the number of passengers which have arrived from certain countries named therein. Referred to the committee on commerce.

Mr. Hendricks, made a report, accompanied by a bill, on the petition of the citizens of Alexandria, on the subject of the Alexandria and Fredericksburg rail road, which report was read, and ordered to be printed, and the bill referred to the committee for the District of Columbia.

Mr. Clay, from the select committee to whom were referred the address and memorial of certain foreign authors, praying the security of copy right in this country to their productions, made a report; which was read, and, on motion of Mr. Preston, 1,000 extra copies of the report were ordered to be printed.

Mr. Clay, from the same committee, also reported a bill extending to foreign authors the benefits of the copy right law of 1831. Read, and ordered to a second reading.

Mr. White, from the committee on Indian affairs, reported a bill to authorise the sale of Creek Indian reservations, and for other purposes. Read, and ordered to a second reading, and the documents were ordered to be printed.

The bill for the continuation of the Cumberland road in Ohio, Indiana and Illinois, and the bill to make compensation to the Kentucky, Tennessee, Alabama and Mississippi volunteers, discharged without entering active service, were severally read a third time, passed, and sent to the house of representatives for concurrence.

The senate proceeded to the consideration of the bill to increase the military establishment of the U. States.

Mr. Calhoun spoke at some length in opposition to the bill.

A debate followed, in which Messrs. Benton, Calhoun, Crittenden, Linn, Southard, Sevier, Tipton and Preston participated.

On motion of Mr. Moore, and by consent, the 19th section of the bill, requiring repayment by students dismissed for bad conduct from the West Point academy, was stricken out.

The bill was then passed by the following vote: YEAS—Messrs. Benton, Brown, Buchanan, Clayton, Cuthbert, Ewing, of Illinois, Fulton, Grundy, Hubbard, King, of Alabama, Linn, Lyon, Nicholas, Niles, Norvell, Parker, Rives, Robinson, Sevier, Strange, Tallmadge, Tipton, Walker, Wall, White, Wright—26.

NAYS—Messrs. Calhoun, Clay, Crittenden, Ewing, of Ohio, Kent, King, of Ga. Knight, Moore, Prentiss, Robbins, Southard, Swift, Tomlinson—13.

After an executive session, the senate adjourned.

In the house of representatives. After reports from committees had been received, and several petitions were presented, on motion of Mr. E. Whittlesey, a number of senate bills, on the speaker's table, were read twice by their titles, and committed, (excluding such as would create debate).

Mr. E. Whittlesey, on his own motion, was excused from voting on any questions which might arise during the further progress of the trial of Reuben M. Whitney.

Mr. W. gave, as a reason, that he was unable, in consequence of the pressing business before his committee, to attend to the evidence on the trial, and he did not wish to vote on any question involving personal liberty, without the fullest knowledge of the facts of the case.

The hour of twelve having arrived, the house, in pursuance of its order of yesterday, resumed the consideration of the case of Reuben M. Whitney, for an alleged contempt of the authority of the house, in refusing to appear, as a witness, before the select committee, of which the hon. H. A. Wise is chairman.

The accused was again placed at the bar of the house; and the examination of witnesses was resumed.

DOMESTIC CHRONICLE.

We learn from the Centreville Chronicle, published in Indiana, that Platt, the magistrate, who was connected with the gang of land pirates, on the Atlantic shore of New Jersey, and who fled from justice, forfeiting his recognizance by flight, was apprehended on the 26th ult. somewhere near Centreville, and safely lodged in Eaton jail, to be returned to the marshal of New Jersey, who had offered a reward of \$1,000 for his apprehension.

Ohio river. The Wheeling Times of the 11th instant, says—"It will be seen by our advertising columns that the river is open and navigation expected daily to commence. We presume boats will leave to-day."

Mob in New York. A most disgraceful mob occurred in the city of New York, on the evening of Monday last. A public notice was given for a meeting in the Park on the afternoon of that day. The notice itself was couched in language of a highly injudicious character, and calculated to inflame the minds of the unthinking and lead them to the commission of the excesses which they subsequently committed.

The following is a copy of the notice, which was not only published in some of the papers, but placarded through the city:

BREAD, MEAT, RENT, FUEL!
THEIR PRICES MUST COME DOWN!
The voice of the people shall be heard, and will prevail!

The people will meet in the PARK, rain or shine, at 4 o'clock, on MONDAY AFTERNOON, to inquire into the course of the present unexampled distress, and to devise a suitable remedy. All friends of humanity, determined to resist monopolists and extortioners, are invited to attend.

Moses Jaques, Daniel Gorham,
Paulus Hedl, John Windl,
Daniel A. Robertson, Alexander Ming, jr.
Warden Huyward, Elijah F. Crane:
New York, Feb. 10, 1837.

Under the above call about 5,000 or 6,000 persons collected together in front of the City Hall, and were harangued by several persons in a style well suited to lead to outrage. After which a large body of the meeting proceeded to Mr. Hart's store in Washington, between Dey and Cortland streets, and destroyed about a thousand bushels of wheat, and four or five hundred barrels of flour.

The mob also attacked the flour stores of Messrs. Meech & Co. and S. H. Herrick & Co. doing more or less injury in the destruction of flour and other property. The loss of Mr. Hart is said to be about ten thousand dollars.

The citizens, police officers and military, turned out with alacrity.

Statistics of Ohio. The Western Reserve Chronicle, published at Warren, Ohio, gives from the state auditor's report the following statistical facts. There are in Ohio 15,771,060 acres of land, valued at (including town lots and buildings) \$3,821,134 dollars. The number of horses is 268,662, valued at \$10,746,480; cattle 372,866, value \$2,982,928; merchants' capital and money at interest, \$3,459,902; number of pleasure carriages 2,808, value \$241,054; total amount of taxable property \$85,812,382; from which taxes have been raised the past year, for state, county and township purposes, &c. to the amount of \$965,310, including the physicians' and lawyers' tax, which amounted to \$3,078.

The largest county is Trumbull, which is said to contain 558,593 acres. Hamilton, Columbia and Richmond counties contain the largest number of horses; Trumbull the largest number of cattle (24,496). We see where the beef comes from, but are a little surprised there should yet be necessity of so much horse flesh in a state that has such ample facilities of transportation by canals and rivers.

Wilmington (Del.) every way richly merits to be the metropolis of that state. She has but 8,000 inhabitants, yet by her favorable location near the water power of the Brandywine, and by her enterprise for trade and internal improvements, has a great rail road begun to the Susquehanna, 3 foundries, a manufactory for rail road cars, 1 cotton factory, and 6 or 8 grist mills (capable of making about 400 bbls. flour daily), four whale ships, city supplied by fine water works, a Lancasterian school of 200 pupils, numerous churches, newspapers, literary societies, a capital market, chalybeate springs a mile distant, a most salubrious elevated position on the Delaware, &c. &c. All this and more says the State Journal.

Rice. We intimated some time back (says the Georgetown (S. C.) Intelligencer, of the 31st ult.) a belief that the crop of rice in this part of the state would fall short; we feel authorised now to speak positively on the subject. The deficiency will be considerable, probably from 6 to 10,000 barrels.

General Clinch, late of the United States army, arrived at Augusta, Georgia, on the 8th instant, and was invited to a public dinner by the citizens.

Another minister from Texas. The honorable M. Hunt, minister plenipotentiary and envoy extraordinary from the republic of Texas to the U. States, arrived at S. W. Pass, Sunday, the 15th ult. in the armed schooner Terrible, on his way to Washington. The hon. Mr. Green, member of congress, Mr. Falcl and Dr. De Shields, are passengers.

[New Orleans American.]
Mr. Hunt, probably, will be associated with the present commissioner col. Wharton, now at Washington. We cannot imagine that the latter has been superseded.

NILES' WEEKLY REGISTER.

FIFTH SERIES. No. 26.—VOL. I.]

BALTIMORE, FEBRUARY 25, 1837.

[VOL. LI.—WHOLE No. 1,326.]

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED, BY WILLIAM OGDEN NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

— In the warehouse of the Messrs. Meeteer, destroyed by fire on the morning of the 4th inst. there was a large supply of paper manufactured expressly for this publication, which was entirely consumed. Since that calamity we have, in consequence of the navigation being closed, been prevented from receiving a further supply, and are compelled to print the present number on paper of inferior quality.

— **THE TARIFF AND LAND BILL.** The *Intelligencer* of Wednesday says, that the ultimate fate of the tariff bill, (which is now before the senate), in any form, and that of the land bill, which has passed the senate and is now before the house of representatives, is altogether doubtful.

— **THE HON. SAMUEL MCKEAN'S** letter to the house of representatives of Pennsylvania, stating the reasons why he would not have voted for the expunging resolution, if he had been in his seat in the senate, is published in the present sheet. It created a considerable sensation in the body to which it was addressed; but at the last advices no final disposition had been made of it.

— **THE SUPREME COURT** of the United States adjourned on Thursday the 16th inst. The great case of the old and new bridge companies of Boston, which was before it, was decided in favor of the new company.

— **MR. R. M. WHITNEY** was on Monday night discharged from the custody of the sergeant-at-arms by a vote of 102 yeas to 70 nays—the vote having been effected through the agency of the "previous question." The proceedings during the seven days which were consumed in the examination of witnesses in this case, &c. were of the highest interest and most novel character, and will be inserted at length, as soon as published—as we presume they will be, in the "*Intelligencer*."

— **RELATIONS WITH MEXICO.** In our abstract of the proceedings of the senate, will be found the report of the committee of foreign affairs upon the message of the president relating to our affairs with Mexico. It is averse to an immediate resort to reprisals, and recommends that one more opportunity be afforded to Mexico to atone for the past, in the form required by the 34th article of the treaty with that republic, which provides that "if any of the articles contained in the present treaty shall be violated or infringed in any manner whatever, it is stipulated that neither of the contracting parties will order or authorize any acts of reprisal, nor declare war against the other, on complaint of injuries or damages, until the said party considering itself offended shall first have presented to the other a statement of such injuries or damages, verified by competent proofs, and demanded justice and satisfaction, and the same shall have been either refused or unreasonably delayed."

— **GEN. SCOTT AND THE COURT OF INQUIRY.** It will be seen by the opinion of the president on the proceedings of the court of inquiry at Frederick in the case of gen. Scott, that he does not consider those proceedings in accordance with the orders issued to the court, and that he has remitted them to that tribunal to the end that it may resume the consideration of the evidence, and from the same, and from such further evidence as shall be taken, (in case the court shall deem it necessary to take further evidence), may ascertain and report, with distinctness and precision—especially as to time, place, distances, and other circumstances—all the facts touching the opening and prosecuting of the campaign in Georgia and Alabama against the hostile Creek Indians, in the year 1836, and the military operations in the said campaign; and touching the delay, if any there was, in the opening or prosecuting of said campaign, and the causes of such delay; and to the end, also, that the court, whilst confining its opinion to the subject matters submitted to it, may fully and distinctly express its opinion on those matters for the information of the president.

On publishing this opinion of the president, the "*Globe*" says—The proceedings of the court, in respect to the failure of the campaign under generals

Gaines and Scott, against the Seminoles, so far as regards the case of major general Scott, have also been submitted to the president; but we understand that, in consequence of the necessary connexion between the cases of the two commanders, the president has suspended his examination of the proceedings in respect to major general Scott, until he shall have received the proceedings in the case of major general Gaines, when the whole subject will be taken up and disposed of.

— **GEN. GAINES** has completed his defence, which has been laid before the public through the "*Baltimore Patriot*," for which paper it was reported. We will, on the first opportunity, present it to our readers.

— **FLOUR RIOT** We have given the particulars of of the late disgraceful riot in New York. Several of the rioters have been indicted—but we hope the individuals who incited the mob to the brutal doings will not be permitted to escape. If the mob was, as stated, composed chiefly of foreigners, debased by intemperance and crime, and ignorant of our laws, the same plea cannot be urged for the incendiary orators, and they should be visited with a double share of punishment.

— One effect has resulted from the doings of the *political economists!* which will add to the distress of that class they affected a desire to relieve; the stock of flour having been reduced, the price has naturally risen, and fifty cents per barrel more is now asked than was demanded previous to the mob!

— **U. S. SENATOR.** On the 7th inst. the hon. *Silas Wright, jr.* was rechosen by the legislature of N. York, a senator in the congress of the United States from that state for six years, from the 4th of March next. In the senate, the vote stood 23 to 3, and in the house 86 to 27.

— **PRESIDENT JACKSON.** The following extracts are from the answer of the president to a letter of certain members of the legislature inviting him to Harrisburgh, Pennsylvania:

"Washington, February 11th, 1837.

"Gentlemen: I had fondly hoped, until recently, that the restoration of my health would have put it in my power to comply with the kind wishes expressed in your letter of the 17th December last, inviting me to Harrisburgh.

"I am now made sensible, by the tardy pace of my recovery—age—conspiring with a weight of business to press down a broken constitution, that I shall not be able to muster more than sufficient strength, if so much, as will enable me to sustain the journey directly to my home, with every precaution against extraordinary fatigue."

"That the people of Pennsylvania may always maintain the commanding attitude conferred by their independence and virtue, and which has contributed so much to the blessings of our common country, is my most fervent prayer—that they will always maintain it, I doubt not, unless they resign their own controlling authority, and become betrayed by their agents, and then submit to the treachery, under the mistake that they are bound by the acts of faithless agents—gaming away their rights, and seeking to make the grant inviolable, by chartering away at the same time the rights of their successors. With great respect, I remain your friend and fellow citizen,

ANDREW JACKSON."

— **CONGRESS.** The "*Intelligencer*" of Thursday says—The senate yesterday transacted business from 11 to half-past 1 o'clock, and then adjourned, to enable those senators who were so disposed to pay their respects at the president's house, opened for an hour or two, according to previous public notice, for the reception of visitors. The house of representatives, entrapped by the absurd usage which requires a suspension of its rules of proceeding to enable it to receive almost any motion, (which suspension requires the votes of two-thirds of the house to affect it), was unable to take a recess from half-past 1 to 4 o'clock, though a majority desired it. The consequence was, that, soon after 2 o'clock, the house found itself without a quorum,

and, after endeavoring for an hour in vain to obtain a quorum for business, was fain to adjourn for want of one.

There are on the docket of the house of representatives something like eight hundred bills to be acted upon; and the committees go on adding daily to the number. Meanwhile, time runs. Seven business days only of the session now remain.

— **FOREIGN NEWS.** There have been several arrivals from France and England since our last; but the news received by them is of little importance. The usual felicitations were made to Louis Philippe, on the commencement of a new year, but they contain no remarkable feature; even those of the diplomatic corps, which are generally looked to with some interest, are vague and unmeaning.

It now appears, contrary to the last accounts by the way of England, that the assassin who made the last attempt on the life of the king, had no accomplices. The individuals who had been arrested on suspicion of being connected with him, have been set at liberty.

The political complexion of the French chamber of deputies has not been distinctly expressed by any further action on their part. The conduct of Louis Philippe, in declining to interfere in the affairs of Spain, in opposition to the opinion of M. Thiers, his late minister, seems to meet general approbation.

The troops of the queen of Spain have apparently succeeded in relieving Bilbao, and causing the Carlists to raise the siege of that place; but this does not appear to be a very important advantage.

— **FROM FLORIDA.** The latest news from Florida is contained in a letter to the editors of the "*National Intelligencer*," dated Fort Armstrong (E. F.) February 6, which says—General Jesup has just arrived from near the Everglades with the intelligence that Jumper and Alligator, two of the principal chiefs, were in his encampment at that place, and passports were given them to the 20th instant, for the purpose of bringing in their respective tribes at that time. They sent in the white flag by Abraham, the prophet and adviser of Micanopy, who states that his chief Micanopy (who is now the most powerful of the hostile chiefs) was also willing to give up. They say they are tired of fighting; that "Powell" (Oceola) is a bad man; and that he has not more than five or six men with him. All the negroes that have been taken concur in this latter statement.

It was expected that general Jesup would in a few days march from Fort Armstrong to Fort Foster, at which place the Indians were to come in on the 20th inst.

Previous to gen. Jesup's arrival at Fort Armstrong he had made an excursion into the heart of the Indian country, having, in the course of the expedition, effected the surprise, on the 24th ult. of the chief COOPER, in his strong hold. COOPER, his son, and an inferior chief called EUCU CHARLEY, and another Indian were killed. COOPER's family, with some 15 or 20 women and children, were captured on the 27th ult. A detachment fell in with a party of Indians and negroes, who fled into the Big Cypress Swamp, an impenetrable morass. They were pursued by a party of marines under col. HENDERSON, and a number of Creek Indians; a skirmish ensued, which resulted in our losing 2 marines killed and 3 wounded, the enemy lost 2 killed. They were pursued until dark, when the party returned to head quarters, having captured from 30 to 40 Indians and negroes, men, women and children. About 100 ponies, 50 of which were laden with packs, and 1,400 head of cattle, were taken on the 27th and 28th ult.

John Pleasants, of the Washington city volunteers, a brave soldier, was killed near Tampa Bay not long since by a party of Indians who were concealed behind a log—eleven balls entered his body, four of which penetrated to his heart.

The Indians are scattered in small parties throughout the country and frequently commit depredations and murders.

The Tallahassee *Intelligencer* of the 4th instant says—

The house of Mr. Sikes, on the Suwannee, was attacked last week by thirty Indians, in the day time. Mr. Sikes had seven guns in his house.

His wife reloaded them as they were discharged by him. The savages were at length forced to retire, having lost four of their number killed and several wounded.

The house of Mr. Sheffield on the Aucilla, was attacked three days ago. Mr. Sheffield was severely wounded. Fortunately, he, together with his family, escaped.

On Thursday, a party consisting of thirty men from St. Marks and Shell Point, went in pursuit of a party of Indians lately seen about the Waculla. They appear to be dispersed every where in small plundering parties.

THE CREEKS. Captain Page of 4th infantry U. S. army, is a letter from Fort Mitchell, Ala. (3d inst.) to gov. Schley, details the recent hostilities of the Indians in Alabama. Captain P. then proceeds to state that "general Wellborn who commanded a volunteer company, mustered into the U. S. service, trailed them up, and the Indians got into his rear and opened a fire on him, and disabled three men. The battle commenced, and lasted about a half an hour, and one man killed and five wounded. Among the wounded was gen. Wellborn, slightly, having the end of his finger shot off. At the commencement of the battle he had but 21 officers and men in the action; eleven of his command were killed. I have sent to his relief a company of volunteers from Franklin county, Georgia, and another from Tallapoosa county, Alabama. The three companies united, are in full pursuit of the hostiles.

Gen. Wellborn thinks the number of Indians he had to contend with was about sixty.

By the latest intelligence from the seat of war about sixty Indians had surrendered, and it was supposed that the excitement would now speedily subside.

The Indians attacked the dwelling of Mr. Pugh on the 26th ult. and murdered that gentleman and a negro man and child.

MR. ADAMS AND THE GLOBE. The following note was addressed by Mr. Adams to the editors of the Globe:

House of representatives of U. S. Feb. 13, 1837.

To the editors of the Globe:

Sirs: In the report, published in this morning's Globe, of the debate in the house of representatives, on the resolution directing the speaker to issue his warrant for the arrest of R. M. Whitney, my name is inserted in the list of yeas and nays, as voting upon the motion to lay that resolution on the table.

The journal of the house will show, on that question, I did not vote at all. I was excused from voting on that and every other question affecting the personal rights of Reuben M. Whitney, for reasons expressly assigned by me, conformably to the rule of the house.

I take this occasion to remark that, in the report of the debate, on the same day, upon the resolution offered by Mr. Taylor, there are considerable errors in the statement of what was said by me. I did not say that I believed the paper, purporting to be a petition from slaves, to be a forgery, designed as a hoax upon me; nor did I say that I should not again attempt to present the petition. What I said was, that I now believed the paper to be a forgery by a slaveholding master, for the purpose of *daring* me to present a petition purporting to be from slaves. That having thus reason to believe it a forgery, I should not present it as a petition, whatever might be the decision of the house on the question before them. If I should present it at all, it would be to invoke the authority of the house to cause the author of the forgery to be prosecuted for the forgery; which I certainly would do, if there were a competent judicial authority to try the offender, and I could require and obtain evidence to prove the fact.

I am not in the habit of considering a forgery, committed to deter a member of congress from the discharge of his duty, as a hoax.

I am, with due respect, sirs, your obedient servant,
J. Q. ADAMS.

THE JACKSON CHEESE. The president's mansion was, in pursuance of a notice in the "Globe," opened to visitors on Wednesday the 22d instant. The following paragraph accompanied the notice.

The Jackson cheese. The great cheese which was made an offering to Mr. Jefferson, as the most appropriate present which the farming class could tender the president—the first who brought their influence to bear with its full and proper weight in the public administration—is outdone by the cheese which a patriotic citizen of New York, (colonel Meecham), sent more than a year ago to president Jackson. The Jefferson cheese presented by the citizens of Cheshire, Massachusetts, weighed seven hundred and fifty pounds. The New York present is nearly four feet in diameter, two feet

thick, and weighs fourteen hundred pounds. It was transported through the state of New York with great parade to the place where it was shipped. It reached Washington accompanied with a splendidly painted emblematic envelope. We understand the president designs to offer this great cheese, which is finely flavored and in fine preservation, to his fellow citizens who visit him on Wednesday next. Mr. Jefferson's cheese was the banquet of the east room in its unfinished state. The New York present will be served up in the hall of the president's mansion.

OPINION OF THE PRESIDENT

On the proceedings of the court of inquiry ordered to investigate the causes of the delay in the campaign against the Creek Indians.

The president has carefully examined the proceedings of the court of inquiry recently held at the city of Frederick, by virtue of orders No. 65 and 68, so far as the same relate to the causes of the delay in opening and prosecuting the campaign in Georgia and Alabama, against the hostile Creek Indians, in the year 1836; and has maturely considered the opinion of the court on this part of the subject referred to it.

The order constituting the court directs it, among other things, "to inquire and examine into the causes of the delay in opening and prosecuting the campaign in Georgia and Alabama, against the hostile Creek Indians, in the year 1836, and into every subject connected with the military operations in the campaign aforesaid; and after fully investigating the same, to report the facts, together with its opinion on the whole subject, for the information of the president."

It appears, from the proceedings, that after the testimony of nine witnesses had been received by the court, and after more than one hundred documents, bearing on the subject, had also been produced in evidence, and after major general Scott had addressed the court on the subject, the court proceeded to pronounce its opinion, as follows:

"Upon a careful examination of the abundant testimony taken in the foregoing case, the court is of opinion that no delay, which it was practicable to have avoided, was made by major general Scott in opening the campaign against the Creek Indians. On the contrary, it appears that he took the earliest measures to provide arms, munitions and provisions for his forces, who were found almost wholly destitute; and as soon as arms could be put into the hands of the volunteers, they were, in succession, detached and placed in position, to prevent the enemy from retiring upon Florida, and whence they could move against the main body of the enemy, as soon as equipped for offensive operations.

"From the testimony of the governor of Georgia, of major general Sanford, commander of the Georgia volunteers, and many other witnesses of high rank and standing, who were acquainted with the topography of the country, and the position and strength of the enemy, the court is of opinion that the plan of campaign adopted by major general Scott, was well calculated to lead to successful results, and that it was prosecuted by him, as far as practicable, with zeal and ability, until recalled from the command, upon representations made by major general Jesup, his second in command, from Fort Mitchell, in a letter bearing date the 20th of June, 1836, addressed to F. P. Blair, esq. at Washington, marked "private," containing a request that it be shown to the president, which letter was exposed and brought to light by the dignified and magnanimous act of the president, in causing it to be placed on file in the department of war, as an official document, and which forms part of these proceedings, (see document No. 214). Conduct so extraordinary and inexplicable on the part of major general Jesup, in reference to the character of said letter, should, in the opinion of the court, be investigated."

The foregoing opinion is not accompanied by any report of the facts in the case, as required by the order constituting the court; on the contrary, the facts are left to be gathered from the mass of oral and documentary evidence contained in the proceedings; and thus a most important part of the duty assigned to the court remains unexecuted. Had the court stated the facts of the case, as established to its satisfaction by the evidence before it, the president, on comparing such state of facts found by the court, with its opinion, would have distinctly understood the views entertained by the court in respect to the degree of promptitude and energy which ought to be displayed in a campaign against Indians—a point manifestly indispensable to a correct appreciation of the opinion, and one which the president's examination of the evidence has not supplied, inasmuch as he has no means of knowing whether the conclusions drawn by him from the evidence agree with those of the court.

The opinion of the court is also argumentative, and wanting in requisite precision; inasmuch as it states that "no delay, which it was practicable to have avoided, was made by major general Scott, in opening the campaign against the Creek Indians, &c. &c.," thus leaving it to be inferred, but not distinctly finding, that there was some delay, and that it was made by some person other than major general Scott; without specifying in what such delay consisted, when it occurred, how long it continued, nor by whom it was occasioned. Had the court found a state of facts as required by the order constituting it, the uncertainty now existing in this part of the opinion would have been obviated, and the justice of the opinion itself readily determined.

That part of the opinion of the court which animadverts on the letter addressed by major general Jesup to F. P. Blair, esq. bearing date the 20th of June, 1836, and which presents the same as a subject demanding investigation, appears to the president to be wholly unauthorized by the order constituting the court, and by which its jurisdiction was confined to an inquiry into the causes of the delay in opening and prosecuting the campaign against the hostile Creeks, and into such subjects as were connected with the military operations in that campaign. The causes of the recall of major general Scott from the command, and the propriety or impropriety of the conduct of general Jesup in writing the letter referred to, were not submitted to the court as subjects of inquiry. The court itself appears to have been of this opinion, inasmuch as no notice was given to gen. Jesup of the pendency of the proceedings, nor had he any opportunity to cross-examine and interrogate the witnesses; nor to be heard in respect to his conduct in the matter remarked on by the court.

For the several reasons above assigned, the president disapproves the opinion of the court, and remits to it the proceedings in question, to the end that the court may resume the consideration of the evidence; and from the same, and from such further evidence as shall be taken, (in case the court shall deem it necessary to take further evidence), may ascertain and report, with distinctness and precision—especially as to time, place, distances and other circumstances—all the facts touching the opening and prosecuting of the campaign in Georgia and Alabama against the hostile Creek Indians, in the year 1836, and the military operations in the said campaign; and touching the delay, if any there was, in the opening or prosecuting of said campaign, and the causes of such delay; and to the end, also, that the court, whilst confining its opinion to the subject matters submitted to it, may fully and distinctly express its opinion on those matters for the information of the president.

The secretary of war *ad interim* will cause the proceedings of the court on the subject of the campaign against the Creek Indians, with the documentary evidence referred to therein, and a copy of the foregoing opinion, to be transmitted to major general Macomb, president of the court, for the proper action thereon.

ANDREW JACKSON.

Washington, Feb. 14, 1837.

THE NAVY—OFFICIAL.

Navy department, Feb. 18, 1837.

In consequence of the subjoined letter from lieutenant Samuel W. Downing, of the United States navy, declaring his conviction of the impropriety of his charges and publications against captain Thomas ap Catesby Jones, president of the court martial convened in the city of Baltimore, in the month of July, 1835, for the trial of purser William P. Zantzinger, and against the members of the said court and their proceedings—his regret that said charges and publications were so made and published by him, and his retraction of them—the president of the United States has been pleased to remit the sentence of the general naval court martial convened in the city of Washington on the 27th of December last, for his trial, and lieutenant Samuel W. Downing has been restored to duty.

Washington city, Feb. 13, 1837.

Sir: It having been intimated to me that a retraction is required of my communication published in the Army and Navy Chronicle, in which it is alleged or implied that captain Thomas ap Catesby Jones violated his oath as a member of the court martial, &c. and that he drew up the sentence of the court, and procured a vote by which the offensive remarks applied to me were made a part of their finding, and inserted in their proceeding; the same having been adjudged by the late court martial, upon an examination of the evidence laid before them to be a libel; and being convinced of the impropriety of those publications, I have no hesitation in saying that I submit cheerfully to the opinion of the court,

and regret that the charges were made and published, and now retract them, and request that they may be considered as not having been made, and hoping that the frankness of my declaration may be satisfactory to the department, to captain Jones and the other members of the court upon whose conduct these publications reflect. Most respectfully, your obedient servant,

S. W. DOWNING.

The hon. Mahlon Dickerson, secretary of the navy.

THE ARMY—OFFICIAL.

GENERAL ORDER, No. 2.

Adjutant general's office, Washington, Feb. 3, 1837.

I—The secretary of war, *ad interim*, has received the following resolution from the senate of the U. States:

Resolved, That the secretary of war be requested to cause an examination to be made by a board of officers, into the improvements in fire-arms made by Hall, Cochran, Colt and the baron Hackett; and that the general results be presented to the senate in tabular statements, showing the advantages of each in all important military points of view, and especially as to—

1. The celerity of fire.
2. The extent of the recoil.
3. The efficiency of the fire.
4. The inconvenience from heated barrel in rapid firing.
5. The capacity of being used as a rifle.
6. The simplicity and cheapness of construction.
7. Durability.
8. Saving of ammunition and appendages.
9. The number of charges which may be carried by an infantry soldier.
10. The advantages when used against a charge of cavalry.
11. The advantages when used by cavalry.

II—In conformity with the provisions of the foregoing resolution, the secretary directs that a board, to be composed of the following officers, to wit:

Brev. brig. general J. R. Fenwick, colonel of the 4th artillery;
Brevet brig. general N. Towson, paymaster general;

Col. G. Croghan, inspector general;
Brev. lieu. col. Worth, ordnance;
Lieut. col. Wainwright, marine corps;
Lieut. col. Talcott, ordnance;
Capt. B. Huger, ordnance;

be assembled at the Washington arsenal on Monday, the 20th of February instant, at 11 o'clock, for the purpose of making a thorough examination of the improvements in fire arms made by Hall, Colt, Cochran and the baron Hackett, in the manner and mode specified in the resolution.

III—The board will report the general results, for the information of the secretary of war, in tabular form, showing the utility of each fire-arm in all important military points of view, as required by the resolution; and will also report such further information on the subject as they may be able to communicate, with their opinion on the relative advantages of the several improvements submitted to their examination.

First lieu. J. N. Maccomb, of the artillery, and aid-de-camp, will record the proceedings of the board. By order: ROGER JONES,

Adjutant general of the army.

GENERAL ORDER, No. 3.

Adjutant general's office, Washington, Feb. 7, 1837.

I. A general court martial will assemble at the new barracks, in Savannah, Georgia, on the 9th of March, 1837, or as soon thereafter as practicable, for the trial of major William Gates, of the second regiment of artillery, and such prisoners as may be brought before it. The following named officers are hereby detailed to constitute the court, being of the highest rank, and the greatest number that can be convened without manifest injury to the service.

Brevet brigadier general H. Brady, col. 2d infantry; col. W. Lindsay, 2d artillery; brevet col. J. B. Walbach, 1st artillery; col. D. E. Twiggs, 2d dragons; lieu. col. J. Bankhead, 3d artillery; lieu. col. R. Cummings, 2d infantry; brevet major M. P. Lomax, 3d artillery; brevet major J. Irving, 4th artillery; brevet major T. F. Hunt, 5th infantry; captain G. S. Drane, 2d artillery; captain P. H. Galt, 4th artillery; first lieu. W. C. De Hart, 2d regiment of artillery, judge advocate.

II. In case of the non-attendance of any of the members of the court at the time and place mentioned, in consequence of sickness or other unavoidable cause, the court will be organized with any number not less than seven, and, so constituted, proceed with the trial.

By order of major general Maccomb:

R. JONES, *adjutant general.*

GENERAL ORDER, No. 4.

Adjutant general's office, Washington, Feb. 22, 1837.

In consequence of the duties in which several of the officers detailed as members of the general court martial, ordered to assemble at Savannah, Georgia, on the 9th of March, pursuant to "general order" No. 3, are now engaged, the said court will not be able to convene sooner than the 31st of March; when the officers concerned will severally appear in person accordingly. By order,

R. JONES, *adjutant general.*

THE FLOUR-RIOT IN NEW YORK.

The following particulars of the late riot in New York are from the New York Commercial Advertiser of the 14th inst. and are placed on record to enable the future historian to trace the downward course of this republic: for we are fully convinced, that unless such disgraceful acts are promptly punished by the arm of public justice, the spirit which dictated them will openly reveal itself against other interests, also deemed sacred, and substitute the law of force, for the statute and moral law, and ultimately overthrow every thing deemed valuable in our political and civil institutions.

Whoever will turn to the history of the French revolution of 1789, will find that the "death dance" was commenced by mobs clamoring for bread, marching in procession, and committing outrages against the bakers. In view of this fact, we have watched the signs of the times in this city, and other parts of the country, with the greater apprehension. A meeting was held at the Broadway Tabernacle, some two or three weeks since to consider and act upon the subject of the high price of provisions. True, an attempt was made to ingraft its proceedings upon the temperance cause, by attributing the high prices of flour and grain to the distilleries.—But we liked it not—seeing nothing but evil from its inevitable tendency.

With still greater dislike did we view the notice for a public meeting in the Park, yesterday afternoon, arranged under the auspices of those precious Jackson-jacobins, Moses Jacques and Alexander Ming, jr. The following is a copy of the notice which was not only published in the agrarian papers, but placarded through the city:

[Here follows the notice calling the meeting, inserted in the last "REGISTER," page 400.]

Such, however, was not the case. At 4 o'clock, a concourse of several thousands had convened in front of the City Hall—composed, as we are assured, of the very *canaille* of the city—and combining within itself all the elements of outrage, riot and revolution. Moses Jacques was elected as the fitting chairman, of such a meeting. But order was not the presiding genius on the occasion, and the meeting was divided into various groups, each of which was harangued by some chosen demagogue, after his own fashion, and on his own account.

Conspicuous among the orators was Alexander Ming, jr. a patriot who has several times been honored as one of the candidates for the office of register of this city.—His discourse, on the present occasion, is represented as having been less exciting and inflammatory than were those of his fellow orators, as he confined himself to the currency question—enforcing the doctrines of his great colleague of reform colonel Benton—and advising people to discard bank notes, and receive nothing but the precious metals. At the close of his harangue, Ming introduced a set of resolutions, of the character of which we are no further informed than that one of them proposed a memorial to the legislature, praying the prohibition of all bank notes under the denomination of one hundred dollars. The illustrious Bentonian patriot was then uplifted upon the shoulders of the sovereign mob, and borne proudly aloft over to Tammany Hall.

There were other speakers, however, who came directly to the business of the meeting, and, in the most exciting manner, denounced the landlords, and the holders of flour, for the prices of rents and provisions. One of these orators, in the course of his address, after working upon the passions of his audience until they were fitted for the work of spoil and outrage, is reported to have expressly directed the popular vengeance against Mr. Eli Hart, who is one of our most extensive flour dealers on commission. "Fellow-citizens!" he exclaimed, "Mr. Hart has now 53,000 barrels of flour in his store; let us go and offer him eight dollars a barrel, and if he does not take it"—here some person touched the orator on the shoulder, and he suddenly lowered his voice, and finished his sentence by saying, "we shall depart from him in peace."

The hint was sufficient; and a large body of the meeting moved off in the direction of Mr. Hart's store, in Washington, between Dey and Courtlandt

streets. The store is a very large brick building, having three wide but strong iron doors upon the street. Being apprised of the approach of the mob, the clerks secured the doors and windows; but not until the middle door had been forced, and some twenty or thirty barrels of flour or more, rolled into the street, and the heads staved in. At this point of time Mr. Hart himself arrived on the ground, with a posse of officers from the police. The officers were assailed by a portion of the mob in Dey street, their staves wrested from them, and shivered to pieces. The number of the mob not being large at this time, the officers succeeded in entering the store, and for a short time interrupted the work of destruction.

The mayor next arrived at the scene of waste and riot, and attempted to remonstrate with the infuriated multitude on the folly of their conduct—but to no purpose; their numbers were rapidly increasing, and his honor was assailed with missiles of all sorts at hand, and with such fury that he was compelled to retire. Large reinforcements of the rioters having arrived, the officers were driven from the field, and the store carried by assault—the first iron door torn from its hinges, being used as a battering ram against the others. The destructives at once rushed in, and the windows and doors of the lofts were broken open. And now again commenced the work of destruction.

Barrels of flour, by dozens, fifties and hundreds were tumbled into the street from the doors, and thrown in rapid succession from the windows, and the heads of those which did not break in falling, were instantly staved in. Intermingled with the flour, were sacks of wheat by the hundred, which were cast into the street, and their contents thrown upon the pavement. About one thousand bushels of wheat, and four or five hundred barrels of flour, were thus wantonly and foolishly as well as wickedly destroyed. The most active of the *destructionists* were foreigners—indeed the greater part of the assemblage was of exotic origin; but there were probably five hundred or a thousand others, standing by and abetting their incendiary labors.

Amidst the falling and bursting of the barrels and sacks of wheat, numbers of women were engaged, like the crones who strip the dead in battle, filling the boxes and baskets with which they were provided, and their aprons, with flour, and making off with it. One of the destructives, a boy, named James Roach, was seen upon one of the upper window sills, throwing barrel after barrel into the street, and crying out with every throw—"here goes flour at eight dollars a barrel!" Early in the assault, Mr. Hart's counting room was entered, his books and papers seized and scattered to the winds. And herein, probably, consists his greatest loss.

Night had now closed upon the scene, but the work of destruction did not cease until strong bodies of police arrived, followed, soon afterward, by detachments of troops. The store was then cleared by justices Lownds and Bloodgood, and several of the rioters were arrested, and despatched to Bridge-well, under charge of Bowyer, of the police. On his way to the prison, he and his assistants were assailed, his coat torn from his back, and several of the prisoners were rescued. Several more, however, were afterwards captured and secured.

Before the close of the proceedings at Hart's store, however, the cry of "Meech" was raised—whereupon a detachment of the rioters crossed over to Centies slip, for the purpose of attacking the establishment of Meech & Co. but the store of S. H. Herrick & Co. coming first in their way, they commenced an attack upon that. The windows were first smashed in with a shower of brick-bats, and the doors immediately afterwards broken. Some twenty or thirty barrels of flour were then rolled into the street, and the heads of ten or a dozen knocked in.

The number of the rioters engaged in this work was comparatively small and they soon desisted from their labors—probably from an intimation that a strong body of the police were on the way thither. Another account is that they were induced to desist from the work of mischief, by an assurance from the owner, that if they would spare the flour, he would give it all to the poor to-day. Be this, however, as it may, the officers were promptly on the spot, and by the aid of the citizens who collected rapidly, the wretched rabble was dispersed—some thirty or forty of them having been taken and secured, at the two points of action. Unfortunately, however, the ringleaders escaped almost if not quite to a man.

It would probably be unjust to say, that these riots, and the plunder of Mr. Hart were part and parcel of the original design of the meeting; or that all the signers to the call anticipated such a termination of their proceedings. But there is strong circumstan-

tial evidence that all are not innocent. Efforts have been making, in a portion of the penny press—that last and most efficient invention of Satan—for some time past, to arouse the popular indignation against Messrs. Hart and Herrick, and, as the event has proved—with but too much success. Another circumstance indicative of a preconcerted design to plunder those warehouses, is mentioned by one of our morning cotemporaries.

A letter was recently found in the park, with an anonymous signature, and addressed to a Mr. W. Lennox, informing him that the store of Hart & Co. was to be plundered one of these nights by a large party of persons, and that in order to enable them to carry their designs into execution, two alarms of fire were to be given, one near the Battery, and another higher up the city, and that whilst the watchmen and police were assembled at those two points, the conspirators were to break open the store and carry off as much flour as they could. This letter was brought to the high constable, Jacob Hays, who showed it to Hart & Co. Besides this, other anonymous letters of a similar import came to the hands of the mayor, who caused their contents to be made known to Hart & Co.

If these things are so, the city authorities are greatly to blame that efficient measures for the preservation of the peace of the city, were not concerted in anticipation of the meeting. The evening was the regular time of the meeting of both boards of the common council. They assembled as usual; but such was the condition of the city, that they immediately adjourned, and the members at once placed themselves upon the *peace* establishment. At 8 o'clock all was quiet. We took a stroll over the scene of the principal riot, wading, for a considerable distance, half leg-deep in flour and wheat. Several hundreds of people were yet lingering about, but the police were strong and patrols of troops frequent. We saw several women stealing away with small sacks of flour; but the weather was too intensely cold for people long to remain abroad—and before nine all was deserted and still. Thus has ended the first attempt of the sovereign wisdom of this country to reduce the price of provisions, by reducing the quantity in market.

The troops on duty were detachments from the national guards, under col. Smith, and from col. Helas' regiment. The night was bright moonlight, and the glittering of the burnished armor made quite a striking appearance. Unfortunately, the spirit of insubordination to the restraints of law, is so widely diffusing itself, that it is necessary to keep this armour in a state of effective preparation.

Since the above was in type we have received the following card.

A CARD.

Q. An erroneous impression seems to prevail that the subscriber has purchased up and monopolized the flour in market, which he holds at an exorbitant price. He assures the public, that there is no flour in the city to any extent, but what is the property of millers in the country, and is held by the agents here, and under the control of the owners; the agents having no farther interest in the price than the commissions they receive.

The great scarcity of grain throughout the country may be quoted as the cause of the advance in the price of flour, which at twelve dollars yields but a bare profit, and that the stock now on hand may be estimated at not more than half of last year.

It is needless to say that the destruction of the article cannot have a tendency to reduce the price, nor can there be any disposition to injure the real owners of the article, by assailing the stores of the agents.

ELI HART & CO.

RICHARD M. JOHNSON'S LETTER.

To the senate of the United States:

GENTLEMEN—I have received, with no ordinary emotions, the notice through your committee, of my election to the office of vice president of the United States by the senate. I accept the station assigned me. This token of regard from the representatives of the states, will ever be held in grateful recollection. Permit me to tender you my sincere thanks.

Observing that your decision is in harmony with a majority of the states, and a moiety of all the electors in the primary colleges, my gratification is heightened, from the conviction that the senate, in the exercise of their constitutional prerogative, concurred with, and confirmed the wishes both of the states and of the people. Called, in virtue, of this preferment, to preside in the deliberations of your enlightened body, from and after the 8d of March next, permit me to make use of this opportunity to say, that I cannot feel insensible to difficulties which I must anticipate, and the frequent occasion I may have for your forbearance. Though for thirty years a member of one or the other of the two houses of congress, yet I have never been accustomed to pre-

side, even temporarily, over either, or in any deliberative assembly. My attention has generally been engrossed by the more immediate acts of legislation, without special regard to the minuteness of rules and orders, so necessary to the progress of business, and so important to the observance of the presiding officer.

Contemplating the character of my distinguished predecessor, and considering my deficiency in point of talent, and the want of experience for the appropriate duties of the station, it is impossible for me to overcome entirely the diffidence with which I meet this call of my fellow citizens. But this reflection will always console me, that any errors on my part will effect me personally rather than the public; the intelligence of the senate will guard the country from any injury that might result from the imperfections of its presiding officer, and its magnanimity will cover those imperfections with the veil of charity. In this conclusion, I find a warrant in contemplating among the members of your body many friends to whom I have been associated in public life. It is only in the event of an equal division of the senate that the presiding officer is called upon to give his vote. My hope is, that there may be always a sufficient unanimity to prevent such a contingency. If, however, it should happen, this will be familiar to me, and I shall perform it without embarrassment. In exercising this power, I shall expect the same indulgence that I have ever extended to others, where differences of opinion existed.

To the senate the most important trusts are committed. Its duties are legislative, executive, and, in certain contingencies, judicial. As citizens, every branch of our government is dear to us; but, from my more immediate relation to this, by your choice, I shall regard it with special interest. It stands pre-eminent in talent and character. In presiding over its deliberations, it shall be my effort to act with perfect respect and impartiality towards every member, and endeavor by this course of conduct, to merit the approbation of all. R. M. JOHNSON.

City of Washington, Feb. 10, 1837.

THE SECRETARY OF STATE AND THE NATIONAL INTELLIGENCER.

From the *Intelligencer* of Saturday, Feb. 11.

The publishers of this paper had the honor yesterday to receive from the department of state the following letter:

Department of state, Washington, Feb. 9, 1837.

Messrs. Gales & Seaton,

Publishers of the *National Intelligencer*:

GENTLEMEN: The subscription, on the part of this department, for sixteen copies of your semi-weekly, and one copy of your daily paper, for the legations abroad, will cease on the expiration of the period for which that subscription has been paid. I am, gentlemen, your obedient servant,

EDWARD STUBBS, Agent.

To this letter we have done ourselves the pleasure to return the following reply:

Office of the *National Intelligencer*, Feb. 10, 1837.

SIR: We have received your letter directing a discontinuance of certain papers ordered from this office by the department of state, after the time to which they are paid for. In conformity to our usage in such cases, not to send the *National Intelligencer* to any subscriber one moment longer than he desires to continue to receive it, we have directed the papers in question to be discontinued from this day, that is to say, sixteen copies of the *National Intelligencer* and one copy of the *Daily National Intelligencer*.

As the subscription to those papers is paid for up to the 26th day of August next, the total amount so overpaid being \$57 42, we have, also in accordance with what we have heretofore done in such cases, refunded the amount paid in advance, by this day placing to your credit in the bank of the Metropolis the above sum of \$57 42. We are, very respectfully, your obedient servants,

GALES & SEATON.

Edward Stubbs, esq. agent, department of state.

We may, we presume, without any violence of construction, place this measure on the part of the honorable secretary of state to political account. We regret that so veteran a politician has not learnt to look on occasional differences of opinion on public questions (for we have not always differed) with more philosophy; and that he should have been impelled by his feelings thus suddenly to cut off from the legations of his government in foreign countries a source of information with which they have been supplied from the department of state under every change of administration, and every phase of party, now for nearly forty years. But though it is the misfortune of the *Intelligencer* to have thus suffered proscription at the hands of the honorable secretary, we know that our ministers abroad continue to place on it a juster value; and

determined that the public interest shall not, as far as we can prevent it, suffer by keeping them in ignorance (except as officially advised) of what is going on at home, or, what is as bad, giving them one-sided views of public affairs, we shall regularly forward files of the *National Intelligencer* from this office, beginning this day, to each of our ministers, charge d'affaires and consuls-general abroad, for which they will individually pay the publishers if they think proper, but which, if they do not, they are still welcome to. If their government acts upon such contracted or penurious principles as to refuse them light, it shall not be our fault if they are kept in benighted ignorance of the affairs of their own country.

LEGISLATURE OF DELAWARE.

Resolutions of the Legislature of Delaware, in relation to expunging a certain resolution on the journal of the senate.

IN SENATE OF THE UNITED STATES, FEB. 7, 1837.

Whereas the president of the United States, in the month of September, 1833, by an abuse of the power of appointment to office, did cause the public money of the United States to be removed from the custody of the bank of the U. States, where it had been deposited by law, subject only to be removed by the secretary of the treasury, upon good and sufficient reasons, to be exhibited to congress, and did declare that he assumed the responsibility of that act; an act which this general assembly believes was pernicious in its consequences, and derogatory to the public faith, as well as subversive of the constitution; and whereas the senate of the United States, on the 28th day of March thereafter, upon full consideration of said act of the president of the United States, and in the exercise, as this general assembly solemnly believes, of its constitutional power, did declare its opinion of the said act, and caused that opinion to be recorded in its journal, in the words following, viz:

"Resolved, That the president, in the late executive proceedings in relation to the public revenue, has assumed upon himself authority and power not conferred by the constitution and laws, but in derogation of both."

And whereas a resolution was adopted by the senate of the U. States, on the 16th day of January inst. in the words following, viz:

"Resolved, That the said resolve [meaning the preceding resolution] be expunged from the journal; and for that purpose, that the secretary of the senate, at such time and place as the senate may appoint, shall bring the manuscript journal of the session of 1833-'84 into the senate, and, in the presence of the senate, draw black lines round the said resolve, and write across the face thereof, in strong letters, the following words: 'Expunged by order of the senate, this sixteenth day of January, in the year of our Lord 1837.'"

And the said secretary did, thereupon, produce the said journal, and, according to the direction of the said resolution, did draw black lines around the resolution of the 28th March, 1834, as it was recorded in the said journal, and wrote across the face thereof, the words "expunged by order of the senate, this 16th day of January, in the year of our Lord 1837," thereby altering, defacing, and mutilating a public record:

And this general assembly, solemnly believing in the truth and justice of the resolution of the 28th of March, 1834, and in the full and perfect right of the senate, under the constitution, to adopt the same, cannot but view, with the strongest feelings of condemnation, an act which, in their judgment, contravenes a solemn truth, violates the constitution, by destroying that which the constitution enjoins shall be kept, and directly invades the rights of the several states of this confederacy, each of which has a property in the journal of the senate, as that is the only record from which it can derive a knowledge of the votes and acts of its representatives in that body; and for the purpose, as well of vindicating the rights of this state in the premises, as of sooner or later reestablishing the constitutional power of the senate of the United States, and of vindicating the constitution itself, by the restoration of the journal of the senate, so that it shall remain a true and faithful record of the acts and proceedings of the senate, and in all time hereafter be kept as the constitution enjoins:

Be it therefore resolved by the senate and house of representatives of the state of Delaware in general assembly met, That the senators of this state in the congress of the United States be, and they are hereby instructed to introduce in the senate, and give their earnest support to, a resolution for restoring the journal of its proceedings of the 28th day of March, 1834, and for rescinding and solemnly disavowing the principles of the resolution of the 16th day of January, 1837, and to give notice in the

senate that the motion will be persisted in until the journal of the senate of the 28th day of March, 1834, shall be restored, the constitutional powers of the senate vindicated, and the right and property of this state in the journal of the senate firmly re-established.

Resolved, That a copy of the foregoing proceedings, signed by the speakers of both houses, be transmitted by the governor to the senators of this state in congress, with a request that they be laid before the senate.

WILLIAM D. WAPLES,
Speaker of the house of representatives.
P. SPRUANCE, Jr.
Speaker of the senate.

Adopted this 31st day of January, 1837.

MR. MCKEAN'S LETTER TO THE LEGISLATURE OF PENNSYLVANIA.

Hon. Lewis Dewart, speaker of the house of representatives of the commonwealth of Pennsylvania.

SIR: Please to lay before the honorable house of representatives, over which you preside, the accompanying letter from me, addressed to that body; and oblige your obedient servant,

SAMUEL MCKEAN.

Washington city, Feb. 10, 1837.

A communication from Samuel McKean, senator in congress, expressing his sentiments that the resolution adopted by the senate of the United States for expunging any part of their journal is unconstitutional.

Gentlemen of the house of representatives of the commonwealth of Pennsylvania:

During a late period of extreme bodily suffering, from which I am but partially recovered, I received a letter from your presiding officer, covering a copy of a resolution passed by your body, affirming "that the passage of a resolution by the senate of the United States, censuring the president of the United States for a removal of the deposits, was unwise, inexpedient and unjust, and that the expurgation from the journals of the senate of the aforesaid resolution is, in the opinion of the house, a most salutary and constitutional redress for an unconstitutional attack on the character of the president of the United States; and that the speaker of the house of representatives be directed to forward a copy of the foregoing resolution to the president of the United States, and also one copy to each of the senators from Pennsylvania in the senate of the United States."

As I was providentially prevented from any participation in the recent deliberations and decision of the senate in reference to the subject matter of your resolution, it would now seem to be due to myself, and respectful to the house of representatives, that I should state freely and frankly my true position in relation to that exciting subject; trusting that those charitable feelings which pervade my own breast, in ascribing opposite views to honest motives, will be reciprocated by the house of representatives; for though I may have been sometimes charged with temerity, I am not conscious of having often been suspected of political timidity.

I am well aware that, by those who try to keep pace with the changes of the times, I am classed with those monotonous politicians who are regarded by them merely as the monuments of times past and things which have existed. But, even in this obsolete character, I trust I may, without appearing arrogant, claim for myself one small merit, and, though it may have been denied to me in the composition of my nature the power to change with the facility and frequency of some, nevertheless I may run no great risk in promising, when once well changed, I will probably stay changed as long as any gentleman.—It has been an especial object of my life, the observance of which I have found salutary and profitable, to observe and shun the errors of men, even great men, rather than labor to ape their imaginary excellence or supposed virtues, and have found it to be not less in accordance with inclination than the dictates of duty, to employ the best lights within my power to ascertain my true relation to the great mass of social intelligence which surrounds me. It is but superfluous to say that my humble origin and limited means denied to me those shining embellishments which decorate externally him who descends learnedly on what he is pleased to call the abstruse science of government and diplomacy. Mine have been but the unaided cogitations of native reflection, and have long since convinced me that human governments are but necessary to minor evils, tolerated only because they are designed to correct unnecessary and greater evils, and become intolerable when the exercise of power is carried beyond its legitimate end.

If men in the aggregate were what they might be, or ought to be, I conclude the institution of governments would never have been found necessary.

But men, seeing the defects and foibles of others, and conscious of their own, have relinquished a portion of primary and individual rights to secure more permanently the interest and happiness of all.—Hence government can only derive their just powers from the consent of the governed, and the sound maxim, that all political power is inherent in the people, is not more sound and true than that the people also possess the inherent right, and power to delegate, under prescribed fundamental rules, their inherent political powers for general beneficial purposes. Ours is justly called a government of the people, yet in ours the people have, for great and wise purposes, delegated and consented to a system, which, if the public interest required it, has power over all that is valuable and dear in life, and even over life itself; and if it be attempted by a fraction or portion of the people to resume as a primary right the exercise of powers thus delegated, it is subversive of the public peace and safety, an offence against society, disorganizing and revolutionary.—Hence I adopt for myself the best and plainest definition of the term "government," as applicable to our own uncontrollable exercise of appropriate powers, for the time being, or delegated period.

I understand the resolution of the house of representatives to aver, unqualifiedly, that the expurgation from the journals of the senate of the resolution of the 28th of March, 1834, censuring the conduct of the president of the United States in relation to the deposits, is constitutional.

Gentlemen, after the most intense investigation and painful anxiety to know the truth, could I have arrived at the same conclusion that you have, it would have greatly relieved my mind, and then I might have voted, without the appearance of inconsistency, to expunge and blot it out, for the senate journals of those times ought to show that I was opposed to the resolution of the 28th of March, 1834, and in favor of admitting on the journals of the senate the president's protest against it. I was confident at the time that the passage of that resolution was imprudent, calculated to do no good, and might do much harm. I declared so then, and have never for a moment held a contrary opinion since, and have always been ready to vote for a proposition reversing that resolution, and had prepared a proposition to "repeal, rescind, reverse and annul" it, which, if health had permitted, I would have offered as a substitute for the expunging resolution which passed the senate on the 16th of January last.

But with due deference to the opinion of others, and not questioning the motives of any, it is my deliberate and most solemn conviction that the senate cannot expunge any portion of its previous journals, without a clear violation of that clause of the constitution which expressly directs that "each house shall keep a journal of its proceedings, and from time to time publish the same."

True, it has been said, by way of extenuation, that the expunging resolutions prescribed by the Virginia legislature do not propose to actually destroy journals, but only to draw black lines around and write certain opprobrious words across the offensive resolution, "but the word must be expunge." This, to my mind, presented the subject in its most exceptionable form, for at the same time the constitutional power to blot out and destroy the journals was evasively given up. Senators were asked to play off fantastical pranks by drawing black lines, which seemed to be more becoming the amusement of volatile boys than the grave deliberations of a senate.

I would infinitely rather have met the question manfully, and vote at once to blot out, expunge and literally destroy the journal. For long as I have been accustomed to venerate and respect the "ancient dominion," (Virginia), her men and her principles, I am not quite ready to adopt, implicitly, her adroit and refined notions how to infringe, and not to violate the fundamental law of the country.

This anti-expunging doctrine is by no means new to me; it is an old and very familiar acquaintance, and received my especial attention and embraces more than twenty years ago, and has not been expunged from my memory, or diminished in my affections from that day to the present.

The constitution of our own state (Pennsylvania) has the same provision as that contained in the constitution of the United States, and reads thus: "Each house shall keep a journal of its proceedings, and publish the same weekly." This I have always held to be intentionally mandatory and directory, as strongly and clearly so as the import of language could make it, admitting of no construction, no cavil, no doubt; too clear to be illustrated by the power of argument, and too plain to be obscured by the refinement of sophistry. And so it has been held, and so decided by the proper and competent tribunals of Pennsylvania. My opinion has been long

settled, and my actions governed accordingly, that, under the constitutions of the United States and the state of Pennsylvania, the journal of each preceding day is made the exclusive and absolute property of the people, over which the legislature has no further control, more than it has over the constitution itself, and possesses no more power to deface, efface, erase, blot out, expunge, add to, or diminish from one sentence, line, or syllable, than it has to alter the constitution, or to burn, or otherwise destroy, the entire journal from the commencement of the government to the present time. The reasons for this constitutional injunction are to my mind as clear and forcible as the language in which it is expressed. The great and good men who penned that sacred instrument seem to have purposely guarded this point with peculiar language and care. "Each house shall keep a journal of its proceedings, and publish the same." And here the duties and power of the legislature in reference to the journal cease; and this record shall thence remain sacred and inviolate, a perpetual and abiding evidence of the wisdom or folly, pure or impure motives, of the representatives of the people. How is it possible to prove the validity or genuineness of the results of legislation, such as laws, resolutions, and the other numerous duties incidental to legislative authority, except by referring to the written or original journal? Fundamental laws are designed as well to check, circumscribe, control, and govern majorities, as to protect and defend the rights of minorities; and had I not a right under the constitution to claim and expect that protection against the arbitrary exercise of power to destroy the evidence on which I might hereafter wish to rely, to prove as well the principle as the fact, that I did oppose, and was right in opposing, the censorious resolution of the 28th of March, 1834?—It is matter of complaint that a political party majority of the senate at that time acted harshly.—Would it not be wisdom in the adverse majority now to eschew and profit by, rather than imitate, their incautious example?

But it is said that the resolution of the 28th of March, 1834, is unconstitutional, and therefore ought to be expunged. That is a question about which great and good men may honestly differ, and upon which it is not necessary to my present purpose to volunteer an opinion. Admitting it, however, for the sake of argument, to be unconstitutional, can it be amended by doing another unconstitutional act, by way of retaliation? Or where do we find the power to correct one unconstitutional act by another unconstitutional act? The object of the constitution in directing that a journal shall be kept, could not be only to preserve the wise and virtuous acts of legislators; it also intended that their unwise and vicious transactions should be alike accessible to public scrutiny and investigation: then, if the condemnatory resolution be unconstitutional, let its effects be blunted and annulled by an adverse expression of the senate, placed on the journal, and let the objectionable resolution remain as the constitution intended, an abiding testimony against its authors and supporters.

We need apprehend no positive evils in legislation, resulting from political minorities. Those only can abuse power, who are in the possession of power.

And we ought to be exceedingly cautious how we establish doubtful precedents in times of high party excitement, for though we may have numerical power now to expunge, blot out and destroy, we ought not to forget that those who come after us may have a majority differing from us in sentiment, and, with our fatal example before them, may expunge us, and blot out our proceedings. Indeed, the first fluctuation which may give an adverse senatorial majority to the present, I anticipate an effort will be made to restore the journal which was mutilated on the 16th day of January, 1837; and thus the fatal error commenced, where is it to end?

We exhibit, at the present time, an exquisite refinement upon party rancor, which, to my mind, reflects no credit on our country, and the causes of which, at this particular period, may well occupy the serious thoughts of the statesman and patriot.

What have our eyes seen and our ears heard in the short space of three years? The highest functionaries of our government, mutually charging upon each other, in official form, the corrupt violation of the sacred charter of our liberties. I claim for myself no superiority over, nor plead exemption from, the common imperfections of our nature, and am as much disposed as ever to listen kindly to the suggestions of experienced friends, and will go proper and reasonable lengths to support party; but for no pretended expediency can I consent to lay violent hands on the constitution.

The resolution of the house of representatives, I presume, was originally designed as instructions for me to vote for the expunging resolution, and as such

it would be entitled to and would have received my most respectful consideration; for I trust no gentleman holds in higher estimation the opinions of his legislature than I do the opinions of mine, and I shall always be happy to find my opinions accord with theirs; but it is due to candor for me to state here that I recognise the force and obligation of legislative instructions, with some exceptions and qualifications, which it is not necessary for me at present to go into.

The doctrine of instruction means something or it means nothing; we must adopt it as paramount or indispensable, or we must give it a place among other occurrences, to be estimated according to time and circumstances. It will not satisfy an honest and intelligent public for us to hold instructions to be sacred and binding only when they answer our purpose, and reject instructions as useless when they operate against our views and interest. The legislature of Pennsylvania, in choosing her senators in congress, do not act in separate bodies as senate and house of representatives, but meet in convention and vote conjointly, and a bare majority of the members voting is sufficient to elect.

How, then, does this matter stand, as regards the Pennsylvania senators in congress?

In 1835, two years ago, resolutions were proposed in the legislature of Pennsylvania, instructing her senators to vote to expunge from the journals of the senate the resolution of the 28th of March, 1834, which were under consideration at different times, but never passed, and were finally permitted to sleep quietly.

About the same time expunging resolutions from the state of Georgia, transmitted to the legislature of Pennsylvania, were indefinitely postponed; and this, too, at a time when both branches of the legislature of Pennsylvania were decidedly friendly to the present chief magistrate of the union. Now, if this proves any thing, it proves that the legislature of Pennsylvania, at that time strongly Jacksonian, were at least disinclined to countenance or sanction the expunging doctrine: and what next? Why, during the session of 1836, about one year ago, the house of representatives of Pennsylvania passed a resolution through all the parliamentary forms, instructing her senators in congress, *by name*, to vote against the Virginia, or any similar, expunging resolution, by a vote of sixty-four to twenty-five, majority, *thirty-nine*; it was not acted on by the senate; but from the well known sentiments of that body, then and now, it is reasonable to suppose it would have added to the majority of the house of representatives. But be that as it may, you will observe that the majority in the house, who voted to instruct their senators in congress to vote against expunging, is decidedly greater than the whole number of senators, and as large, if not a larger majority of both houses, than either of the present Pennsylvania senators in congress had received in joint ballot. Such is the true relation in which the Pennsylvania senate stood in reference to legislative instructions on the 16th of January last. Now, if I am correct, and a reference to your journals will test it, it clearly follows that, for all practical purposes, the Pennsylvania senators stood essentially instructed to vote against expunging, at the time it passed the senate of the United States.

I state these facts at this time only to show that, in the plainest supposable case, we meet many difficulties at every step, in carrying out consistently the practical operations of the doctrine of implicit and unconditional obedience to legislative instructions.

But I must not forget that I have said that the anti-expunging doctrine has been long since asserted, and settled by the proper and competent tribunal of Pennsylvania; and as it devolves on me, I will now produce the proof. The origin of the case is not to be found of record, because it was informal, and grew out of a desultory and incidental debate on the 19th of February, 1816, upon the suggestion of a member to expunge from the journals of a previous day certain matters which he thought were irrelevant and unimportant. The speaker gave it as his opinion that a majority of the house might order to be expunged from the journal proceedings on which the yeas and nays had not been called. This opinion was controverted and repelled by the most talented and experienced members of the house; and declared to be clearly unconstitutional, and of dangerous precedence and tendency. It was contended that if the house asserted the right to judge in one case what it might expunge from the journal, it followed that it had the same right to judge in all cases, and the journal would no longer be safe and inviolable, as was designed by the constitution, but would be subjected to the political caprice of the majorities of each succeeding session, and the fluctuating and occasional majorities of each succeeding day.

The constitutional power to expunge any portion of the journal on any pretext whatever, even by the unanimous consent of the house, was utterly repudiated and denied, and the matter rested for that day. Being a new member of the house at that time, and anxious to understand my duties, the subject made a deep impression on my mind, which has never been forgotten or effaced.

On the next day, precisely twenty-one years ago this very day, see journal of the house of representatives of Pennsylvania, page 359, "February 10, 1816, the speaker informed the house that a constitutional question being involved in a decision by him yesterday, on a motion to expunge certain proceedings from the journals, he was desirous of having the opinion of the house on that decision," viz: "That a majority can expunge any proceedings from the journals on which the yeas and nays have not been called."

Whereupon,

Mr. Holgate and Mr. Smith appealed from said decision.

And on the question, "Is the speaker right in his decision?"

The members present voted as follows, viz:

YEAS—Messrs J. Anderson, J. Bucher and Dechert—3.

NAYS—Messrs. Allshouse, Alter, S. Anderson, Baird, Black, Boyd, Brodhead, Buchanan, C. Bucher, Clarke, Cochran, Conyngham, Coon, Denison, Dysart, Edwards, Eichelberger, Goodhart, Haldeman, Halliwell, Hamilton, Hart, Herrington, Hibshman, Hiestler, Hillard, Holgate, Hottenstein, Humphrey, Hutchison, Jenks, Kelley, King, Kittera, Kryder, Lewis, Lightner, Livingston, Maclay, Marlin, Martin, McClure, McEuen, McKean, McKibbin, Menough, Middleswarth, Miller, Morgan, Morton, Mosher, Norbury, Plumer, Powell, Ralston, Read, Rhoads, Rinker, Roberts, Robinette, Rowland, Sawyer, Scott, T. Sellers, Shaffer, Smith, Stewart, Stroman, Sutherland, Tryon, Vance, J. Wallace, P. Wallace, J. J. Wallis, Weston, White, Wind and Wynkoop—78.

I am aware that my humble name, recorded above with the majority against the opinion of the speaker, who was my personal and political friend, adds but little to the weight of authority; but it will also be seen that many of the distinguished men of our state of that and the present day voted on the same side. How many of them have since changed, I know not; but one thing I know—the constitution is yet the same. Such was, at that time, the almost unanimous opinion of the house of representatives of Pennsylvania, on the simple and abstract question of constitutional power, unincumbered, and unconnected with any party consideration or extraneous excitement to swerve the mind from its honest purpose, and the house recorded its solemn decision, 78 to 3, that a majority had no power, under the constitution, to expunge any portion of its journals; and their decision, made in 1816, is diametrically opposed to the doctrine asserted by the house in 1837, viz: that it is constitutional to expunge the journals. And does not the Pennsylvania house of representatives of 1837 possess as much power over the journals of their predecessors of 1816 as the senate of the United States in 1837 possesses over the journals of their predecessors of 1834? Now I respectfully ask the house of representatives, whether they claim the constitutional right and power to take from the archives the manuscript journal of 1816, and expunge the proceedings to which I refer, and thereby deprive me of the only evidence I have to prove that I am now stating correctly what then occurred, and that my present opinions are consistent with the sentiments which I then avowed.

But this is not all. There will be found on the journal of the same day, February 10th, 1816, page 361, the following, viz:

"A motion was made by Mr. Buchanan and Mr. Kelley, and read as follows: 'Resolved, That, in the opinion of this house, no part of the journals can be expunged, even by unanimous consent.'"

The resolution covers the whole ground. The remedy is as broad as the malady, and "the word was *expunge*." There was no diversity of opinion as to its proper meaning; and if the word expunge had five hundred different applications, they are all met by the resolution and proceedings of the house just referred to, as both assert that the journal cannot be *expunged*.

Time passes away and men change; but principles and truth are eternal. And I still hope that those good old Pennsylvania doctrines, asserted and acted on in the days when the venerable Madison commanded the constitution, and the patriot Snyder stood at the helm of the ship *Pennsylvania*, may yet survive, and, like the coat of Hunks, again become fashionable and valuable.

I wholly repudiate the sickly idea harped on by those who assume to be the keepers of his reputation, that the existence on the journals of the resolution of the 28th of March, 1834, has tarnished the character of the chief magistrate, and therefore it must be expunged. It is not true; and every popular demonstration denies it. His fame stands too firm and high to need any artificial propping. And I protest against submitting the measure of my political faith to be tested by the anomalous and degrading standard of the Virginia expunging resolutions.

I ask pardon of the house for digressing in a few subsequent allusions to matters having no connexion with the house of representatives. I could not, were I disposed to, be ignorant of the current insinuations from numerous irresponsible sources, to injure me politically in public estimation.

I perfectly understand the authors of the engines of detraction set in motion to drag me into a state of abject political servility, or to render life unpleasant as the price of independence and integrity. My first responsible political act was a vote given in 1808, to aid in bringing Simon Snyder into the gubernatorial chair.

To many of you it is known, and a recurrence to past events will prove, that I have enjoyed a reasonable, perhaps as some have *complained*, an undue share of the confidence of every democratic administration from that to the present time. I have frequently, from a sense of duty, differed from my political friends in power, as to party measures, without once thinking that thereby I was incurring party proscription and anathema; and still less for expressing an honest difference of opinion as to the import and meaning of the constitution. Having thus passed on, without known or intentional deviation, for a term of nearly thirty years, now, if nothing but immolation will appease my enemies, let the blow come. I am prepared for the worst, and only regret that I can point to so many names, of higher merit, who have much sooner sunk under the baneful effects of this systematized ostracism.

The public records, as cited above, show clearly, that, acting under official oath twenty-one years ago, I declared against the doctrine of expurgation.

I must now be content with the opinion of the house as to my sincerity, when I declare that every consideration which I have been able to bestow on the subject since, has confirmed me stronger in the correctness of that opinion. Under these circumstances I ask the house of representatives, what was my duty as a senator? I answer for myself. If my health had permitted, I would have been taken to the senate chamber on the night of the 16th of January, and would have offered my proposition, reversing the resolution of the 28th of March, 1834; and if this had been rejected, I would then, as one of the most imperative and conscientious duties of my life, have voted against the expunging resolution, freely awarding to others, who have thought and acted differently, what I claim for myself, viz: honesty of purpose. I declare to you, gentlemen of the house of representatives, that I could not vote for that resolution, without having, in my own estimation, committed a flagrant infraction of the constitution of my country, a clear violation of the oath I had taken to support it, and must stand, ever after, before God and my own conscience, GUILTY of deliberate moral REPRISAL.

SAMUEL MCKEAN.

Washington, Feb. 10, 1837.

THE EXPUNGING RESOLUTION.

SPEECH OF MR. CLAY, (OF KENTUCKY),
On the resolution to expunge a part of the journal for the session of 1833-1834.

In senate, Monday, January 16, 1837.

Mr. Clay rose and said that, considering that he was the mover of the resolution of March, 1834, and the consequent relation in which he stood to the majority of the senate by whose vote it was adopted, he had felt it to be his duty to say something on this expunging resolution; and he had always intended to do so when he should be persuaded that there existed a settled purpose of pressing it to a final decision. But it had been so taken up and put down at the last session—taken up one day, when a speech was prepared for delivery, and put down when it was pronounced, that he had really doubted whether there existed any serious intention of ever putting it to the vote. At the very close of the last session, it will be recollected that the resolution came up, and in several quarters of the senate a disposition was manifested to come to a definitive decision. On that occasion he had offered to waive his right to address the senate, and silently to vote upon the resolution; but it was again laid upon the table, and laid there forever, as the country supposed, and as he believed. It is, however, now revived; and, sundry changes having

taken place in the members of this body, it would seem that the present design is to bring the resolution to an absolute conclusion.

I have not risen, (continued Mr. Clay) to repeat, at full length, the argument by which the friends of the resolution of March, 1834, sustained it. That argument is before the world, was unanswered at the time, and is unanswerable. And I here, in my place, in the presence of my country and my God, after the fullest consideration and deliberation of which my mind is capable, re-assert my solemn conviction of the truth of every proposition contained in that resolution. But, whilst it is not my intention to commit such an infliction upon the senate as that would be of retracing the whole ground of argument formerly occupied, I desire to lay before it, at this time, a brief and true state of the case. Before the fatal step is taken of giving to the expunging resolution the sanction of the American senate, I wish by presenting a faithful outline of the real questions involved in the resolution of 1834, to make a last, even if it is to be an ineffectual, appeal to the sober judgments of senators. I begin by reasserting the truth of that resolution.

Our British ancestors understood perfectly well the immense importance of the money power in a representative government. It is the great lever by which the crown is touched, and made to conform its administration to the interests of the kingdom and the will of the people. Deprive parliament of the power of freely granting or withholding supplies, and surrender to the king the purse of the nation, he instantly becomes an absolute monarch. Whatever may be the form of government, elective or hereditary, democratic or despotic, that person who commands the force of the nation, and at the same time has uncontrolled possession of the purse of the nation, has absolute power, whatever may be the official name by which he is called.

Our immediate ancestors, profiting by the lessons on civil liberty which had been taught in the country from which we sprung, endeavored to encircle around the public purse, in the hands of congress, every possible security against the intrusion of the executive. With this view, congress alone is invested, by the constitution, with the power to lay and collect the taxes. When collected, not a cent is to be drawn from the public treasury, but in virtue of an act of congress. And, among the first acts of this government, was the passage of a law establishing the treasury department, for the safe keeping and the legal and regular disbursement of the money so collected. By that act a secretary of the treasury is placed at the head of the department; and, varying in the respect from all the other departments, he is to report, not to the president, but directly to congress, and is liable to be called to give information in person before congress. It is impossible to examine dispassionately that act, without coming to the conclusion that he is emphatically the agent of congress in performing the duties assigned by the constitution to congress. The act further provides that a treasurer shall be appointed to receive and keep the public money, and none can be drawn from his custody but under the authority of a law, and in virtue of a warrant drawn by the secretary of the treasury, countersigned by the comptroller, and recorded by the register. Only when such a warrant is presented can the treasurer lawfully pay one dollar from the public purse. Why was the concurrence of these four officers required in disbursements of the public money? Was it not for greater security? Was it not intended that each exercising a separate and independent will should be a check upon every other? Was it not the purpose of the law to consider each of these four officers, acting in his proper sphere, not as a mere automaton, but as an intellectual, intelligent and responsible person, bound to observe the law, and to stop the warrant, or stop the money, if the authority of the law were wanting?

Thus stood the treasury from 1789 to 1816. During that long time no president had ever attempted to interfere with the custody of the public purse. It remained where the law placed it, undisturbed, and every chief magistrate, including the father of his country, respected the law.

In 1816 an act passed to establish the late bank of the United States for the term of twenty years; and, by the 16th section of the act, it is enacted "that the deposits of the money of the United States in places in which the said bank and the branches thereof may be established, shall be made in said bank or branches thereof, unless the secretary of the treasury shall at any time otherwise order and direct; in which case, the secretary of the treasury shall immediately lay before congress, if in session, and, if not, immediately after the commencement of the next session, the reasons of such order or direction."

Thus it is perfectly manifest, from the express words of the law, that the power to make any order or direction for the removal of the public deposits is confided to the secretary alone, to the absolute exclusion of the president, and all the world besides. And the law, proceeding upon the established principle that the secretary of the treasury, in all that concerns the public purse, acts as the direct agent of congress, requires, in the event of his ordering or directing a removal of the deposits, that he shall immediately lay his reasons therefor before whom? The president? No; before congress.

So stood the public treasury and the public deposits from the year 1816 to September, 1833. In all that period of seventeen years, running through or into four several administrations of the government, the law had its uninterrupted operation, no chief magistrate having assumed upon himself the power of diverting the public purse from its lawful custody, or of substituting his will to that of the officer to whose care it was exclusively entrusted.

In the session of congress of 1832-'3 an inquiry had been instituted by the house of representatives into the condition of the bank of the United States. It resulted in a conviction of its entire safety, and a declaration by the house, made only a short time before the adjournment of congress on the 4th of March, 1833, that the public deposits were perfectly secure. This declaration was probably made in consequence of suspicions then afloat of a design on the part of the executive to remove the deposits. These suspicions were denied by the press friendly to the administration. Nevertheless, the members had scarcely reached their respective homes before measures were commenced by the executive to effect a removal of the deposits from that very place of safety which it was among the last acts of the house to declare existed in the bank of the United States.

In prosecution of this design, Mr. McLean, the secretary of the treasury, who was decidedly opposed to such a measure, was promoted to the department of state, and Mr. Duane was appointed to succeed him. But Mr. Duane was equally convinced with his predecessor that he was forbidden by every consideration of duty to execute the power with which the law had entrusted the secretary of the treasury, and refused to remove the deposits; whereupon he was dismissed from office, a new secretary of the treasury was appointed, and, in September, 1833, by the command of the president, the measure was finally accomplished. That it was the president's act was never denied, but proclaimed, boasted, defended. It fell upon the country like a thunderbolt, agitating the union from one extremity to the other. The stoutest adherents of the administration were alarmed; and all thinking men, not blinded by party prejudice, beheld in the act a bold and dangerous exercise of power; and no human sagacity, can now foresee the tremendous consequences which will ensue. The measure was adopted not long before the approaching session of congress; and, as the concurrence of both branches might be necessary to compel a restoration of the deposits, the object was to take the chance of a possible division between them, and thereby defeat the restoration.

And where did the president find the power for this most extraordinary act? It has been seen that the constitution, jealous of all executive interference with the treasury of the nation, has confined it to the exclusive care of congress, by every precautionary guard, from the first imposition of the taxes to the final disbursement of the public money.

It has been seen that the language of the sixteenth section of the law of 1816 is express and free from all ambiguity; and that the secretary of the treasury is the sole and exclusive depository of the authority which it confers.

Those who maintain the power of the president have to support it against the positive language of the constitution, against the explicit words of the statute, and against the genius and theory of all our institutions.

And how do they surmount these insuperable obstacles? By a series of far-fetched implications, which, if every one of them were as true as they are believed to be incorrect or perverted, would stop far short of maintaining the power which was exercised.

The first of these implied powers is, that of dismissal, which is claimed for the president. Of all the questioned powers ever exercised by this government, this is the most questionable. From the first congress down to the present administration, it had never been examined. It was carried, then, in the senate by the casting vote of the vice president. And those who, at that day, argued in behalf of the power, contended for it upon conditions which have been utterly disregarded by the present chief magistrate. The power of dismissal is no

where in the constitution granted, in express terms, to the president. It is not a necessary incident to any granted power; and the friends of the power have never been able to agree among themselves as to the precise part of the constitution from which it springs.

But, if the power of dismissal was as incontestable as it is justly controvertible, we utterly deny the consequences deduced from it. The argument is, that the president has, by implication, the power of dismissal. From this first implication another is drawn, and that is, that the president has the power to control the officer, whom he may dismiss, in the discharge of his duties, in all cases whatever; and that this power of control is so comprehensive as to include even the case of a specific duty expressly assigned by law to the designated officer.

Now, we deny these results from the dismissing power. That power, if it exists, can draw after it only a right of general superintendence. It cannot authorise the president to substitute his will to the will of the officer charged with the performance of official duties. Above all, it cannot justify such a substitution in a case where the law, as in the present instance, assigns to a designated officer exclusively the performance of a particular duty, and commands him to report not to the president, but to congress, in a case regarding the public purse of the nation, committed to the exclusive control of congress.

Such a consequence as that which I am contesting would concentrate in the hands of one man the entire executive power of the nation, uncontrolled and unchecked.

It would be utterly destructive of all official responsibility. Instead of each officer being responsible, in his own separate sphere, for his official acts, he would shelter himself behind the orders of the president. And what tribunal, in heaven above or on earth below, could render judgment against any officer for an act, however atrocious, performed by the express command of the president, which, according to the argument, he was absolutely bound to obey?

Whilst all official responsibility would be utterly annihilated in subordinated officers, there would be no practical or available responsibility in the president himself.

But the case has been supposed, of a necessity for the removal of the deposits, and a refusal of the secretary of the treasury to remove them; and it is triumphantly asked if, in such a case, the president may not remove him, and command the deed to be done. That is an extreme case, which may be met by another. Suppose the president, without any necessity, orders the removal from a place of safety to a place of hazard? If there be danger that a secretary may neglect his duty, there is equal danger that a president may abuse his authority. Infallibility is not a human attribute. And there is more security for the public in holding the secretary of the treasury to the strict performance of an official duty specially assigned to him, under all his official responsibility, than to allow the president to wrest the work from his hands, annihilate his responsibility, and stand himself practically irresponsible. It is far better that millions should be lost by the neglect of a secretary of the treasury, than to establish the monstrous principle that all the checks and balances of the executive government shall be broken down, the whole power absorbed by one man, and his will become the supreme rule. The argument which I am combatting places the whole treasury of the nation at the mercy of the executive. It is in vain to talk of appropriations by law, and the formalities of warrants upon the treasury. Assuming the argument to be correct, what is to prevent the execution of an order from the president to the secretary of the treasury to issue a warrant, without the sanction of a previous legal appropriation, to the comptroller to countersign it, to the register to register it, and to the treasurer to pay it? What becomes of that quadruple security which the precaution of the law provided? Instead of four substantive and independent wills, acting under legal obligations, all are merged in the executive voters.

But there was, in point of fact, no cause, none whatever, for the measure. Every fiscal consideration (and no other had the secretary or the president a right to entertain) required the deposits to be left undisturbed in the place of perfect safety where by law they were. We told you so at the time. We asserted that the charges of insecurity and insolvency of the bank were without the slightest foundation. And time, that great arbiter of human controversies, has confirmed all that we said. The bank, from documents submitted to congress by the secretary of the treasury at the present session, appears to be able not only to return every dollar of the stock held in its capital by the public, but an addition of eleven per cent. beyond it.

Those who defend the executive act have to maintain not only that the president may assume upon himself the discharge of a duty specially assigned to the secretary of the treasury, but that he may remove that officer, arbitrarily, and without any cause, because he refused to remove the public depositories without cause.

My mind conducts me to a totally different conclusion. I think, I solemnly believe, that the president "assumed upon himself authority and power not conferred by the constitution and laws, but in derogation of both," in the language of the resolution. I believed then in the truth of the resolution; and I now in my place, and under all my responsibility, reavow my unshaken conviction of it.

But it has been contended on this occasion, as it was in the debate which preceded the adoption of the resolution of 1834, that the senate has no right to express the truth on any question which, by possibility, may become a subject of impeachment. It is manifest that if it may, there is no more usual or appropriate form in which it may be done than that of resolutions, joint or separate, orders, or bills. In no other mode can the collective sense of the body be expressed. But senators maintain that no matter what may be the executive encroachment upon the joint powers of the two houses, or the separate authority of the senate, it is bound to stand mute, and not breathe one word of complaint or remonstrance. According to the argument, the greater the violation of the constitution or the law, the greater the incompetency of the senate to express any opinion upon it! Further, that this incompetency is not confined to the acts of the president only, but extends to those of every officer who is liable to impeachment under the constitution. Is this possible? Can it be true? Contrary to all the laws of nature, is the senate the only being which has no power of self-preservation—no right to complain or to remonstrate against attacks upon its very existence?

The argument is, that the senate, being the constitutional tribunal to try all impeachments, is thereby precluded from the exercise of the right to express any opinion upon any official malfeasance, except when acting in its judicial character.

If this disqualification exist, it applies to all impeachable officers, and ought to have protected the late postmaster general against the resolution, unanimously adopted by the senate, declaring that he had borrowed money contrary to law. And it would disable the senate from considering that treasury order which has formed such a prominent subject of its deliberations during the present session.

And how do senators maintain this obligation of the senate to remain silent and behold itself stripped, one by one, of all its constitutional powers, without resistance, and without murmur? Is it imposed by the language of the constitution? Has any part of that instrument been pointed to which expressly enjoins it? No, no, not a syllable. But it is attempted to be deduced by another far-fetched implication. Because the senate is the body which is to try impeachments, therefore it is inferred the senate can express no opinion on any matter which may form the subject of impeachment. The constitution does not say so. That is undeniable; but senators think so.

The senate acts in three characters, legislative, executive and judicial; and their importance is in the order enumerated. By far the most important of the three is its legislative. In that, almost every day that it has been in session from 1789 to the present time, some legislative business has been transacted; whilst, in its judicial character, it has not sat more than three or four times in that whole period.

Why should the judicial function limit and restrain the legislative function of the senate, more than the legislative should the judicial? If the degree of importance of the two should decide which ought to impose the restraint, in cases of conflict between them, none can doubt which it should be.

But if the argument is sound, how is it possible for the senate to perform its legislative duties? An act in violation of the constitution or laws is committed by the president or a subordinate executive officer, and it becomes necessary to correct it by the passage of a law. The very act of the president in question was under a law to which the senate had given its concurrence. According to the argument, the correcting law cannot originate in the senate, because it would have to pass in judgment upon that act. Nay, more, it cannot originate in the house and be sent to the senate, for the same reason of incompetency in the senate to pass upon it. Suppose the bill contained a preamble reciting the unconstitutional or illegal act, to which the legislative corrective is applied, according to the argument, the senate must not think of passing it. Pushed to

its legitimate consequence, the argument requires the house of representatives itself cautiously to abstain from the expression of any opinion upon an executive act, except when it is acting as the grand inquest of the nation, and considering articles of impeachment.

Assuming that the argument is well founded, the senate is equally restrained from expressing any opinion which would imply the innocence or the guilt of an impeachable officer, unless it be maintained that it is lawful to express praise and approbation, but not censure or difference of opinion.—Instances have occurred in our past history, (the case of the British minister, Jackson, was a memorable one), and many others may arise in our future progress, when, in reference to foreign powers, it may be important for congress to approve what has been done by the executive, to present a firm and united front, and to pledge the country to stand by and support him. May it not do that? If the senate dare not entertain and express any opinion upon an executive measure, how do those who support this expunging resolution justify the acquittal of the president which it proclaims?

No senator believed in 1834 that, whether the president merited impeachment or not, he ever would be impeached. In point of fact he has not been, and we have every reason to suppose that he never will be impeached. Was the majority of the senate, in a case where it believed the constitution and laws to have been violated, and the liberties of the people to be endangered, to remain silent, and to refrain from proclaiming the truth, because, against all human probability, the president might be impeached by a majority of his political friends in the house of representatives?

If an impeachment had been actually voted by the house of representatives, there is nothing in the constitution which enjoins silence on the part of the senate. In such a case, it would have been a matter of propriety for the consideration of each senator to avoid the expression of any opinion on a matter upon which, as a sworn judge, he would be called to act.

Hitherto I have considered the question on the supposition that the resolution of March, 1834, implied such guilt in the president that he would have been liable to conviction on a trial by impeachment before the senate of the United States. But the resolution, in fact, imported no such guilt. It simply affirmed that he had "assumed upon himself authority and power not conferred by the constitution and laws, but in derogation of both." It imputed no criminal motives. It did not profess to penetrate into the heart of the president. According to the phraseology of the resolution, the exceptional act might have been performed with the purest and most patriotic intention. The resolution neither affirmed his innocence, nor pronounced his guilt.—It amounts, then, say his friends on this floor, to nothing. Not so. If the constitution be trampled upon, and the laws be violated, the injury may be equally great whether it has been done with good or bad intentions. There may be a difference to the officer, none to the country. The country, as all experience demonstrates, has most reason to apprehend those encroachments which take place on plausible pretences, and with good intentions.

I put it, Mr. President, to the calm and deliberate consideration of the majority of the senate, are you ready to pronounce, in the face of this enlightened community, for all time to come, and whoever may happen to be the president, that the senate dare not, in language the most inoffensive and respectful, remonstrate against any executive usurpation, whatever may be its degree or danger?

For one, I will not, I cannot. I believe the resolution of March, 1834, to have been true: and that it was competent to the senate to proclaim the truth. And I solemnly believe that the senate would have been culpably neglectful of its duty to itself, to the constitution, and to the country, if it had not announced the truth.

But let me suppose that in all this I am mistaken; that the act of the president to which exception was made was in conformity with the spirit of our free institutions and the language of our constitution and laws; and that, whether it was or not, the senate of 1834 had no authority to pass judgment upon it: what right has the senate of 1837, a component part of another congress, to pronounce judgment upon its predecessor? How can you who venture to impute to those who have gone before you an unconstitutional proceeding escape a similar imputation? What part of the constitution communicates to you any authority to arraign and try your predecessors? In what article is contained your power to expunge what they have done? And may not the precedent lead to a perpetual code of defacement and restoration of the transactions of the senate as consigned to the public records?

Are you not only destitute of all authority, but positively forbidden to do what the expunging resolution proposes? The injunction of the constitution to keep a journal of our proceedings is clear, express and emphatic. It is free from ambiguity: no sophistry can pervert the explicit language of the instrument; no artful device can elude the force of the obligation which it imposes. If it were possible to make more manifest the duty which it requires to be performed, that was done by the able and eloquent speeches, at the last session, of the senators from Virginia and Louisiana, (Messrs. Leigh and Porter), and at this of my colleague. I shall not repeat the argument. But I would ask, if there were no constitutional requirement to keep a journal, what constitutional right has the senate of this congress to pass in judgment upon the senate of another congress, and to expunge from its journal a deliberate act there recorded? Can an unconstitutional act of that senate, supposing it to be so, justify you in performing another unconstitutional act?

But in lieu of any argument upon the point from me, I beg leave to cite for the consideration of the senate two precedents: one drawn from the reign of the most despotic monarch in modern Europe, under the most despotic minister that ever bore sway over any people; and the other from the purest fountain of democracy in this country. I quote from the interesting life of the cardinal Richelieu, written by that most admirable and popular author, Mr. James. The duke of Orleans, the brother of Louis the 13th, had been goaded into rebellion by the wary Richelieu. The king issued a decree declaring all the supporters of the duke guilty of high treason, and a copy of it was despatched to the parliament at Paris, with an order to register it at once. The parliament demurred, and proceeded to what was called an *arret de portage*. "Richelieu, however, could bear no contradiction in the course which he had laid down for himself;" [how strong a resemblance does that feature of his character bear to one of an illustrious individual whom I will not further describe!] "and hurrying back to Paris with the king, he sent in the monarch's name, a command for the members of the parliament to present themselves at the Louvre in a body and on foot. He was obeyed immediately; and the king receiving them with great haughtiness, the keeper of the seals made them a speech, in which he declared that they had no authority to deliberate upon affairs of state; that the business of private individuals they might discuss, but that the will of the monarch in other matters they were alone called upon to register. *The king then tore with his own hands the page of the register on which the arret de portage had been inscribed, and punished with suspension from their functions several of the members of the various courts composing the parliament of Paris.*" How repeated acts of the exercise of arbitrary power are likely to subdue the spirit of liberty, and to render callous the public sensibility and the fate which awaits us, if we had not been recently unhappily taught in this country, we may learn from the same author. "The finances of the state were exhausted, new impositions were devised, and a number of new offices created and sold. Against the last named abuse the parliament ventured to remonstrate; but the government of the cardinal had for its first principle despotism, and the refractory members were punished, some with exile, some with suspension of their functions. All were forced to comply with his will; and the parliament, unable to resist, yielded, step by step, to his exactions."

The other precedent is supplied by the archives of the democracy of Pennsylvania in 1816, when it was genuine and unmixed with any other ingredient.

The provisions of the constitution of the United States and of Pennsylvania, in regard to the obligation to keep a journal, are substantially the same. That of the United States requires that "each house shall keep a journal of its proceedings, and from time to time publish the same, except such parts as may in their judgment require secrecy; and the yeas and nays of the members of either house on any question shall, at the desire of one-fifth of the members present, be entered on the journal." And that of Pennsylvania is, "each house shall keep a journal of its proceedings, and publish them weekly, except such parts as require secrecy; and the yeas and nays of the members, on any question shall, at the desire of any two of them, be entered on the journals." Whatever inviolability, therefore, is attached to a journal, kept in conformity with the one constitution, must be equally stamped on that kept under the other. On the 10th of February, 1816, in the house of representatives of Pennsylvania, "the speaker informed the house that a constitutional question being involved in a decision by him yesterday, on a motion to expunge certain

proceedings from the journal, he was desirous of having the opinion of the house on that decision, viz. that a majority can expunge from the journal any proceedings in which the yeas and nays have not been called." Whereupon Mr. Holgate and Mr. Smith appealed from said decision; and on the question, is the speaker right in his decision? the members present voted as follows: yeas three, nays seventy-eight. Among the latter are to be found the two senators now representing in this body the state of Pennsylvania. On the same day a motion was made by one of them (Mr. Buchanan) and Mr. Kelly, and read as follows: "Resolved, That in the opinion of this house no part of the journals of the house can be expunged even by unanimous consent."

The senate observes that the question arose in a case where the yeas and nays had not been called. Even in such a case there were but four members out of eighty-two that thought it was competent to the house to expunge. Had the yeas and nays been called and recorded, as they were on the resolution of March, 1834, there would not have been a solitary vote in the house of representatives of Pennsylvania in support of the power of expunging.—And if you can expunge the resolution, why may you not expunge also the recorded yeas and nays attached to it?

But if the matter of expunction be contrary to the truth of the case, reproachful for its base subserviency, derogatory from the just and necessary powers of the senate, and repugnant to the constitution of the United States, the manner in which it is proposed to accomplish this dark deed is also highly exceptionable. The expunging resolution, which is to blot out or enshroud the four or five lines in which the resolution of 1834 stands recorded, or rather the recitals by which it is preceded, are spun out into a thread of enormous length. It runs, whereas, and whereas, and whereas, and whereas, and whereas, &c. into a formidable array of nine several whereases. One who should have the courage to begin to read them, unaware of what was to be their termination, would think that at the end of such a tremendous display he must find the very devil. It is like a kite or a comet, except that the order of nature is inverted, and the tail, instead of being behind, is before the body to which it is appended.

I shall not trespass on the senate by inquiring into the truth of all the assertions of fact and of principle contained in these recitals. It would not be difficult to expose them all, and to show that not one of them has more than a colorable foundation. It is asserted by one of them that the president was put upon his trial, and condemned, unheard, by the senate in 1834. Was that true? Was it a trial?—Can the majority now assert, upon their oaths, and in their consciences, that there was any trial or condemnation? During the warmth of debate, senators might endeavor to persuade themselves and the public that the proceeding of 1834 was, in its effects and consequences, a trial, and would be a condemnation of the president; but now, after the lapse of near three years, when the excitement arising from an animated discussion has passed away, it is marvellous that any one should be prepared to assert that an expression of the opinion of the senate upon the character of an executive act was an arraignment, trial and conviction of the president of the United States!

Another fact, asserted in one of those recitals, is, that the resolution of 1834, in either of the forms in which it was originally presented or subsequently modified prior to the final shape which it assumed when adopted, would have been rejected by a majority of the senate. What evidence is there in support of this assertion? None. It is, I verily believe directly contrary to the fact. In either of the modifications of the resolution, I have not a doubt that it would have passed! They were all made in that spirit of accommodation by which the mover of the resolution has ever regulated his conduct as a member of a deliberative body. In not one single instance did he understand from any senator at whose request he made the modification, that, without it, he would vote against the resolution. How, then can even the senators, who were of the minority of 1834, undertake to make the assertion in question? How can the new senators, who have come here since, pledge themselves to the fact asserted in the recital of which they could not have had any conscience? But all the members of the majority—the veterans and the raw recruits—the six years men and the six weeks men—are required to concur in this most unfounded assertion, as I believe it to be. I submit it to one of the latter (looking towards Mr. Dana, from Maine, here by a temporary appointment from the executive), whether, instead of inundating the senate with a torrent of fulsome and revolting adulation poured on the president, it

would not be wiser and more patriotic to illustrate the brief period of his senatorial existence by some great measure fraught with general benefit to the whole union? Or, if he will not or cannot elevate himself to a view of the interest of the entire country, whether he had not better dedicate his time to an investigation into the causes of an alien jurisdiction being still exercised over a large part of the territory of the state which he represents? And why the American carrying-trade to the British colonies, in which his state was so deeply interested, has been lost by a most improvident and bungling arrangement?

Mr. President, what patriotic purpose is to be accomplished by this expunging resolution? What new honor or fresh laurels will it win for our common country? Is the power of the senate so vast that it ought to be circumscribed, and that of the president so restricted that it ought to be extended? What power has the senate? None separately. It can only act jointly with the other house, or jointly with the executive. And although the theory of the constitution supposes, when consulted by him, it may freely give an affirmative or negative response, according to the practice, as it now exists, it has lost the faculty of pronouncing the negative monosyllable. When the senate expresses its deliberate judgment, in the form of resolution, that resolution has no compulsory force, but appeals only to the dispassionate intelligence, the calm reason, and the sober judgment of the community. The senate has no army, no navy, no patronage, no lucrative offices, nor glittering honors to bestow. Around us there is no swarm of greedy expectants, rendering us homage, anticipating our wishes, and ready to execute our commands.

How is it with the president? Is he powerless? He is felt from one extremity to the other of this vast republic. By means of principles which he has introduced, and innovations which he has made in our institutions, alas! but too much countenanced by congress and a confiding people, he exercises uncontrolled the power of the state. In one hand he holds the purse, and in the other brandishes the sword of the country. Myriads of dependants and partisans, scattered over the land, are ever ready to sing hosannas to him, and to laud to the skies whatever he does. He has swept over the government, during the last eight years, like a tropical tornado. Every department exhibits traces of the ravages of the storm. Take, as one example, the bank of the United States. No institution could have been more popular with the people, with congress, and with state legislatures. None ever better fulfilled the great purposes of its establishment. But it unfortunately incurred the displeasure of the president; he spoke, and the bank lies prostrate. And those who were loudest in its praise are now loudest in its condemnation. What object of his ambition is unsatisfied? When disabled from age any longer to hold the sceptre of power, he designates his successor, and transmits it to his favorite! What more does he want? Must we blot, deface and mutilate the records of the country to punish the presumptuousness of expressing an opinion contrary to his own.

What patriotic purpose is to be accomplished by this expunging resolution? Can you make that not to be which has been? Can you eradicate from memory and from history the fact that in March, 1834, a majority of the senate of the United States passed the resolution which excites your enmity? Is it your vain and wicked object to arrogate to yourselves that power of annihilating the past which has been denied to Omnipotence itself? Do you intend to thrust your hands into our hearts and to pluck out the deeply-rooted convictions which are there? Or is it your design merely to stigmatize us? YOU cannot stigmatize US.

Ne'er yet did base dishonor blur our name.

Standing securely upon our conscious rectitude, and bearing aloft the shield of the constitution of our country, your puny efforts are impotent, and we defy all your power. Put the majority of 1834 in one scale, and that by which this expunging resolution is to be carried in the other, and let truth and justice, in heaven above, and on earth below, and liberty and patriotism, decide the preponderance.

What patriotic purpose is to be accomplished by this expunging resolution? Is it to appease the wrath and to heal the wounded pride of the chief magistrate? If he be really the hero that his friends represent him he must despise all mean condescension, all grovelling sycophancy, all self-degradation and self-abasement. He would reject, with scorn and contempt as unworthy of his fame, your black scratches and your baby lines in the fair records of his country. Black lines! Black lines! Sir, I hope the secretary of the senate will preserve the pen with which he may inscribe them, and present it to that senator of the majority whom he may select,

as a proud trophy, to be transmitted to his descendants. And hereafter, when we shall lose the forms of our free institutions, all that now remain to us, some future American monarch, in gratitude to those by whose means he has been enabled, upon the ruins of civil liberty, to erect a throne, and to commemorate especially this expunging resolution, may institute a new order of knighthood, and confer on it the appropriate name of the knight of the black lines.

But why should I detain the senate or needlessly waste my breath in fruitless exertions. The decree has gone forth. It is one of urgency, too. The deed is to be done—that foul deed which like the blood-stained hands of the guilty Macbeth, all ocean's waters will never wash out. Proceed, then, to the noble work which lies before you, and, like other skilful executioners, do it quickly. And when you have perpetrated it go home to the people, and tell them what glorious honors you have achieved for our common country. Tell them that you have extinguished one of the brightest and purest lights that ever burnt at the altar of civil liberty. Tell them that you have silenced one of the noblest batteries that ever thundered in defence of the constitution, and bravely spiked the cannon. Tell them that, henceforward, no matter what daring or outrageous act any president may perform, you have forever hermetically sealed the mouth of the senate. Tell them that he may fearlessly assume what power he pleases, snatch from its lawful custody the public purse, command a military detachment to enter the halls of the capitol, overawe congress, trample down the constitution, and raze every bulwark of freedom; but that the senate must stand mute, in silent submission, and not dare to raise its opposing voice. That it must wait until a house of representatives, humbled and subdued like itself, and a majority of it composed of the partisans of the president, shall prefer articles of impeachment. Tell them, finally, that you have restored the glorious doctrine of passive obedience and non-resistance and, if the people do not pour out their indignation and imprecations, I have yet to learn the character of American freemen.

RELATIONS WITH MEXICO.

DOCUMENTS ACCOMPANYING THE MESSAGE OF THE PRESIDENT OF THE U. STATES, TRANSMITTED TO THE HOUSE OF REPRESENTATIVES ON THE 26TH JANUARY.

Mr. Forsyth to Mr. Ellis.

Department of state, Washington, July 26, 1836.

SIR: The enclosed copies of letters to this department from Mr. Coleman, the acting consul of the United States at Tabasco, will inform you of the outrageous conduct of the authorities there with regard to the officers, crew and cargo of the schooner Northampton, wrecked on the Mexican coast in that quarter, and in relation to the acting consul himself.

The accumulation of causes for complaint on the part of our citizens against the Mexican government, the frequency of their occurrence of late, and, so far as appears from the correspondence of your predecessors, the indisposition of that government to inquire into them, to grant satisfaction for them, or to take proper steps to prevent their recurrence, have by no means tended to strengthen the spirit of forbearance with which the president has hitherto acted towards Mexico; entertaining, as he does, a sincere sympathy for her domestic troubles, and a hearty desire to preserve and cultivate the relations of peace, friendship and good neighborhood with her government and people. He is satisfied, however, that further delay in the acknowledgment, if not in the redress, of the injuries complained of, cannot be acquiesced in, compatibly with the dignity, rights and interests of the United States. He therefore directs, that in presenting to the notice of that government the case of the Northampton, you will make a fresh appeal to its sense of honor and justice in relation to our claims generally; and, to show that the president's estimate of the grievances suffered by our citizens resorting to Mexico, especially since the conclusion of the treaty, is not exaggerated, your note will refer to the following cases, in which the interposition of this government has been asked for since the 5th of April, 1832, and all of which either you or your predecessor has heretofore been instructed to bring to the notice of the Mexican government.

On the 31st of December, 1831, an alcalde of Menoitlan, in the colony of Guazacualco, instituted what is said to have been an illegal, arbitrary and oppressive proceeding against doctor Baldwin, a citizen of the United States, under color of a suit at law, preferred and carried on by a creature of the alcalde himself. Baldwin appeared before the alcalde to answer the charge; an altercation ensued;

and the alcalde ordered him to the stocks, which Baldwin refusing to submit to, attempted to escape, and was pursued by a party of soldiers, who attended the court. In the race, Baldwin fell, received an injury in one of his legs, was captured, carried back into the presence of the alcalde, placed in the stocks, and afterwards imprisoned.

In February, 1832, the schooner *Topaz*, of Bangor, Maine, was employed by the Mexican government to carry troops from Matamoras to Galveston bay. The master and mate were murdered by the soldiers on the passage, the crew imprisoned, and the vessel seized and converted to the Mexican service.

On the 21st June, 1832, the American schooner *Brazoria* was seized in the port of Brazoria, by John Austin, the Mexican military commandant in that quarter, and employed to make an attack upon Anahuac, then in possession of insurgents. During the attack, she was injured so as to be made unseaworthy, and was abandoned as a total loss, for which the underwriters have received no compensation.

In the summer of 1832, the steamboat *Hidalgo* and schooner *Consolation*, belonging to Aaron Leggett, of New York, were forcibly taken possession of by Mexican officers at Tabasco, and used by them. The brig *John*, belonging to Leggett, was also detained, and money was extorted from him. The consequences resulting from these acts are represented to have been ruinous to the sufferer, and the Mexican government is clearly bound by the treaty to indemnify him for them.

In March, 1834, capt. McCeige, of the schooner *Industry*, of Mobile, was imprisoned at Tabasco, and an exorbitant fine demanded of him without cause. The payment of the fine being made the only condition upon which he could be allowed to depart, he abandoned his vessel and her cargo to the authorities, who afterwards sold them.

In the summer of 1834, the brig *Paragon*, of New York, was causelessly fired into on her way to Vera Cruz by the Mexican public armed schooner *Tampico*. In answer to an official representation on the subject by Mr. Butler, that government promised that the affair should be inquired into; but this department is not informed that the promise has been fulfilled.

In the beginning of May, last year, the answer of officers supposed to belong to the custom house, who boarded the brig *Ophir*, of New York, on her arrival at Campeachy, to an inquiry of the captain as to which of the ship's papers it would be necessary to present at the custom house, was accidentally, or intentionally, misinterpreted. In consequence of this, notwithstanding all the papers were shown to the boarding officers, the invoices only being exhibited at the custom house, the vessel was seized and condemned.

In May, 1835, also, the schooner *Martha*, from New Orleans, was seized at Galveston bay by the Mexican armed schooner *Montezuma* for an alleged non-compliance with some of the formalities of their revenue laws. Four of the passengers of the *Martha* were put in irons under the hatches of the *Montezuma*, and otherwise treated with great barbarity, merely for an imputed intention to use their fire arms against a guard that had been placed on board the *Martha*.

In November, 1835, the schooner *Hannah* and *Elizabeth*, of New Orleans, was stranded in attempting to enter Matagorda bay. While in this condition, she was fired into by the Mexican armed schooner *Bravo*, boarded by twenty armed soldiers under the command of two officers, who forcibly took the master, crew and passengers from the wreck, pillaged them of most of their clothes, and chained them in the hold of the *Bravo* until their arrival at Matamoras, where they were continued in confinement; but through the urgent representations of our consul there, all but the captain were eventually released. It is not known to the department that he has yet been liberated, or that any satisfaction has been offered by the Mexican government.

On the 17th of February last, William Hallett and Zalmon Hull, citizens of the United States, were arrested in the streets of Matamoras by a party of armed soldiers, who struck Hull in the face with a sword, and forcibly took both to the principal barrack in that city, where they were confined upon suspicion of being about to proceed to Texas. Shortly afterwards sentinels were placed at the doors of the consul's residence, under false pretences, and all communication with the house prohibited. Armed soldiers broke open his gate during his absence, forcibly took a mare and two mules belonging to him, entered his house with drawn swords, and searched every room in it, for the avowed object of finding the consul. Hallett and Hull have been released, but the department is

not aware that any reparation has been made for the proceedings against them, or for the insult to the consul.

In February last, an attempt was made at the city of Mexico to take from Mr. W. A. Slacum, protected by a courier's passport from this department, public despatches of this government, addressed to Mr. Butler. The attempt failed, but Mr. Slacum was fined and detained for carrying official letters on his person, authenticated by the endorsement of this department, and directed to the charge d'affaires of the United States in Mexico.

In March last, the schooner *Eclipse* was detained at Tabasco, and her master and crew maltreated by the authorities.

In April last, the brig *Jane*, schooner *Compeer*, and other merchant vessels of the United States, were forcibly detained at Matamoras.

You will also notify the Mexican government that it is expected any damage which may have been sustained by citizens of the United States, in consequence of the recent embargo at Vera Cruz, Tampico and other Mexican ports on the gulf, will be repaired, pursuant to the stipulation in the treaty. The papers now sent, show that the military commandant of Tampico, has made the embargo a pretext for interrupting or obstructing the correspondence between the commander of the United States revenue cutter *Jefferson* and our consul there. For these acts, proper satisfaction will likewise be expected. The outrages and indignities committed against consuls and other officers of the United States, though not more unjust nor attended with circumstances of greater hardship than those done to individual citizens, are nevertheless to be considered as greater violations of the rights of the United States, and to be represented accordingly.

Though the department is not in possession of proof of all the circumstances of the wrongs done in the above cases, as represented by the aggrieved parties, yet the complaints are such as to entitle them to be listened to, and to justify a demand on the Mexican government that they shall be promptly and properly examined, and that suitable redress shall be afforded. You will, therefore, immediately address a strong but respectful representation to the Mexican government on the subject of these various injuries. You will also remind it of the numerous other complaints which have been made from time to time, and which still remain undressed. You will likewise set forth the great forbearance which the government of the United States has practiced towards Mexico, and the friendly and benevolent motives which have led to it; and you will state that the president, finding that this moderation and forbearance, so far from being appreciated by Mexico, seem only to be met by new injuries, is constrained, by a high sense of duty, to ask of the Mexican government such reparation as these accumulated wrongs may, on examination, be found to require.

If, contrary to the president's hopes, no satisfactory answer shall be given to this just and reasonable demand within three weeks, you will inform the Mexican government that, unless redress is afforded without unnecessary delay, your further residence in Mexico will be useless. If this state of things continue longer, you will give formal notice to the Mexican government that, unless a satisfactory answer shall be given within a fortnight, you are instructed to ask for your passports; and, at the end of that time, if you do not receive such answer, it is the president's direction that you demand your passports, and return to the United States, bringing with you the archives of the legation.

Mr. William A. Weaver, who is sent as a special messenger with this communication, you will detain until you can frame a full report to the department, as to the state of the business of your mission, as well that under the charge of Mr. Butler as that entrusted to you. You will also send by the messenger, on his return, (if they can be prepared within a reasonable time), copies of Mr. Butler's despatches Nos. 14, 23, 52, 53, 54, 58 and 84, the originals of which were never received; and of all his correspondence with the Mexican government and with others, on public business, so far as the records and files in the legation will allow you to do. Mr. Butler was repeatedly instructed to supply these papers, but the instructions have not been complied with. The expense of the transcripts required will be made a separate charge in your accounts, and will be accompanied by proper vouchers. During Mr. Weaver's necessary detention, you will avail yourself of his assistance in making the copies. He has received five hundred dollars on account of his expenses to Mexico. You will furnish him with a like sum to defray his expenses on his return to Washington,

for which your draft on the department will be honored. I have the honor to be, sir, your obedient servant,

JOHN FORSYTH.
Powhatan Ellis, esq. charge d'affaires U. S. Mexico.

Mr. Forsyth to Mr. Ellis.

Department of State, Washington, Dec. 10, 1836.

Sir: Mr. Gorostiza has, upon his own responsibility, terminated his extraordinary mission to the United States. The president will not believe that the Mexican government is under the influence of the obvious prejudices which have distorted and discolored every object seen here in the view of their functionality. The full and frank explanations of his motives and purposes, in the precautionary means taken on the frontiers, should have satisfied that government that nothing could be further from the president's intentions than to injure Mexico in her interests or in her honor. Under this conviction, he trusts that the departure of the extraordinary mission will, in no respect, interrupt the friendly relations between the two governments; and he instructs me to say, that whatever feelings such a step was calculated to produce, it shall not be permitted to diminish his confidence in the amicable disposition of the Mexican government, nor to operate in his mind prejudicially to its interests. Although the president supposes that the Mexican government will have found, in the communications heretofore made by the department to its envoy extraordinary, satisfactory grounds to justify the measure viewed so unfavorably by Mr. Gorostiza, yet his sincere and strong desire to prevent any misunderstanding on the subject, induced him to determine on the departure of that minister, to make such explanations as might prevent the Mexican government from being misled into the adoption of the errors of their minister. Since my return to the seat of government, the great pressure of other public business, and the condition of the president's health, have delayed until now the execution of that purpose.

So soon as the contest in Texas was found to be inevitable, it became the president's duty to consider its probable consequences to the United States, with a view to guard against the injuries it might produce to our citizens, and to the performance of the obligations of the government to a friendly and neighboring power. The more immediate danger was, that the contending parties might, in the struggle, find it necessary or convenient to seek, for advantage or protection, refuge on the territory of the United States; and that, being pursued by their adversaries, our soil might become the battle ground for deciding the contest. Sufficient warning to both was therefore given, that this could not and would not be permitted. Subsequent events rendered any further precautionary steps in that regard unnecessary; but among the stipulations of Mexico and the United States to each other, was found one obliging each party to restrain the Indians within its dominions from all depredations upon the adjoining power. The extent in which this provision was understood by Mexico will be seen by recurring to the complaints made to this government, that some of the Indians on our side had crossed over, without even an allegation of its having been done with any hostile design towards Mexico. Without assenting to the claims of Mexico as to the extent of the obligations of the United States under the treaty stipulation, the president was duly sensible that it required decisive means on his part to prevent the Indians within the United States from entering into the quarrel in Texas. In addition to warning advice given through our Indian agents, the presence of some of our troops was deemed indispensable to enforce, if necessary, the counsel given to them.—The presence of this force was imperatively demanded to prevent evils which might arise from various other causes. The savage tribes prone to war, within reach of the contending parties, were numerous; and, on the Mexican side, known to be under very imperfect control. These warlike tribes, without regard to the combatants, might be tempted to fall upon the frontiers of the United States or Mexico, hoping that their depredations might be imputed to the known parties in the war. One of the combatants, in the event of defeat, or to strengthen himself against the more potent adversary, might solicit, and, it was to be feared, might obtain, the active co-operation of some of the Indian tribes, whose conduct, when once in the field, it would be impracticable to regulate according to the rules of civilized warfare, or to the obligations of their allies—to respect the territory, the persons and property of neutrals. The distance of the scene of operations from the seat of government compelled the chief magistrate to trust the discretionary power of using the troops to the commanding officer; yet, such care was taken in framing the order, given with the authority to act, that the president

believed it scarcely possible that cause of just complaint could arise; yet, from extreme caution, and from an anxious desire to prevent the possibility of misconception on the part of Mexico, the steps taken were immediately made known to the minister plenipotentiary of that country, with the most explicit specification of the objects for which, and for which alone, the discretionary power to the commander on the frontier was given. The president did not doubt that, on the actual occurrence of any of the evils anticipated, or on satisfactory evidence of imminent danger of them, the commanding officer of the troops on the frontier had an indisputable right, in defence of the United States, or in protecting Mexican territory, according to the stipulation of the treaty, to occupy any position on either side of the line supposed to divide the two countries, which might be necessary to enable him to perform either of those duties. Yet he deemed it proper, from the peculiar circumstances of the contest in Texas, to limit that discretion by special instructions to move towards the Mexican side only under a state of things which should make that step justifiable in the eyes even of those who were disposed to watch every movement on our part with suspicion and jealousy.

You will perceive that Mr. Gorostiza, in his conference with me, distinctly admitted our right, in the event of hostility to the United States by Mexican Indians, to invade the territory of Texas, either to prevent intended injury or to punish actual depredation. In a note written subsequently, he seeks to avoid the force of that admission, by confounding the principle upon which it obviously rests with the right of making war for a violation of treaty engagement. You will find no difficulty in showing to the Mexican government that it rests upon principles of the law of nations, entirely distinct from those on which war is justified—upon the immutable principles of self-defence—upon the principles which justify decisive measures of precaution to prevent irreparable evil to our own or to a neighboring people. The grossness of the error of placing it on the right of war, as also the folly of relying upon that mode of redress, you can render obvious, by supposing that hostilities were, under present circumstances on the frontier, about to begin. Our fellow citizens, of all ages and classes, to be exposed to massacre, their property to destruction, and the whole frontier to be laid waste by those savages, Mexico was bound to control. Until these evils happen, on Mr. Gorostiza's theory, we have no right to take a position which will enable us to act with effect; and, before we do act, according to our promises under the thirty-third article of the treaty, after the frontier has been desolated, we must demand redress of Mexico—wait for it to be refused—and then make war upon Mexico. We are quietly to suffer injuries we might prevent, in the expectation of redress—redress for irreparable injuries from Mexico, who did not inflict them, but who was, from circumstances, without the power to prevent, as she would be, after they were inflicted, without the power to redress them. To make war upon Mexico for this involuntary failure to comply with her obligations, would be equivalent to an attempt to convert her misfortunes into crimes—her inability into guilt. If these injuries had been committed, and our complaints made to Mexico, what answer could be given to declarations of the Mexican government like these? "We had not the power to prevent the evils of which you complain. Our inability to perform our promises was well known to you. It was your duty, having the means, to prevent these evils. We expected this would be done; and if, unwisely, you have suffered them to be inflicted upon you, while we regret infinitely what has occurred, we can only express our regret, and call upon you to consider that your vengeance should fall not on Mexico or her citizens, but upon the tribes who committed the cruelties on your frontiers, or upon the rebellious people (in Texas) by whom those tribes should have been restrained!" In determining upon the precautions authorised by him to avert evils that could not be repaired, to avoid the mockery of calling upon Mexico for redress for injuries it was out of her power to guard against, and the cruelty of seeking for satisfaction of weakness, which was due only from guilt, the president will not—cannot—believe that Mexico, in the present condition of her affairs, will consider her character or interests in the slightest degree injured; and you will distinctly state to that government, that, until they have a force competent to perform the treaty stipulations near the frontier, he will be compelled to regard every indication of dissatisfaction as founded not upon the principles of national law, but on a groundless suspicion of the intentions of the United States.

I shall send, with this despatch, a copy of the president's message at the opening of congress, from

which you will be able to draw additional evidences of the just and amicable intentions of the chief magistrate. The president desires that you should give such explanations to the Mexican government as these instructions will enable you to make; which, if received in the proper and friendly spirit in which they are offered, will, he trusts, remove all ground for doubts and anxieties, if any have been entertained on the subject.

It would be gratifying to the president, if this communication, which you will have to make to the Mexican government, was limited to these explanations. Unfortunately, the conduct of its late minister extraordinary has made it necessary to touch upon even a more unpleasant topic. You will learn with astonishment that Mr. Gorostiza, while enjoying his diplomatic privilege, although after he declared his mission at an end, published, on his own authority, a pamphlet (a copy of which is herewith sent to you) containing parts of his unpublished correspondence with this department, and extracts from his letters to the Mexican secretary of foreign relations, with a long introductory preface. The publication of his correspondence with the department, without the authority of his government, is believed to be unexampled in the history of diplomacy, and was not decorous to the government of the United States. The extracts from his correspondence with his own government, and his introduction to the whole, contain statements and comments defamatory of the government and people of the United States, and obviously intended to injure the character of both, for honor and good faith, in the eyes of the world. This pamphlet, although not circulated generally among our citizens, was in the hands of editors of newspapers, who have published extracts from it; and the president has been informed that two copies of it were sent by its author, at the moment of his departure from the United States, to some, if not to all, the members of the foreign diplomatic body accredited here. This act, still more extraordinary, because it almost immediately followed the communication of the president's intention to direct that explanations, which he believed would be satisfactory, should be made to the Mexican government, has excited but one sentiment among those to whom it is known. In directing you to make known the publication of this pamphlet to the Mexican government, the president does not doubt the truth of the declaration made by its author, that this publication was his own personal act, for which he had no authority from his government; nor will he permit himself to suppose for an instant that it will adopt or sanction conduct so glaringly violating all the decorum of diplomatic usage; so disrespectful to the government and people of the United States; so unworthy the representative of a respectable government; and so well calculated to interrupt the harmony and good will which ought to subsist between the United States and Mexico.

How far the character of the Mexican government for decorum and justice, and an honorable desire to maintain a respectable rank among the civilized nations of the world, require a distinct manifestation of its just displeasure at such an extraordinary step, are questions that belong to itself alone to consider and decide.

In giving you this instruction to make known to the Mexican government the conduct of its envoy, without a demand of reparation at its hands, the president is influenced, as well by the explicit disavowal of the envoy of all participation on the part of his government in the act complained of, as by the sincere conviction, already expressed, that a step so reprehensible will not be countenanced by it.—But if, contrary to all just expectation, the Mexican government shall adopt that act, or give sanction to it, by approving of their minister's conduct, the continuance of diplomatic intercourse between the two countries can no longer be either useful or reputable to the United States. However painful may be the consequences, the honor of the American people requires the president to instruct you, as I now do, in that event, to demand your passports, and to return forthwith, bringing with you all the archives of the legation, to the United States. I have the honor to be, sir, your obedient servant,

JOHN FORSYTH.

Powhatan Ellis, esq. charge d'affaires of the U. S.

TWENTY-FOURTH CONGRESS, SECOND SESSION—SENATE.

February 17. Petitions were presented this day from citizens of Massachusetts, Vermont and New Jersey, praying for the abolition of slavery and the slave trade in the District of Columbia, all of which were not received, the motions to receive them being laid on the table on motions of Mr. Grundy.

Mr. Ewing, of Ohio, presented a memorial from citizens of Pennsylvania protesting against the recognition of the independence of Texas till slave-

ry should be abolished within her limits. Laid on the table.

Several reports, &c. having been delivered, which will be noticed hereafter, various resolutions and unfavorable reports on the table, were considered and adopted.

The resolution offered by Mr. Preston, calling on the president of the United States for a copy of the proceedings of the court of inquiry at Frederick, instituted to inquire into certain charges made against major general Scott, in relation to the Creek war, being before the senate,

Mr. Preston spoke at some length in favor of the resolution. A long debate followed, in which Messrs. Crittenden, Preston, Benton, Cuthbert, Strange and Rives participated. Mr. Strange moved to lay the resolution on the table; negatived by yeas 17, noes 23. On motion of Mr. Rives, the resolution was, in the end, referred to the committee on military affairs: yeas 28, noes not counted.

Mr. Wright gave notice that he should, on Monday next, call up the bill for reducing the tariff on foreign merchandise.

On motion of Mr. Kent, the senate proceeded to the further consideration of the bill for the relief of the executrix of Richard W. Meade. Mr. Clayton addressed the Senate at length in opposition to the bill. A long discussion followed, in which Messrs. Hubbard, Black, Clay, Davis and Walker participated. Mr. Hubbard moved to amend the bill by striking out the second section and inserting a provision that the board constituted by the bill should examine the claim, and report the result to the senate, with the reasons therefor, at the next session of congress. Mr. Black moved to amend this amendment, so that the award of the commissioners, if any, should be paid to the claimant by the secretary of the treasury; and if nothing should be found due to the claimant, the board should then report, &c.

This amendment was adopted by yeas 25, noes 15.

The amendment, as amended, was adopted, and the bill was passed by the following vote, the yeas and noes having been ordered on the call of Mr. Hubbard:

YEAS—Messrs. Bayard, Benton, Black, Brown, Buchanan, Clay, Crittenden, Cuthbert, Ewing, of Illinois, Ewing, of Ohio, Fulton, Grundy, Kent, King, of Georgia, Knight, Linn, Mouton, Nicholas, Niles, Norvell, Rives, Sevier, Southard, Spence, Swift, Tallmadge, Walker, Wall—28.

NAYS—Messrs. Calhoun, Clayton, Dana, Davis, Hendricks, Hubbard, King, of Alabama, Moore, Page, Parker, Prentiss, Robbins, Robinson, Strange, Tipton, Tomlinson, Wright—17.

On motion of Mr. Wright, the senate proceeded to the consideration of the bill to remit the duties on certain goods destroyed by fire at the late conflagration in New York. The bill was explained in detail by Mr. Wright, underwent many small amendments, and, together with the amendments, was ordered to be engrossed for a third reading. The senate then adjourned.

February 18. Mr. Benton presented the credentials of hon. Lewis F. Linn, re-elected a senator of the United States from the state of Missouri, for six years from and after the 4th of March next.

Among the petitions presented were the following:

By Mr. Tipton, praying an alteration in the laws regulating the coasting trade.

By Mr. Linn, from the legislature of Missouri, praying pre-emption rights in certain cases.

Also, from citizens of Wisconsin, praying the improvement of the harbor of Milwaukee.

By Mr. Bayard, from the board of trade of the city of Wilmington; in relation to a port of entry at New Castle.

Several committees were discharged from the consideration of subjects referred to them, and several delivered reports, &c. which will be noticed when before the senate for its final action.

After other business, on motion of Mr. Grundy, the resolution from the committee on the post office and post roads, directing the postmaster general to pay Stockton & Stokes and others to the full amount of the award of the solicitor of the treasury, was taken up and adopted.

The bill to remit the duties on goods destroyed by fire at the late conflagration in New York, was read a third time, passed and sent to the house of representatives for concurrence.

[This bill in its ultimate form, received the unanimous approbation of the senate.]

On motion of Mr. Robbins, the joint resolution authorising the purchase of the manuscripts of the late president Madison, was taken up and considered.

Mr. Robbins spoke at some length in favor of the resolution, and in commendation of Mr. Madison.

Mr. Calhoun said we owed more to Mr. Madison for our institutions, than to any man now living, or

that had gone before. His profound exposition of our government, in the celebrated report in the legislature of Virginia, was by far the ablest document which had come from his pen, and from that Mr. C. had obtained a deeper insight into the nature and structure of our government than from any other document. But Mr. C. thought he would honor the memory of that great man far more by opposing this resolution than by supporting it. He would, however, postpone for the present what he intended to say on the subject, on account of the business which was to come before the senate to-day. The resolution, if it should pass, he believed would require no alteration, and, therefore, the debate upon it might be reserved for its third reading. The resolution was then ordered to be engrossed for a third reading.

The senate proceeded to the consideration of the bill to adjust certain claims to reservations of land under the 14th article of the treaty of 1830, with the Choctaw Indians.

Mr. Black moved to amend the bill by striking out three of its sections, and substituting others in their place, which were read by the secretary in so low a voice as to be quite unintelligible at the reporter's seat.

Mr. Black explained the circumstances of the case, which were in substance these. The Choctaw lands were obtained by the U. S. in virtue of a treaty held at Dancing Rabbit creek. It was not without great difficulty that that treaty was effected; the leading chiefs and the greater part of the nation being strenuously opposed to ceding their lands and removing west of the Mississippi. They actually refused to treat, and left the ground, and the treaty was at last made with a comparatively small number of chiefs; nor could it have been effected at all but for the insertion of an article which provided that such Choctaws as were desirous to remain, and should notify that desire within a given time to the United States' agent, should have lands reserved for them in the following proportion: Every head of a family, one section; for every child over ten years of age, half a section, and for every child under ten years, a quarter of a section. The agent was a man of intemperate and careless habits; and when the Choctaws applied to him, giving notice of their intention to remain on their lands, he in some cases refused to receive the application, and in other cases to record it. Proclamations having been made for the sale of the lands, a number of these Indians, who supposed that they were safe in the possession of their lands, had the land sold from under them. Application was immediately made to the president of the United States, who, on being aware of the hardship of the case, issued an order reserving from sale enough land to make up to these Indians the loss they had sustained, and appointed an agent to locate these floating titles, subject to the subsequent decision of congress. These locations were familiarly known by the title of contingent locations, and were laid down on the very best lands in the state of Mississippi. As soon as it came to be known that this provision was made for the satisfying of the claims of Choctaw Indians whose lands had been improperly sold, those claims became an object of eager speculation. Large speculating companies and sub-companies were formed to take advantage of this state of things. Agents were sent by them across the Mississippi to that portion of the nation which had removed under the treaty, and a large number of claims were collected from among them. All these claims were located on the banks of the Mississippi, or on rich bottoms and islands in the neighborhood of the bayous, and embraced some thousands of sections of the finest land in Mississippi. A bill had been introduced at the last session by the committee on private land claims, the effect of which would be to confirm all these locations, and thus to sanction one of the most stupendous frauds which had been attempted since the days of the famous Yazoo scheme. The object of Mr. Black's amendment was so to alter the bill of the last year (which has not become a law) as to prevent the confirmation of these claims, but, as was understood by the reporter, to provide for their examination, by a board of commissioners, before whom the Choctaws were to prove their claims in person, and which declared all previous sales of their floating rights null and void.

Mr. Black said he was willing to modify his amendment, if it was thought best, so as to allow to the Indians who should make good their rights before the commissioners the amount in money for which their lands were sold.

Mr. Ewing, of Ohio, advocated the amendment, though he considered it as not sufficiently guarded.

Mr. Bayard replied at length, vindicating the bill as reported last year by the committee on private land claims, (to which he belongs). He contended

that the bill did no more than fulfil the treaty stipulation to which the faith of the United States had been pledged. The Indians who wished to remain were entitled to the amount of land which that treaty gave them. By the gross and oppressive misconduct of our own agent they had been deprived of these rights, and turned out of house and home, when reposing on the good faith of this government. It was indispensable that somebody should have taken up their cause, and made an effort to get them justice; and it was rather too much to expect that persons who had gone to great trouble and expense for that purpose should be so very disinterested as not to require some share in the land which, but for them, would have been lost entirely. He denied, however, that the bill of the last session went unconditionally to confirm the contingent locations. It appointed a board of commissioners, before whom the rights of the Indians must be substantiated by competent proof, such as would be received at common law, before a court of justice. He disclaimed all desire to encourage speculation, or foster speculators on Indian rights, and he therefore introduced several amendments into the bill, with a view to obviate the evils which Mr. Black had stated; one of which provided that the land to be given to the Indian in exchange for that of which he had been deprived should not greatly exceed it in value. Another of them declared all compacts made by the Indians for the disposal of these claims null and void, and reserved a decision upon them until the next session of congress.

Mr. Walker, in pursuance of instructions from the legislature of Mississippi, strenuously opposed the bill as reported by the committee. He also opposed the amendments proposed by Mr. Bayard, greatly preferring that of his colleague, (Mr. Black); on which he demanded the yeas and nays.

Mr. Preston, after a course of general observations on the practical difficulty, and even impossibility of making any arrangement in favor of these Indians which would not immediately be seized upon by the superior sagacity of the whites, and converted to their own advantage, suggested that the best plan of getting rid of the whole difficulty would be to allow the Choctaws, who had been unjustly deprived of their lands, to enter the same quantity in any lands of the United States subject to private entry; not that he had the least idea that they would hold these lands, for he had no doubt that, before a year was passed, they would all be converted into money, which money would all be expended in a drunken frolic. But this would satisfy the claims of justice on the government, and these Choctaws would then be left to follow the destiny of the residue of their tribe, who had gone west of the Mississippi river.

Mr. White thought the most prudent course would be to appoint a board of commissioners to make diligent inquiry into the facts of the case; the number of heads of families; the number of their children over and under ten years of age; the notification of their intention to remain; the lands they had occupied, and the prices at which those lands had sold; and to make a full and accurate return to congress; and let congress decide on the whole case as thus presented.

[The above presents a concise view of the substance of a debate of a protracted and desultory character, which occupied the senate till a late hour.]

The bill was then laid over till Monday.

Mr. Buchanan, from the committee on foreign relations, presented the following report:

The committee on foreign relations, to whom was referred the message of the president of the United States of the 6th instant, with the accompanying documents, on the subject of the present state of relations with Mexico, report:

That they have given to this subject that serious and deliberate consideration which its importance demands, and which any circumstances calculated to interrupt our friendly relations with the Mexican republic would necessarily ensure. From the documents submitted to the committee, it appears that, ever since the revolution of 1822, which separated Mexico from Spain, and even for some years before, the United States have had repeated causes of just complaint against the Mexican authorities. From time to time, as these insults and injuries have occurred, demands for satisfaction and redress have been made by our successive public ministers at the city of Mexico, but almost all these demands have hitherto proved unavailing.

It might have been expected that, after the date of the treaty of amity, commerce and navigation, concluded between the two republics on the fifth day of April, one thousand eight hundred and thirty-one, these causes of complaint would have ceased to exist. That treaty so clearly defines the rights and the duties of the respective parties, that it seems almost impossible to misunderstand or to

mistake them. The committee, notwithstanding, regret to be compelled to state that all the causes of complaint against Mexico, which have been specially noticed in the correspondence referred to them, have occurred since the conclusion of this treaty.

We forbear from entering into any minute detail of our grievances. The enumeration of each individual case, with its attendant circumstances, even if the committee were in possession of sufficient materials to make such a compilation, is rendered unnecessary from the view which they have taken of the subject. These cases are all referred to in the document No. 81, entitled "claims on Mexico," in the letter of instructions from Mr. Forsyth to Mr. Ellis, of the 20th of July, 1836, and in the subsequent correspondence between Mr. Ellis and Mr. Monasterio, the acting Mexican minister of foreign affairs.

If the government of the United States were disposed to exact strict and prompt redress from Mexico, your committee might, with justice, recommend an immediate resort to war or reprisals. On this subject, however, they give their hearty assent to the following sentiments contained in the message of the president. He says, "the length of time since some of the injuries have been committed, the repeated and unavailing applications for redress, the wanton character of some of the outrages upon the property and persons of our citizens, and upon the officers and flag of the United States, independent of recent insults to this government and people by the late extraordinary Mexican minister, would justify, in the eyes of all nations, immediate war. That remedy, however, should not be used by just and generous nations, confiding in their strength, for injuries committed, if it can be honorably avoided; and it has occurred to me that, considering the present embarrassed condition of that country, we should act with both wisdom and moderation, by giving to Mexico one more opportunity to atone for the past, before we take redress into our own hands."

In affording this opportunity to the Mexican government, the committee would suggest the propriety of pursuing the form required by the 34th article of the treaty with Mexico, in all cases to which it may be applicable. This article provides that "if (what indeed cannot be expected) any of the articles contained in the present treaty shall be violated or infringed in any manner whatever, it is stipulated that neither of the contracting parties will order or authorize any acts of reprisal, nor declare war against the other, on complaint of injuries or damages, until the said party considering itself offended, shall first have presented to the other a statement of such injuries or damages, verified by competent proofs, and demanded justice and satisfaction, and the same shall have been either refused or unreasonably delayed."

After such a demand, should prompt justice be refused by the Mexican government, we may appeal to all nations, not only for the equity and moderation with which we shall have acted towards a sister republic, but for the necessity which will then compel us to seek redress for our wrongs, either by actual war or by reprisals. The subject will then be presented before congress at the commencement of the next session, in a clear and distinct form, and the committee cannot doubt but that such measures will be immediately adopted as may be necessary to vindicate the honor of the country, and ensure ample reparation to our injured fellow citizens. They leave the mode and manner of making this demand to the president of the United States.

Before concluding their report, the committee deem it necessary to submit a few remarks upon the conduct of Mr. Gorostiza, the late envoy extraordinary and minister plenipotentiary of the Mexican republic to the United States. In regard to that functionary, they concur fully in opinion with Mr. Forsyth, that he was under the influence of prejudices which distorted and discolored every object which he saw whilst in this country. On the 15th of October, 1836, he terminated his mission by demanding his passports. And for what reason? Because the president refused to recall the orders which he had issued to the general commanding the forces of the United States in the vicinity of Texas, directing him to pass the frontier, should it be found a necessary measure of self-defence; but prohibiting him from pursuing this course unless the Indians were actually engaged in hostilities against the citizens of the United States, or he had undoubted evidence that such hostilities were intended, and were actually preparing within the Mexican territory.

A civil war was then raging in Texas. The Texian troops occupied positions between the forces of Mexico and the warlike and restless tribes

of Indians along the frontiers of the United States. It was manifest that Mexico could not possibly restrain by force these tribes within her limits from hostile incursions upon the inhabitants of the United States, as she had engaged to do by the 33d article of the treaty. No matter how strong may have been her inclination, the ability was entirely wanting. Under such circumstances, what became the duty of the president of the United States? If he entertained reasonable apprehensions that these savages meditated an attack from the Mexican territory against the defenceless citizens along our frontier, was he obliged to order our troops to stand upon the line, and wait until the Indians, who know no rule of warfare but indiscriminate carnage and plunder, should actually invade our territory? To state the proposition is to answer the question. Under such circumstances, our forces had a right, both by the law of nations and the great and universal law of self-defence, to take a position in advance of our frontier, in the country inhabited by these savages, for the purpose of preventing and restraining their incursions.

The Sabine is so distant from Washington, that it became absolutely necessary to intrust this discretionary power to the commanding general. If the president had not issued such orders in advance, all the evils might have been inflicted before the remedy could have been applied; and in that event he would have been justly responsible for the murders and devastation which might have been committed by the Mexican Indians on citizens of the United States.

When these discretionary orders were issued to general Gaines, they were immediately communicated to Mr. Gorostiza, in the most frank and friendly spirit. The fullest explanations of the whole proceeding were made to him, and he was over and over again assured that this occupation of the Mexican territory, should it become necessary, would be of a limited, temporary and purely defensive character, and should continue no longer than the danger existed; that the president solemnly disclaimed any intention of occupying the territory beyond the Sabine with the view of taking possession of it as belonging to the United States; and that this military movement should produce no effect whatever upon the boundary question.

The committee believe that Mr. Gorostiza ought to have been satisfied with these explanations.—But they failed to produce any effect upon his mind. Without instructions from his government, he retired from his mission upon his own responsibility. This was not all. Before he left the U. States he published a pamphlet, containing a portion of his correspondence with our government and with his own, from which latter it appears that, whilst engaged upon the business of his special mission here, he was making charges of bad faith against the United States to the Mexican secretary of foreign relations. The committee will not enlarge upon the glaring impropriety of such conduct. The publication of such a pamphlet by a foreign minister, in the country to which he has been accredited, before taking his departure, can be considered in no other light than as an appeal to the people against the acts of their own government. It was a gross violation of that diplomatic courtesy which ought ever to be observed between independent nations, and deserves the severest condemnation. This act was still more extraordinary when we consider that it almost immediately followed the note of Mr. Dickens to him, of the 20th October, 1836, assuring him that the president would instruct Mr. Ellis to make such explanations to the Mexican government of the conduct of that of the United States as he believed would be satisfactory.

The committee regret to learn, from the note of Mr. Ellis to Mr. Forsyth of the 9th December last, that the Mexican government has publicly approved of the conduct of its minister whilst in the United States. They trust that a returning sense of justice may induce it to reconsider this determination. They are willing to believe that it never could have been made, had that government previously received the promised explanation of the president, contained in the letter of Mr. Forsyth to Mr. Ellis of the 10th December, 1836, which, unfortunately, did not reach Mexico until after the latter had taken his departure. This letter, with the president's message at the commencement of the present session of congress, cannot fail to convince the Mexican government how much they have been misled by the representations of their minister.

After a full consideration of all the circumstances, the committee recommend the adoption of the following resolution:

Resolved, That the senate concur in opinion with the president of the United States that another demand ought to be made for the redress of our

grievances from the Mexican government, the mode and manner of which, under the 34th article of the treaty, so far as it may be applicable, are properly confided to his discretion. They cannot doubt, from the justice of our claims, that this demand will result in speedy redress; but should they be disappointed in this reasonable expectation, a state of things will then have occurred which will make it the imperative duty of congress promptly to consider what further measures may be required by the honor of the nation and the rights of our injured fellow citizens.

Ordered, That 2,000 extra copies of the above report be printed.

And then the senate adjourned.

February 20. A memorial was presented by Mr. Clay, from a very large number of persons, who stated themselves to be American authors and friends of literature, calling the attention of congress to the subject of copy-right laws, and expressing an anxious wish that those laws might be so modified as to extend their benefits to foreign authors. Mr. C. further remarked that the evidences in favor of the measure of granting copy-rights to foreign authors were so strong, as not to leave a doubt on any mind of its favorable reception by the country. Under these circumstances, he said, he should call up the bill, granting such rights, as soon as convenient. The memorial was laid on the table, and ordered to be printed.

Mr. Prentiss presented the petition of a number of citizens of Sheffield, in Vermont, praying for the abolition of slavery and the slave trade in the District of Columbia; and moved that it be received, and referred to the committee for the District of Columbia.

On motion of Mr. Grundy, the motion to receive was ordered to be laid on the table.

Other petitions, &c. were presented by Messrs. Wright, Davis, Bayard, Southard, Tomlinson, Ewing, of Illinois, Robbins and Linn, all of which were referred.

Mr. Wright, from the committee on finance, on a senate resolution of the 5th of January, reported a bill authorising the payment of compensation to agents and the attorneys of agents, under certain treaties with foreign powers allowing indemnities. Read, and ordered to a second reading.

Mr. Wright, from the same committee, reported, without amendment, the bill, recommitted to them, anticipating the payment to claimants of the French and Neapolitan indemnities.

Mr. Southard, from the committee on naval affairs, made an unfavorable report on the message of the president of the United States, and the petition of citizens of Charleston, South Carolina, in relation to the establishment of a navy yard south of Chesapeake bay. The report was laid on the table, and ordered to be printed, with the accompanying documents.

Mr. S. also, from the same committee, reported the bill referred to them, for the establishment of a naval academy, with two amendments; which were read.

Mr. White, from the committee on Indian affairs, reported the bill from the house referred to them, making appropriations for the current expenses of the Indian department, and for Indian annuities for the year 1837, with several amendments; which were read; and Mr. W. gave notice that he should call the bill up to-morrow.

Mr. Rives presented the memorial of the university of Virginia, asking a change in the copy-right laws in favor of foreign authors.

The senate proceeded to the consideration (on its third reading) of the following joint resolution:

Resolved, &c. That the joint committee on the library be, and they are hereby, authorised and empowered to contract for and purchase, at the sum of thirty thousand dollars, the manuscripts of the late Mr. Madison, referred to in a letter from Mrs. Madison to the president of the United States, dated fifteenth of November, eighteen hundred and thirty-six, and communicated in his message of the sixth of December, eighteen hundred and thirty-six, conceding to Mrs. Madison the right to use copies of the said manuscripts in foreign countries as she may think fit.

A long debate ensued on this resolution in which Messrs. Calhoun, Preston, Webster, Niles, Crittenden, Rives and Clay participated.

The question on the passage of the resolution was then decided by the following vote:

YEAS—Messrs. Bayard, Benton, Black, Brown, Buchanan, Clay, Clayton, Crittenden, Cuthbert, Fulton, Grundy, Hendricks, Kent, Linn, Lyon, McKean, Mouton, Norvell, Parker, Preston, Rives, Robbins, Robinson, Southard, Spence, Strange, Tallmadge, Walker, Wall, Webster, White, Wright—32.

NAYS—Messrs. Calhoun, Davis, Hubbard, King, of Alabama, Knight, Moore, Morris, Nicholas, Niles, Page, Prentiss, Ruggles, Swift, Tipton—14.

So the resolution was passed, and sent to the house of representatives for concurrence.

Mr. Wright, pursuant to notice given on Saturday, moved to take up the bill for the reduction of the tariff. Mr. Bayard pressed for the resumption of the Choctaw land bill, as the unfinished business. The question being taken on Mr. Wright's motion, it was negatived: ayes 13, noes not counted.

The senate then resumed the consideration of the bill for confirming certain contingent locations of land in the state of Mississippi, &c.

The question being on Mr. Black's amendment to strike out certain sections of the bill, as stated in Saturday's report, and substitute others therefor. After some remarks from Mr. White, which he concluded by reading an amendment he intended to move as a substitute for the whole bill, Mr. Black consented to withdraw his amendment. Mr. White thereupon moved his substitute for the whole bill, which proposes a board of commissioners to examine the claim of each Choctaw Indian, and make a particular report of all the facts to congress at its next session. Mr. Bayard moved an amendment to it, which, after a desultory conversation, was withdrawn. Mr. White's substitute was thereupon agreed to, the blanks filled with \$3,000 as salary for each commissioner, \$2,000 for the district attorney, \$1,500 for a clerk, and the bill limited to the 1st of March, 1838. It was then reported to the senate, and ordered to be engrossed for a third reading.

Mr. Tipton endeavored to get up a bill supplementary to the act for the removal of the Indians west of the Mississippi; but the senate refused at this time to consider it, and,

On motion of Mr. Southard, proceeded to take up the calendar, and consider the bills thereon in their respective order.

The following bills were considered as in committee of the whole, reported to the senate, and respectively ordered to a third reading, viz:

A bill to authorise the employment of boys in the naval service. (Briefly explained by Mr. Southard.) A bill in addition to an act entitled an act to provide more effectually for the settlement of the accounts between the United States and the receivers of public money. A bill for the relief of Tench Ringgold. A bill authorising certain internal improvements in Florida. A bill for the completion of certain internal improvements in Florida. A bill authorising the location of the Gainesville and Narketta rail road, chartered by the states of Alabama and Mississippi, through the public lands. A bill to authorise the Ohio rail road company to locate a rail road through the public lands. A bill for the completion of the improvement of certain rivers and roads in Florida. A bill making appropriation for the completion of certain military roads in Arkansas. (On this bill some debate arose, from attempts by Mr. Norvell and Mr. Moore to attach to it amendments for certain roads in Michigan and Alabama; but the one was withdrawn, and the latter rejected by yeas and nays.)

Mr. Norvell gave notice of his intention to introduce a bill for the construction of a military road in Michigan. Mr. Walker, that he should to-morrow call up for consideration his resolution for recognizing the independence of Texas.

The senate then went into executive business; and afterwards adjourned.

February 21. Mr. Hubbard presented the credentials of the hon. Franklin Pierce, elected United States senator from New Hampshire for six years from the 3d of March next.

Petitions praying the abolition of slavery and the slave trade in the District of Columbia were presented—

By Mr. Davis: From sundry inhabitants of Paxton, Massachusetts, from George Haskell and others, and from Nathaniel Taylor and others. And by Mr. Knight, from inhabitants of Rhode Island.

Which petitions were severally objected to by Mr. Walker, and the question of reception laid on the table, on motion of Mr. Grundy. The petitions thus not being received,

Other petitions were presented by Mr. Webster and Mr. Ewing, of Illinois, all referred.

Mr. Davis presented the memorial of Joshua Jones and others in relation to the evils to be apprehended from the immigration of foreigners, in its present and increasing extent, and praying an investigation of the subject. Laid on the table.

Several committees were discharged from the consideration of business referred to them.

Mr. Lyon, on leave, introduced a bill granting to the state of Michigan five per cent. on all the sales

of the public lands within her limits, from January 1st, 1834, to July 1st, 1836. Read twice, and referred.

Mr. *Buchanan* gave notice that he should, on Tuesday next, call up the report of the committee on foreign relations on the subject of our relations with Mexico.

By Mr. *Preston*—Resolved, That the secretary of war be authorised to extend the experiments on fire arms authorised to be made by a former resolution of the senate, to such other improvements as may be presented, and as may be thought deserving of such experiments.

By Mr. *Tomlinson*—Resolved, That the committee on pensions be instructed to inquire into the expediency of reviving the act of May 24th, 1828, to provide for persons who were disabled by known wounds, received in the revolutionary war.

The bills ordered to a third reading on yesterday, were read a third time, passed, and sent to the house of representatives for concurrence.

On the bill making appropriations for certain military roads in Arkansas, the yeas and nays were taken on the call of Mr. *King*, of Geo. and were as follows:

YEAS—Messrs. Bayard, Benton, Buchanan, Clay, Clayton, Cuthbert, Davis, Ewing, of Illinois, Fulton, Grundy, Hendricks, Kent, Linn, McKean, Nicholas, Norvell, Robbins, Robinson, Sevier, Southard, Swift, Tallmadge, Tipton, Walker, Webster, Wright—26.

NAYS—Messrs. Black, Brown, Calhoun, King, of Ala. King, of Georgia, Knight, Moore, Morris, Page, Parker, Preston, Rives, Strange, Tomlinson, Wall—15.

Mr. *Wright* moved to take up the bill reducing the duties on certain imported articles. Mr. *Clay* said, before voting on this motion, he wished to inquire of the senator whether it was intended that the bill should pass in its present shape, or that protected articles should be stricken from it. He believed the senate generally would agree to a reduction of the duties on all except protected articles. Mr. *Wright* said it was impossible to answer this question. He merely wished the senate to take up the bill and act upon it, as they should think proper. He had no instructions from the committee, and he was not prepared himself to move to strike out any part of the bill. Mr. *Calhoun* said he believed there would be no dispute about the reduction of a large proportion of the articles; the others would be indicated by the discussion on the bill. Mr. *Walker* said he should vote against the motion to take up the bill, because he hoped the senate would take up to-day the subject of recognizing the independence of Texas. Mr. *Calhoun* preferred to try first the question on Mr. *Wright's* motion, and, if that should fail, the question on Texas might then be tried. Mr. *Wright* said if the subject was doubtful in the minds of a majority of the senate, he was not disposed to worry the body. He would regard a refusal to take up the bill now as amounting to a refusal to act upon it at the present session. He would, therefore, ask for the yeas and nays on the question; which were ordered. Mr. *Clay* said he should certainly vote for taking up the bill now, after what Mr. *W.* had said, because a bill passed the senate at the last session for reducing the duties on all the articles enumerated in this bill, with three or four exceptions. He wished moreover to know what was the intention of Mr. *W.* and other senators on this subject, and to ascertain whether they really intended to preserve the general policy of the compromise. Mr. *Webster* said he considered it as very important that the bill should be taken up. He deemed it the indispensable duty of congress to reduce the tariff so far as it could be done without interfering with protected articles. Mr. *Calhoun* also urged the importance of taking up the bill now, and hastening its progress. Mr. *Buchanan* said the legislature of Pennsylvania had instructed him and his colleague on this subject; and although the instructions had not yet arrived, he knew this morning that they had passed, and that they instructed them to vote against any reduction of the tariff as it was established in March, 1833, on the principle that to touch this subject at all might endanger their interests. Mr. *B.* confessed, though he held the opinions of the legislature in high respect, that, had it not been for these instructions, he should have voted to take off the duties entirely, so far as it would not interfere with protection, and would not violate the compromise act; and he would have done it on the principle of throwing useless lumber overboard for the purpose of saving the valuable part of the cargo. But he now felt bound to act according to his instructions, and would certainly bow to them with the utmost deference and respect.

Mr. *Clay* said he hardly thought the legislature of Pennsylvania had gone so far as the senator

supposed. The compromise act had expressly provided that, if there should be any deficiency in the revenue, it should be made up by increasing the duty on articles below 20 per cent. and, on the other hand, if there should be an excess of revenue, it should be remedied by a reduction on articles below 20 per cent. so that, with the exception of three or four articles, this bill was in entire accordance with the compromise act. And, so far from injuring the manufacturing interest, Mr. *C.* believed it would be beneficial to it. They therefore ought not to hesitate to take up the bill, and pass those parts of it which would not interfere with protection. Mr. *Buchanan* said he was very much indebted to the gentleman for his commentary on Mr. *B.'s* instructions. But, under his favor, he would construe them for himself. (Mr. *B.* here read the instructions, which were clear, explicit and imperative.)

The question on taking up the bill was now tried, and carried in the affirmative as follows:

YEAS—Messrs. Bayard, Benton, Black, Brown, Calhoun, Clay, Clayton, Cuthbert, Davis, Ewing, of Ill. Fulton, Grundy, Hendricks, Hubbard, King, of Ala. King, of Geo. Knight, Linn, Lyon, Moore, Morris, Nicholas, Norvell, Page, Parker, Prentiss, Preston, Rives, Robinson, Southard, Strange, Swift, Tallmadge, Tomlinson, Walker, Wall, Webster, Wright—38.

NAYS—Messrs. Buchanan, Kent, McKean, Robbins, Sevier, Spence, Tipton—7.

The senate, on motion of Mr. *Wright*, took up the bill to reduce the tariff.

Mr. *Wright* laid before the senate a letter from Ellicott & Co. on the subject of the manufacture of chemicals, the small amount of duty that would be reduced, and the great injury inflicted on our own establishments by making free of duty the articles of aquafortis, muriatic acid, bichromate of potash, chromate of potash, prussiate of potash, tartaric acid, Prussian blue, calomel, sulphate of magnesia, sulphate of quinine, Rochelle salts, and tartar emetic.

Mr. *Webster*, after a few brief remarks on the impropriety of taking off the duty on these articles without further information, moved to strike them out of the bill. [The bill proposes to admit them free of duty.]

Mr. *Sevier* wished to except the articles of calomel, quinine and salts, as being the only ones in which his constituents had an interest; they took large quantities of them.

After a short debate, in which Messrs. *Knight*, *Kent*, *Davis*, *Linn*, *Clay*, *Buchanan*, *Sevier* and *Calhoun* took part, the question was put on striking out the residue of these articles, with the exception of calomel, salts and quinine, and agreed to.

The question being put separately on striking out these, (i. e. retaining the present duty upon them), it was decided in the negative, as follows:

YEAS—Messrs. Bayard, Black, Buchanan, Clay, Crittenden, Davis, Ewing, of Illinois, Kent, Knight, McKean, Norvell, Prentiss, Southard, Swift, Tallmadge, Tomlinson, Wall, Webster—18.

NAYS—Messrs. Benton, Brown, Calhoun, Clayton, Cuthbert, Fulton, Grundy, King, of Alabama, King, of Ga., Linn, Lyon, Nicholas, Niles, Page, Parker, Preston, Rives, Robinson, Sevier, Spence, Strange, Tipton, Walker, Wright—24.

So they were retained in the bill as free of duty.

Mr. *Davis* moved to strike out the words "worsted yarn." A debate ensued, in which Messrs. *Dana*, *Cuthbert*, *Preston*, *Wright* and *Grundy* took part: when the motion prevailed—yeas 23, noes not counted. So worsted yarn was stricken from the bill, and the duty upon it retained.

Mr. *Davis* moved to strike out the article of "olive oil;" and after a debate in which Messrs. *Davis*, *Niles*, *Wright*, and *Cuthbert* participated, the motion was negatived—yeas 15, noes 19. So olive oil was left free of duty.

Mr. *Wall* moved to strike out "China, porcelain, and earthen and stone ware;" and after a debate, in which Messrs. *Wall*, *Calhoun*, *Buchanan*, *Webster*, *Cuthbert*, and *Clay* took part, Mr. *Norvell* demanded the yeas and nays, in order that, as this might be considered a test question, whether the senate would or would not interfere with the compromise, the opinions of senators might be ascertained. They were ordered accordingly, and stood as follows:

YEAS—Messrs. Bayard, Black, Buchanan, Calhoun, Clay, Clayton, Davis, Ewing, of Ohio, Hendricks, Kent, Knight, McKean, Nicholas, Prentiss, Preston, Robbins, Southard, Swift, Tallmadge, Tipton, Tomlinson, Wall, Webster, White—24.

NAYS—Messrs. Benton, Brown, Cuthbert, Ewing, of Illinois, Fulton, Hubbard, King, of Alabama, Linn, Mouton, Niles, Norvell, Page, Parker, Rives, Robinson, Ruggles, Sevier, Strange, Walker, Wright—20.

So the article was stricken out, the duty retained, and the principle laid down in the compromise act complied with.

Mr. *Davis* next moved to strike out the article of "common salt." On this motion a prolonged debate ensued of great interest and animation, in which Messrs. *Benton*, *Wright*, and *Preston*, each occupied the floor at considerable length, and in which, not merely the immediate question of the duty on salt, but the general bearings of the bill, particularly in its relation to the compromise act of 1833, were discussed.

Mr. *Davis* obtained the floor, and was about to address the senate, when on motion of Mr. *Webster*, the senate, at half past five o'clock, adjourned.

February 22. After several petitions had been presented and referred, and several bills reported and ordered to a second reading,

On motion of Mr. *White*, the senate proceeded to the consideration of the bill making appropriations for the Indian department for 1837.

Mr. *White* explained, at some length, the various provisions of the bill, and the several amendments to the bill proposed by the committee were considered and adopted.

Messrs. *Sevier*, *Linn*, *Calhoun* and *Tipton* participated in a discussion, chiefly relating to the removal and location of the Indians; the most of which was rendered totally unintelligible to the reporter by the noise and lowness of speaking.

On motion of Mr. *White*, the bill was amended so as to authorise the removal of the Indians to the west of the Mississippi, generally, instead of south west of the Arkansas.

The bill having been still further amended, on motions of Messrs. *Sevier* and *White*, was ordered to a third reading.

On motion of Mr. *Davis*, the bill for reducing the tariff was postponed, and made the special order for to-morrow. And

The bill authorising the public vessels to be employed on our coast as relief-vessels, in the winter season, was considered as in committee of the whole, and ordered to be engrossed for a third reading.

On motion of Mr. *Davis*, the bill making Jersey City a port of entry, and for other purposes, was considered as in committee of the whole, and amendments offered by Messrs. *Davis* and *Walker* were ordered to be printed with the bill; when, on motion of Mr. *Tallmadge*, the senate adjourned at half past one o'clock.

HOUSE OF REPRESENTATIVES.

Friday, Feb. 17. On motion of Mr. *Patton*, the rule of the house was suspended for the purpose of taking up, on its first and second reading, the bill from the senate entitled "an act supplementary to the act entitled an act to amend the judicial system of the United States."

On motion of Mr. *Gholson*, the bill having been read twice, was referred to the committee on the judiciary.

On motion of Mr. *Grennell*, the bill from the senate providing for the compensation of the volunteers from Tennessee and other western states, was read twice by its title, and referred to the committee of claims.

The speaker laid before the house a communication from the secretary of state, transmitting statements showing the number and designation of the passengers who have arrived from foreign countries into each collection district of the United States, and in each quarter during the year 1836, according to returns made to the secretary of state, pursuant to the act of 2d March, 1819, regulating passenger ships and vessels.

On motion of Mr. *Sutherland*, the same was laid on the table and ordered to be printed.

R. M. Whitney accused of a contempt of this house having been placed at the bar, the examination of witnesses was resumed.

Saturday, Feb. 18. By unanimous consent, Mr. *Jenifer*, from the select committee to which was referred the memorial of the tobacco planters, and the resolutions of the general assembly of the state of Maryland, upon the subject of high rates of duty and restrictions imposed by foreign governments upon American tobacco, reported the following joint resolution; which read the first and second time, viz:

Resolved, &c. That the president be requested to instruct the ministers and other representatives of this country in France, England, Russia, Prussia, Holland and Germany, to negotiate with the respective governments by which they are accredited for a modification of the duties and restrictions upon tobacco imported from the United States, and that he be also requested to appoint special agents to negotiate in like manner with the governments of

those countries into which tobacco is imported under similar restrictions, that have no accredited representatives from the United States.

[This resolution was accompanied by an able report, going fully into the subject, which we shall publish hereafter.]

By unanimous consent, Mr. Howard, from the committee on foreign affairs, to whom the president's message and sundry memorials in relation to Texas were referred, reported the following resolutions, which were read and laid upon the table, viz:

Resolved by the house of representatives of the United States, That the independence of the government of Texas ought to be recognized.

Resolved, That the committee of ways and means be directed to provide in the bill for the civil and diplomatic expenses of the government, a salary and outfit for such public agent as the president may determine to send to Texas.

The speaker laid before the house a letter from the secretary of war *ad interim*, enclosing a communication from the officer in charge of the topographical bureau, from which it will be seen that, for the reason therein stated, it has not been, and will not be, during the present session of congress, in the power of this department to comply with the resolutions of the house of representatives of 21st of March and 11th of April last, requiring charts of the harbors of Princeton, Nantucket, Great Point and Holmes' Hole. Ordered to lie on the table.

The speaker laid before the house a letter from the secretary of war *ad interim*, enclosing a report and plan for the improvement of the harbor of White Hall, New York, required by a resolution of the house of representatives of the 18th inst. Ordered to lie on the table.

Reuben M. Whitney, charged with a contempt of the delegated authority of the house, in refusing to appear before the select committee of which the hon. Henry A. Wise is chairman, was again brought to the bar of the house. The examination of witnesses was resumed, and the house was occupied therein until ten o'clock, at which hour the house adjourned.

[It is understood that there is yet other testimony to be given.]

Monday, Feb. 20. An ineffectual motion was made by Mr. Shields to dispense with the reading of so much of the journal of Saturday as contained the record of testimony given on that day in the case of Reuben M. Whitney.

The journal having been read, On motion of Mr. Gholson, of Mississippi, Reuben M. Whitney charged with a contempt of the delegated authority of this house, in refusing to appear before the select committee, of which the hon. Henry A. Wise is chairman, in obedience to a summons issued for that purpose, was again brought to the bar of the house.

The examination of witnesses was resumed, and continued, with a good deal of intermediate debate on the course of examination.

At a late hour, a resolution was offered by Mr. Lane to discharge R. M. Whitney from custody; which (debate having been cut off by the previous question) was adopted—yeas 102, nays 70.

And R. M. Whitney was thereupon discharged.

Tuesday, Feb. 21. Mr. Pickens moved to amend the journal so as to state thereon that Mr. Gholson, of Mississippi, chairman of the committee appointed on the part of the house to conduct the examination in the case of Reuben M. Whitney, stated, before the vote of last evening to discharge Whitney, that he had propounded fourteen questions to another witness, which were in the progress of being answered. [This statement, Mr. P. said, was made just after Mr. Lane handed in his resolution providing for the discharge of R. M. Whitney.]

The speaker said it had not been usual to make such entries on the journal, which was a record of proceedings, simply, and not at all a register of debates.

After a few remarks from Messrs. Pickens, Cushing, and G. Lee, the proposed amendment was disagreed to.

By general consent, Mr. Adams presented a letter from the governor of the commonwealth of Massachusetts, in relation to the claim of that state on the government; which was referred to the committee of ways and means.

Mr. Adams asked leave to present certain petitions; which being objected to, Mr. A. moved to suspend the rule until 2 o'clock for the purpose of calling for petitions in the order of states and territories. Mr. A. remarked that he had in his possession one hundred and forty-one petitions and memorials, which he desired to present; and asked for the yeas and nays on the motion to suspend the rule for that purpose, which the house refused; and the question being taken, the rule was not suspended.

Several ineffectual motions were made to suspend the rule for the introduction of resolutions, &c.

The unfinished business was the report heretofore made by Mr. Howard, from the committee on foreign affairs, in relation to Texas, and which is composed of the two following resolutions:

Resolved by the house of representatives of the United States, That the independence of the government of Texas ought to be recognized.

Resolved, That the committee of ways and means be directed to provide in the bill for the civil and diplomatic expenses of the government, a salary and outfit for such public agent as the president may determine to send to Texas.

Mr. Howard said he thought it would not be courteous to the other committees of the house to press these resolutions at this time, to the exclusion of all reports from other committees, who had been prevented for the last ten days from making them. As the house had been kind enough to allow him, by unanimous consent, to introduce this report at an unusual hour, he was not inclined to press it this morning. He would inquire from the chair whether, if he submitted a motion to postpone the further consideration of the subject until Thursday morning, for the purpose indicated, the resolutions would come up in anticipation of all other business?

This motion gave rise to a long and desultory debate, which resulted in laying the whole subject on the table—yeas 99, nays 86. Mr. Williams moved to reconsider the vote—when Mr. A. Mann moved to lay the motion to reconsider on the table, which was decided in the affirmative, yeas 106, nays 90.

The speaker said it would not be in order to submit the motion to-day, but that it would be to-morrow.

Mr. Lewis said he hoped the friends of Texas would adopt that course.

The speaker presented a message from the president of the United States, transmitting a report from the secretary of state, and accompanying documents on the subject of our relations with Peru.

On motion of Mr. Adams, the message and documents were referred to the same committee of the whole to which had been referred the bill for the relief of William Tudor; and were ordered to be printed.

Mr. Peyton asked the consent of the house to submit a resolution that the house issue a subpoena, signed by the speaker, to Reuben M. Whitney, requiring him to appear before the committee to answer certain interrogatories which he sent to the chair. [These interrogatories are directed to the fact of the authorship of an anonymous letter accompanying Reuben M. Whitney's letter to the president of the bank of Burlington, Vermont, and which said letter Mr. W. referred to as coming from an individual high in the confidence of the executive.]

Mr. P. said that the committee, by a majority of one, had refused to summon Reuben M. Whitney, because they doubted their power to do so; for this reason he had made application to the house. Objections having been made, Mr. P. moved a suspension of the rule, and asked for the yeas and nays, which were ordered; and were—yeas 86, nays 97. So the rule was not suspended.

Mr. Peyton then moved a suspension of the rule to enable him to offer a resolution that a subpoena be issued to require Reuben M. Whitney to appear at the bar of the house to answer the said interrogatory. Mr. P. asked for the yeas and nays, which were ordered; and were—yeas 76, nays 102. So the rule was not suspended.

The remainder of this day's session was occupied in considering the navy appropriation bill in committee of the whole.

Wednesday, Feb. 22. A large number of reports were made this day, principally by the committee on claims, all of which, calling for the action of the house, will be duly noticed when before it.

Mr. D. J. Pearce, from the committee on commerce, reported a bill declaring the assent of congress to an act of the state of North Carolina for the relief of sick and disabled American seamen.

The bill having been read twice, Mr. D. J. Pearce, moved that it be engrossed for a third reading.

After some remarks from Messrs. Parker, D. J. Pearce, McKay, Reed and Cambreleng, the said bill was ordered to be engrossed for a third reading to-morrow.

On motion of Mr. McKeon, Ordered, That the committee on commerce be discharged from the further consideration of the resolution directing the committee to inquire into the expediency of regulating the pilots in the several ports of the United States. The committee reported at length upon the same; which was ordered to lie on the table.

Mr. Jarvis, from the committee on naval affairs, upon the resolution of the state of New Jersey, re-

lative to a dry dock, reported the following resolution, which was read and agreed to:

Resolved, That the secretary of the navy be directed to cause an examination to be made of the various positions not heretofore examined, within the waters of New York bay and its vicinity, which are adapted to the establishment and construction of dry docks, and to report their comparative advantages and disadvantages to the house of representatives at the opening of the next session of congress.

Mr. Galbraith, from the select committee upon the subject of banking operations and the re-issues of the notes of the bank of the United States, reported a bill providing for the punishment of re-issuing the notes of the late bank of the United States.

Mr. Everett took this occasion to disclaim any participation in the bill or report, never having seen either. The committee met soon after their appointment, when nothing was done. They were to wait the call of their chairman for their next meeting. He now understood they had had a meeting some days since, but of this he had had no notice to attend. The first notice he had was yesterday, when the chairman said that the committee proposed meeting that evening, at the lodgings of one of the members. Mr. E. informed him that he was too much indisposed to go out in the evening, but would attend any morning in the committee room at the house. He therefore disclaimed all share, or merit or responsibility for the bill or report.

Mr. Mason, of Maine, moved that 5,000 copies be printed. [Lies over.]

Mr. Thomas, from the committee on the judiciary, reported, with amendments, the senate bills entitled "an act supplementary to the act entitled an act to amend the judicial system of the United States," and "an act to alter and amend the act for the punishment of certain crimes against the United States," approved 30th April, 1790, and, without amendment, the senate bill to extend the jurisdiction of the district court of the United States for the district of Arkansas. The last mentioned bill was read a third time, and passed.

Mr. Hannegan moved a suspension of the rule to enable him to submit a motion, that the house would take a recess this day from half past one to four o'clock.

Objections having been made, Mr. H. moved a suspension of the rules to allow him to make the motion. On that motion Mr. E. Whittlesey called for the yeas and nays; which were ordered, and were—yeas 103, nays 76, (not two-thirds.) So the rule was not suspended.

Several other ineffectual attempts were made to suspend the rules for the purpose of taking up business not in order.

The speaker laid before the house a communication from the secretary of the treasury, relative to claims to lands in Louisiana, in obedience to a resolution of the house of representatives of the 26th December last.

On motion of Mr. Cambreleng, the house passed to the orders of the day, and took up the naval appropriation bill; and after some time had been occupied in considering the item (\$400,000) for fitting out the ship Pennsylvania, which was advocated at length by Mr. Sutherland, and opposed by Mr. Jarvis. The latter gentleman was proceeding, when Mr. Williams, of Kentucky, raised the point whether it was in order for the gentleman of Maine to proceed, there being no quorum present. And the very gentlemen (Mr. W. said) who had voted against the motion of Mr. Hannegan to suspend the rule were now absent from the house. The chair (Mr. Craig, of Virginia) at first decided that it was in order for debate to proceed; but, on subsequent reference to parliamentary law, decided that, in the absence of a quorum, business must be suspended. The chair then counted the members, and ascertained that eighty members only were present.—[No quorum.] After some desultory conversation, Mr. Briggs moved the house adjourn. Mr. E. Whittlesey asked for the yeas and nays; which were ordered, and were: yeas 44, nays 69. [No quorum voting.] But the majority of members present refused to adjourn. Mr. Cambreleng moved a call of the house; which motion was rejected. Mr. Mercer suggested that a quorum was now present, and the speaker having counted, ascertained that 106 members only were within the bar. Mr. Boyd said he was perfectly satisfied that no quorum would be present. He moved an adjournment.

Mr. Cambreleng asked the yeas and nays, which were ordered; and thereupon Mr. B. withdrew his motion. Various other propositions for calls of the house for a recess, and for adjournment, were made and rejected; when Messrs. Granger and Briggs, having been appointed tellers, to ascertain the num-

ber of members present, reported one hundred and eleven. [No quorum.] After some other irregular motions, Mr. Wise moved that the sergeant-at-arms be directed to go to the president's house, and invite the members of this house to return. Mr. Reynolds moved that the house adjourn. Mr. Cambreleng asked the yeas and nays; which were ordered, and were, yeas 47, nays 70. [No quorum voting.] But the majority of those present refused to adjourn. After various other propositions, which were not entertained, Mr. Hannegan moved that the house adjourn. Mr. E. Whittlesey called for the yeas and nays; which were ordered, and were yeas 63, nays 56. So the motion was agreed to, and the house adjourned, (3 o'clock).

THURSDAY'S PROCEEDINGS.

In the senate. After other business had been disposed of, which will be noticed in our next, the bill of Mr. Clay to distribute for a limited time among the several states the proceeds of the sales of the public lands coming up in its order,

Mr. Clay said he was confident there would be no surplus of revenue if pending measures should be fulfilled. He would therefore not press the bill at this moment, and moved to lay it on the table, which was done accordingly.

The senate continued to debate the general subject of the reduction of the tariff, till the Intelligence of yesterday went to press. No decision had then been had on the duty upon salt.

In the house of representatives. Mr. Cambreleng, from the committee of ways and means, reported the senate bill entitled "an act designating and limiting the funds receivable for the revenues of the United States, with the following amendment as section 4:

"And be it further enacted, That no part of this act shall be construed as repealing any existing law relative to the collection of the revenue from customs or public lands, in the legal currency, or as substituting bank notes of any description as a lawful currency of coin, as provided in the constitution of the United States; nor to deprive the secretary of the treasury of the power to direct the collectors or the receivers of the public revenue, whether derived from duties, taxes, debts or sales of public lands, not to receive in payment of any sums due to the United States the notes of any bank or banks which the said secretary may have reason to believe unworthy of credit, or which he apprehends may be compelled to suspend specie payments."

On motion of Mr. Cambreleng, the bill, with the amendment, were ordered to be printed, and take their place on the speaker's table.

A number of petitions, reports and resolutions having been disposed of, a resolution was offered by Mr. Cambreleng, that from and after this day, the daily hour of meeting of the house shall be ten o'clock, and that there shall be a recess on each day from three till half past 4 o'clock, which was, after several attempts to amend it, adopted.

The house then took up the unfinished business, being the bill making appropriations for the naval service of 1837, which was amended and passed.

After numerous ineffectual motions in relation to other bills, the house, on motion of Mr. Cambreleng, went into committee of the whole on the state of the union; Mr. Sutherland in the chair, on the bill making appropriations for the support of the army for the year 1837, and was thus engaged at our last advices from Washington.

DOMESTIC CHRONICLE.

Growth of cotton in the U. States. An article in a late number of the Mobile Register gives an interesting account of the cotton growth of the United States. It says that in only four of the states, Alabama, Mississippi, Louisiana and Florida, has the cultivation of cotton increased. The whole of the crop of the United States in 1836, was estimated at 490,000,000 of pounds. The number of field hands, as correctly as could be ascertained, was supposed to be 340,000 valued at \$800 each. The total capital invested in the growth of cotton in the U. States was estimated at \$800,000,000. The great increase in the demand of slaves has enhanced their value enormously, and therefore, the above may be considered as falling far short of the actual value of property invested in the cultivation of cotton.

Banking in Mississippi. The legislature of Mississippi have passed an act incorporating the Mississippi Union bank, with a capital of fifteen and a half millions of dollars. It is to be located at Jackson, the seat of government, and to have branches in different parts of the state, for the accommodation of the citizens generally.

Money in the south. A few days ago the books were opened at Savannah for the subscription of the capital stock of the Savannah insurance and trust

company—\$500,000 divided into 5,000 shares of \$100 each. So great was the competition for the stock that when the books were finally closed it was found that no less than 342,202 shares had been subscribed, on which thirty per cent. or \$10,261,260 had been paid at the time of subscription.

Resignation of Daniel Webster. The Boston "Courier" of the 17th inst. says—"We have seen a letter from a gentleman at Washington, written on Tuesday, which says, Mr. Webster assured me to-day, that he should resign his seat in the senate at the end of the session. He says he has been fourteen years in succession a member of congress, from our state, and now must take a respite to attend to his own private affairs."

Indiana. The legislature of this state adjourned sine die, on the 6th inst. Her portion of the surplus has been divided—one half placed in bank, the interest to be applied to internal improvement; the other half to be loaned out by county commissioners, and the interest to be applied to the support of common schools.

A valuable pine tree. A tree which grew on some timber lands in Cuba, Allegany co. was felled and cut into saw logs last month. It produced 18 mill logs, nine of which were 12 feet long, and the others 16 feet long. These 18 logs, when sawed, would average 800 feet of inch boards, one-half clear stuff. The boards obtained from the single tree are worth, on the spot, ninety dollars! A very handsome dividend. [Albany Journal.]

Mr. Loyall of the Norfolk district in Virginia, will not be a candidate for re-election to congress.

Large oxen. Two oxen raised in New Bedford, were slaughtered this week, which weighed when dressed 2,800 lbs. The weight of each of them was as follows—1st ox, one side 585 lbs. one do. 577, tallow 203, hide 130—total 1,495 lbs. 2d ox, one side 512 lbs. one do. 511, tallow 163, hide 119.

Flour in Troy, New York. The last Troy Budget says that there is less flour now in Troy, and less wheat, than has been found here, at the same season of the year, for many years past. Let a few facts and comparisons illustrate our position. Last year at this time there were in the city nearly 30,000 barrels of flour. At this time the whole quantity does not exceed 4,000 barrels. Then flour sold at 7 dollars, now at 12 dollars per barrel. One house had at this time last year, wheat on hand sufficient for 2,000 bbls. of flour. At this time there are not 200 bushels of wheat here. Such is the difference found by the contrast between the winters of 1836 and 1837. It is believed by experienced men that the supply of flour in the city now is not more than sufficient for 3 or 4 weeks ordinary demand.

It is stated as a fact, which redounds much to the credit of Adams county, Pennsylvania, that there is not a single individual confined in the public prison at this time, either for crime or debt.

Herring. The Yarmouth (Mass.) Register relates of this interesting fish, that, in the year 1831, Ebenezer Nye and others, of Falmouth, for the purpose of admitting herring, opened an outlet from a fresh water pond, through the land, to the sea. To give the experiment a fair trial, they put a few dozen of live herrings into the pond. The second year after a few herrings were observed ascending the outlet into the pond, and since their numbers have been annually increasing? Last year twenty-five barrels were taken.

A snow storm in Vermont. The annexed sketch of a real snow storm is from a late letter:

"Never talk to me again about snow storms; you know nothing about them. I wish you could just peep at the snow here; we are almost buried in it. Absolutely, when Jimmy went on Monday morning to milk the cows, he was obliged to jump out of the second story window, the doors could not be opened; of course he was buried, but as the snow was light, he scrambled out. In the course of the day, with the assistance of men and horses, we got a little cleared out, so that it was possible to get to the wood shed, at least."

Ne-ah-mi-co, a distinguished chief and warrior of the Creek nation, died a few weeks ago near Fort Gibson. He was one of the principal hostile chiefs who committed the late massacres in Alabama, and was among the first party of emigrants who were sent through Arkansas state last fall to their new country.

Gen. Scott. A public dinner, in testimony of continued personal regard and undiminished confidence in his gallantry and patriotism, was last week tendered to maj. gen. WINFIELD SCOTT, at Richmond, by a number of citizens, and members of the legislature of Virginia. It was declined by the general, END OF VOLUME FIFTY-ONE.

on the ground of the delicacy of his position, as a military man, with the result of an official inquiry in his case then yet in suspense, (which has been since still further suspended by the executive).

Gen. Gaines, has addressed the following to the editor of the Frederick (Md.) "Times."

The editor of "the Times" of Frederick, Md. is respectfully requested to notify the author of "An Acrostic," which appeared in the Times of Thursday last, apparently intended for me, inasmuch as it embraces my name, that I have no claim whatever to the honors of the victory usually designated "the sortie" from Fort Erie. Our excellent general, Jacob Brown, was justly entitled to all the honors due to the commander-in-chief of the division in the achievement of that glorious victory. Respectfully, your most obedient servant,

EDMUND P. GAINES, U. S. army.

February 20, 1837.

The Legislature of Alabama adjourned on the 23d ult. after the passage of 179 acts. One of the acts passed by them raised the salaries of all the judges in the state.

They also incorporated a number of rail road companies, as follows:

The Linden rail road company; Mobile and New Orleans do. do.; Eagle rail road and lumber company; Florida and Georgia rail road do.; rail road from the Mississippi line to Mobile; Lexington and Woodville rail road company; Selma and Tennessee do. do.; Tallapoosa and Coosa do. do.; city of Alabama and Montgomery do. do.

Valuable recipes. How to make flour cheap.—Destroy it. How to make rents cheap. Tear down the houses. How to make meat cheap. Externalize the cattle. [N. Y. Jour. Com.]

To which the Philadelphia Herald adds— "How to make money plenty. Drive foreign capital out of the country, by showing Europeans that there is no protection for property or vested rights in this country."

Soup houses. The following is believed to be a correct statement of the number of persons supplied at four of the soup houses in Philadelphia. There is a fifth, for which no return has been had:

	Adults.	Children.
Southern	250	450
N. Liberties	423	649
Southwark	220	860
Spring Garden	148	250
	1,041	2,179—Total 3,220

Appointments by the president, by and with the advice and consent of the senate. George A. Porter, to be consul of the United States, for the port of Constantinople.

William H. Tracey, to be consul of the United States, for the port of Guayama, in the island of Porto Rico.

William B. Slaughter, to be secretary for the territory of Wisconsin.

A deaf and dumb printer and editor. A newspaper has been established at Canajoharie, in New York, printed, published and edited by Levi S. Backus, deaf and dumb, a native of Hebron, (Ct.) and educated as a charity scholar in the asylum at Hartford.

Missouri. The population of Missouri is estimated at 244,208 inhabitants, of whom 40,540 are slaves. There are fifty counties in the state, St. Louis being the largest, containing 19,993 inhabitants.

Missouri, so rich in internal resources, promises to possess one of the greatest iron companies in the world. A charter was recently obtained by a company to work the two celebrated Iron mountains of that state which they possess. The capital is five millions. A bed of anthracite has happily been discovered near the Iron mountains.

A new freak. The Oswego Advertiser states that, "in a cavern in the side of a small mountain in the Niagara district, U. Canada, water is continually oozing from the rock. This water freezes in summer and dissolves in winter; that as water grows cold in autumn and winter the ice melts away, but as spring opens it begins to freeze, and form large icicles, so that by harvest, they may be conveniently used to make ice water. Let those who are versed in the freaks of nature give us the why and wherefore of this strange variation from her general laws."

Hay imported into Boston from Scotland, has been sold at from \$22 to \$25 per ton.

The anti-masonic state committee of Pennsylvania, has issued a call for a state convention to be held on the 22d May next.

NOV 20 1931

